

**National Interest Analysis 2024 ATNIA 1  
with attachment on consultation**

**Amendments to Appendices I, II and III of the Convention on International Trade in  
Endangered Species of Wild Fauna and Flora  
(Panama City, 25 November 2022)**

**2024 ATNIF 1**

# NATIONAL INTEREST ANALYSIS: CATEGORY 1 TREATY

## SUMMARY PAGE

### Amendments to Appendices I, II and III of the Convention on International Trade in Endangered Species of Wild Fauna and Flora

(Panama City, 25 November 2022)

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#### Nature and timing of treaty action

1. The treaty action is the amendment of the species listed in Appendices I, II and III of the *Convention on International Trade in Endangered Species of Wild Fauna and Flora 1976* (the Convention) as decided at the 19<sup>th</sup> Conference of the Parties (the 19<sup>th</sup> Conference), held from 14 to 25 November 2022 in Panama City, Panama.
2. The amendments to Appendices I and II were adopted by the 19<sup>th</sup> Conference in accordance with paragraph 1 of Article XV of the Convention. Under Article XV (1) (c) of the Convention, amendments to Appendices I and II adopted at the 19<sup>th</sup> Conference automatically came into force 90 days after the 19<sup>th</sup> Conference, that is, on 23 February 2