



NOTIFICATION TO THE PARTIES

No. 2007/010

Geneva, 5 March 2007

CONCERNING:

Proposals to amend Appendices I and II

Provisional assessments by the Secretariat

1. The list of proposals to amend Appendices I and II to be considered at the 14th meeting of the Conference of the Parties was communicated to the Parties through a Notification sent to the contracting and signatory States of the Convention through the diplomatic channel on 19 February 2007 and through Notification to the Parties No. 2007/008 of 19 February 2007.
2. Annexed to the present Notification are provisional assessments of these, prepared by the Secretariat in the context of its responsibilities under Article XV, paragraph 1 (a), of the Convention, and in accordance with Resolution Conf. 5.20.
3. This information is being communicated to the Parties at this early stage in order to help them in making their own assessment of the proposals, to stimulate discussion and to encourage further clarification to be provided where appropriate.
4. By 23 April 2007, the Secretariat will communicate to the Parties its recommendations on the proposals, which will take account of the comments received from Parties and organizations as well as from intergovernmental bodies having a function in relation to marine species [in accordance with the provisions of Article XV, paragraph 2 (b), of the Convention] before 30 March 2007.

Proposal 2***Lynx rufus* – Deletion from Appendix II.****Proponent: United States of America**Provisional assessment by the Secretariat

The purpose of this proposal is identical to that of the one submitted at the 13th meeting of the Conference of the Parties (CoP13, Bangkok, 2004). At that time, the proponent acknowledged the concerns of some Parties and observers regarding enforcement, arising out of similarity in appearance between *Lynx rufus* and other spotted cats, and agreed to withdraw the proposal in favour of Decision 13.93 directed to the Animals Committee.

The status and management of the species has changed little since CoP13. The Secretariat previously considered that the species did not meet the criteria for an Appendix-II listing under Article II paragraph 2 (a).

Concerning the look-alike aspects of an Appendix-II listing, the Animals Committee was unable to conclude its review of the *Lynx* species complex requested under Decision 13.93 and is proposing that the Parties re-establish this decision for the period CoP14-CoP15 (see document CoP14 Doc. 8.2). This would include an assessment of the management and enforcement measures available to achieve effective control of trade in specimens of these species so as to resolve the continued need for look-alike listings.

Since the proposal submitted at CoP13, the proponent has ascertained that although pieces of *Lynx rufus* skins cannot be distinguished from other *Lynx* species using forensic techniques, data in the CITES trade database from 1980 to 2004 show that 78 % of trade (presumably this refers to specimens rather than shipments) in *Lynx* species consists of skins. The proponent explains that since skins are almost always auctioned in a dry, untanned form with fur out, and are almost always complete, including the ears and tail, no look-alike problem will exist because such skins can be identified using guides which they have produced such as "How to Avoid Incidental Take of Lynx While Trapping or Hunting Bobcats and Other Furbearers." (<http://www.fws.gov/international/animals/lynx.htm>).

Proposal 3

Panthera pardus – Transfer of the population of Uganda from Appendix I to Appendix II with an annotation that reads as follows:

- "1) for the exclusive purpose of sport hunting for trophies and skins for personal use, to be exported as personal effects; and
- 2) with an annual export quota of 50 leopards for the whole country."

Proponent: Uganda

Provisional assessment by the Secretariat

This proposal is slightly contradictory in citing both Resolution Conf. 10.14 (Rev. CoP13) and Resolution Conf. 9.24 (Rev. CoP13) for the approval of an export quota for of 50 leopards to be exported as personal effects for the exclusive purpose of sport hunting for trophies and skins for personal use. The former maintains the species *Panthera pardus* in Appendix I (although allowing limited trade in whole skins or nearly whole skins, including hunting trophies) whilst the latter and the text of this proposal suggests a transfer of the Ugandan population of the species to Appendix II.

The proposal is not written in accordance with the format for proposals to amend the Appendices as set out in Annex 6 to Resolution Conf. 9.24 (Rev. CoP13) and although some sections of the text state a desire for the Ugandan population of the species to be transferred to Appendix II, other parts, such as section 6, refer to the maintenance of the species in Appendix I.

The supporting statement consequently does not try to demonstrate that the biological criteria for Appendix-I listing are no longer fulfilled, nor does it explicitly indicate which precautionary measure will be in place, although it might be supposed that this is paragraph A. 2. c) of Annex 4 to Resolution Conf. 9.24 (Rev. CoP13).

Under these circumstances, the Secretariat suggests that Uganda request consideration of this proposal under agenda item 37 (Appendix-I species subject to export quotas) rather than item 68 (Proposals to amend the Appendices).