

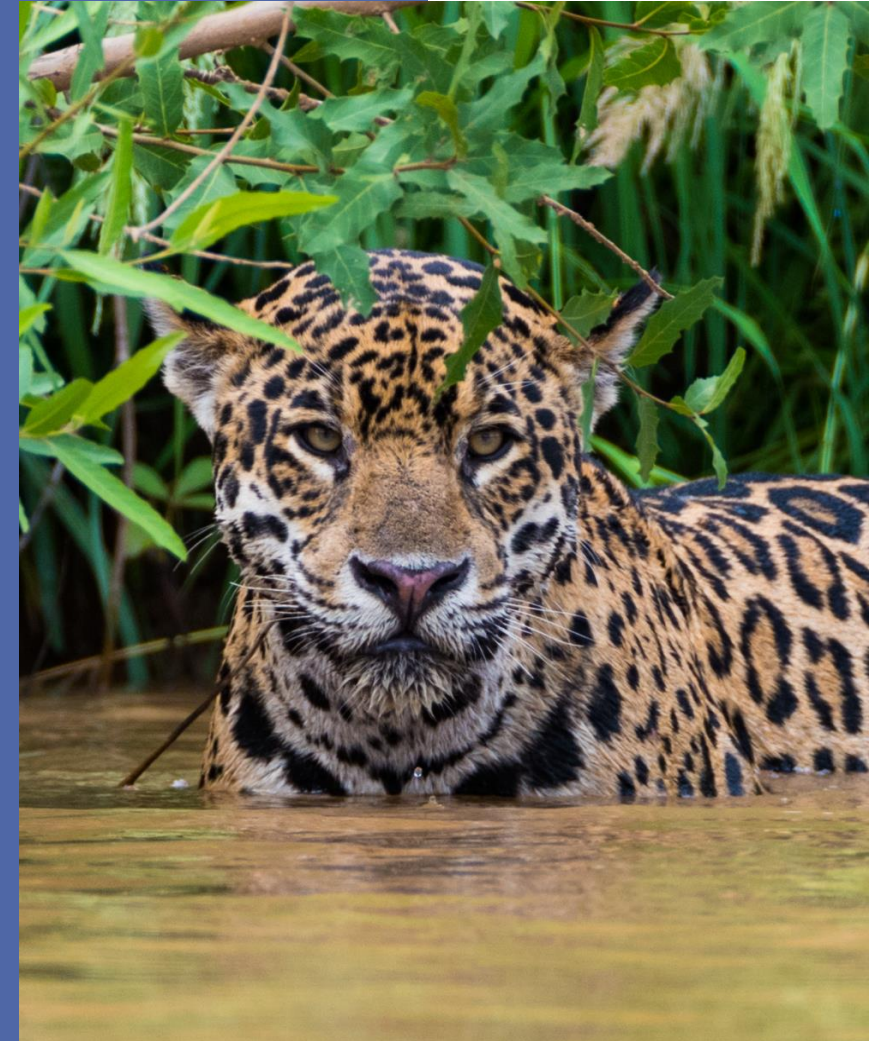


# Global Workshop on CMS Legislation

Risk Posed to CMS Appendix I-listed  
Species by International Trade

Ms. María José Ortiz  
*Legal Officer, CMS Secretariat*

3-5 June 2025, Bonn, Germany



The European Union was recognized as Champion Plus for its generous support and commitment towards strengthening national legislation for migratory species for the period 2020 - 2025. This activity has been funded with the contribution granted by the European Commission under the Migratory Species Champion Programme and through the Global Public Goods and Challenges (GPGC Programme) Cooperation Agreements with UNEP.





Background

## CMS COP13 (Gandhinagar, 2020)

- Concern highlighted about the direct use and trade of Appendix I taxa, particularly in the context of CMS Article III.5 (“taking” prohibition)

### Decision 13.17

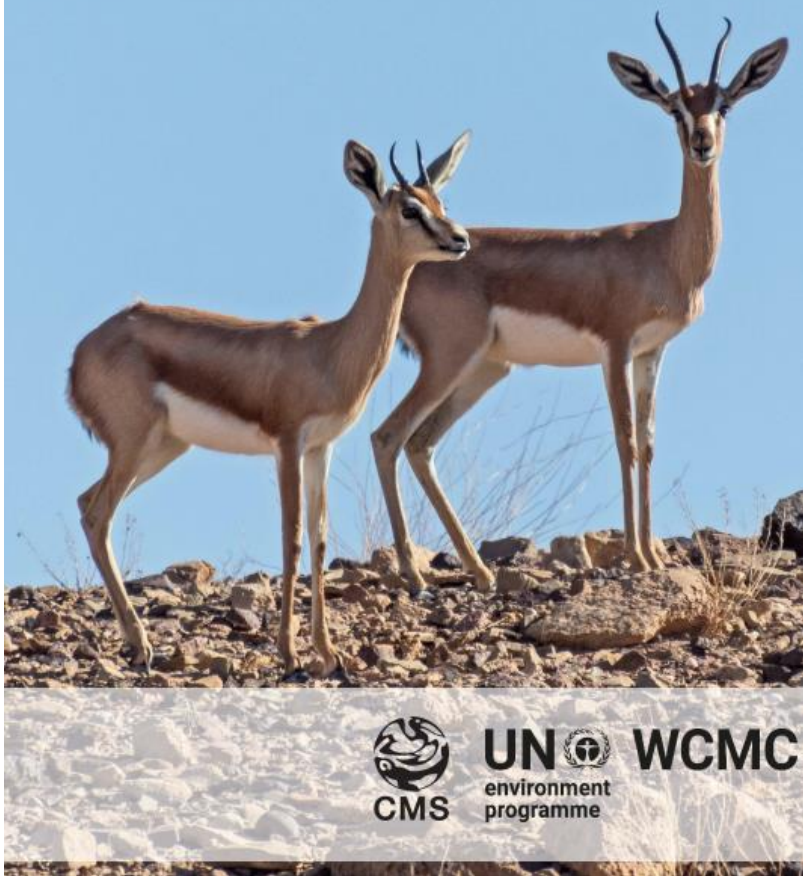
#### Application of Article III of the Convention Regarding International Trade in Appendix I-listed Species

##### *Directed to the Secretariat*

The Secretariat shall, subject to the availability of resources, with the support of the Scientific Council and within the scope of the Conservation Status Report (Decision 13.24):

- a) develop criteria, in collaboration with the CITES Secretariat, to determine the scope and feasibility of assessing the impact of international trade in Appendix I species on their conservation status; and
- b) based on these criteria, assess the impact of international trade on the conservation status of relevant Appendix I species, including but not limited to, international trade regulated by CITES.

Assessment of the risk posed to CMS  
Appendix I-listed species by direct use  
and trade



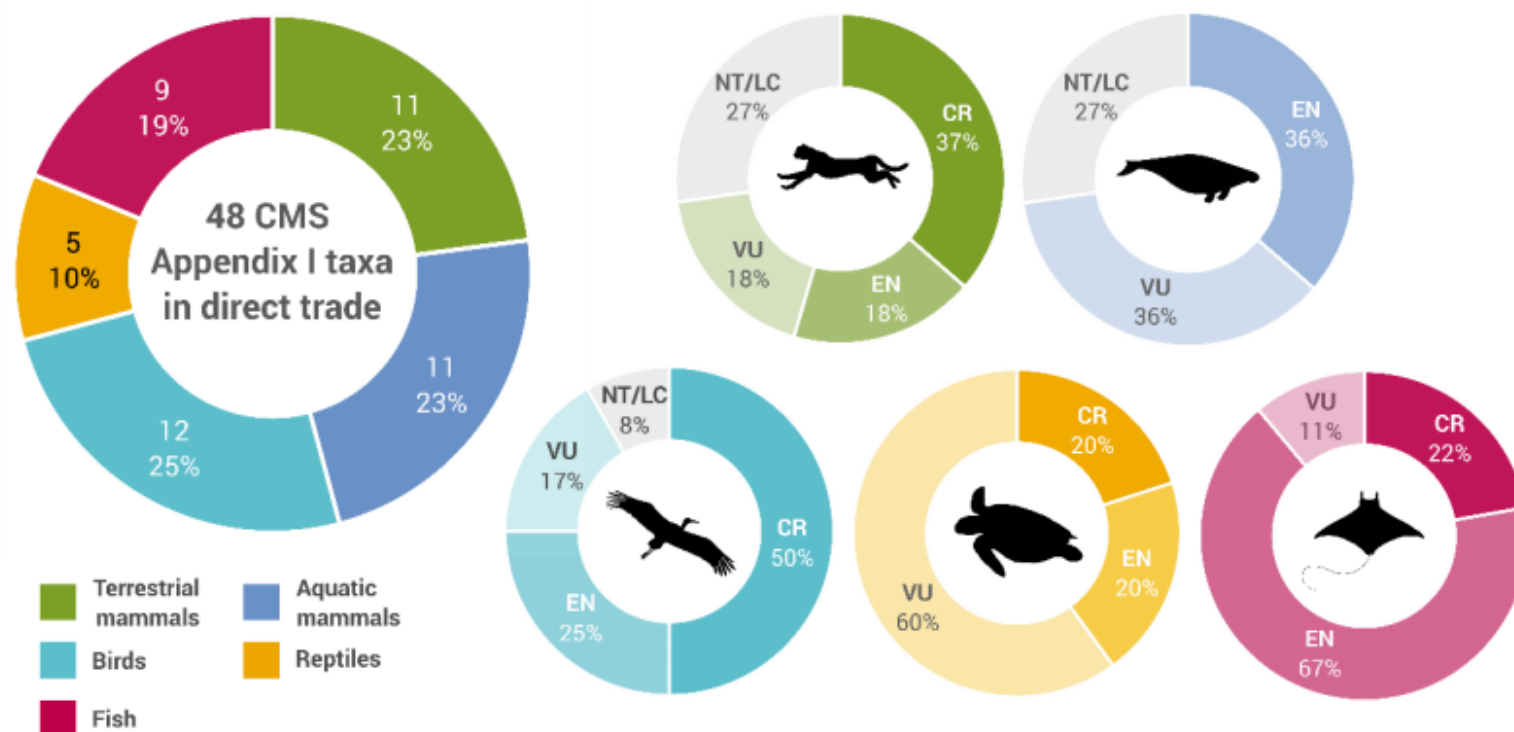
# Report *Assessment of the risk posed to CMS Appendix I-listed species by direct use and trade* (UNEP-WCMC)

- 4 sections:
  - Rapid assessment of the potential risk from direct use and trade
  - Assessment of taxa in international trade
  - Assessment of taxa harvested for domestic use
  - Summary of international and domestic trade/use in higher risk taxa

# Analysis of legal international trade in CMS Appendix I taxa as reported by Parties to CITES in their annual reports between 2015-2019

## Number and proportion of CMS Appendix I taxa reported in direct trade 2015-2019

Note: not all trade is in potential contravention of CMS Article III, Paragraph 5



- 40% (48 taxa) of the 122 CMS Appendix I taxa listed in CITES were reported in direct, wild-sourced or ranched trade



## CITES trade in CMS Appendix I taxa in *potential* contravention of CMS

- 4 criteria considered:
  - The exporting country was a CMS Party
  - The trade was reported after the year the taxon was listed in CMS Appendix I
  - The trade records originated from populations covered by the Appendix I listing
  - There were no reservations in place to the listing of the species in trade made by the exporting country

## Threat from intentional biological resource use



- 48 CMS Appendix I taxa reported in direct, wild-sourced trade (2015-2019)
- Evidence for additional 21 non-CITES listed taxa of international trade/use
- Of these 69 CMS Appendix I taxa, 54 (78%) were considered threatened by intentional biological resource use
- International trade may therefore represent a threat to these taxa



# CMS Secretariat's COP14 Mandate

## CMS COP14 (Samarkand, 2024)

- Took note of the report
- Adopted **Decision 14.24 b)**

### Conservation Status of Migratory Species

*Directed to the Secretariat*

b) In accordance with Resolution 12.9, engage with relevant Parties on the instances of potential contravention of the Convention identified in the report in the COP14 document UNEP/CMS/COP14/Doc.21.2 seek information from these Parties on these cases and report this information to the 56<sup>th</sup> Meeting of the Standing Committee;

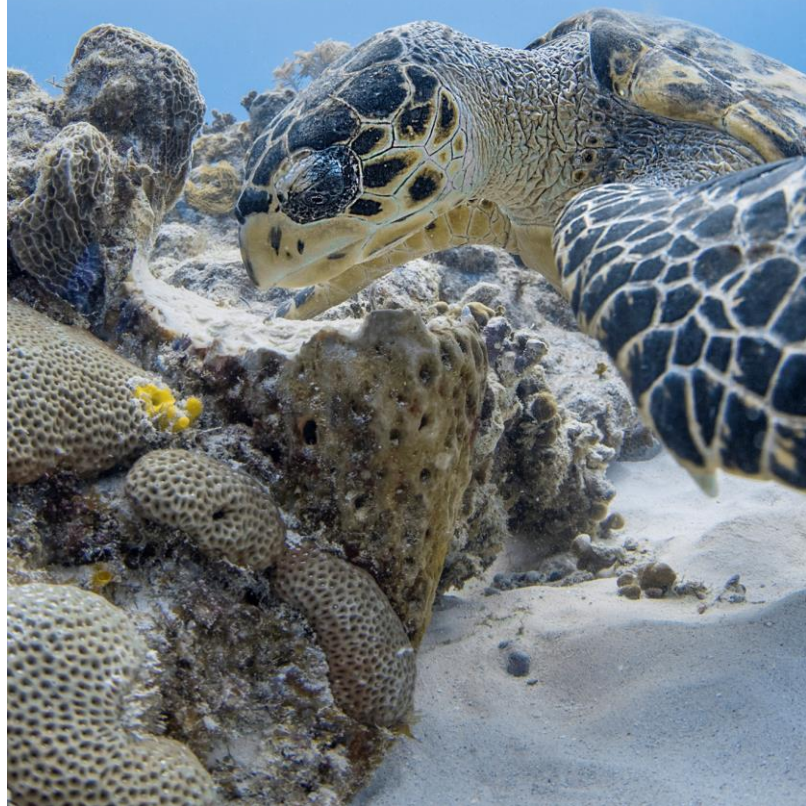
# Seeking information

- The Secretariat prepared letters to the attention of 30 Parties seeking further information on these instances and reported the received information to the 56<sup>th</sup> Meeting of the Standing Committee (StC56)
- StC56 took note of the report and encouraged responses to the letters
- To date, responses from 12 Parties were received
- The Secretariat will follow up with the Parties that have not yet responded



## Discussion Questions

1. In your national context, how is potential overlap between CMS “taking” prohibitions and CITES trade authorizations managed?
2. Have you encountered examples—positive or problematic—where CMS and CITES enforcement efforts intersect?
3. What legal, regulatory, or awareness-raising measures could help reduce demand for specimens of CMS-listed species taken illegally?





THANK YOU!



The European Union was recognized as Champion Plus for its generous support and commitment towards strengthening national legislation for migratory species for the period 2020 - 2025. This activity has been funded with the contribution granted by the European Commission under the Migratory Species Champion Programme and through the Global Public Goods and Challenges (GPGC Programme) Cooperation Agreements with UNEP.

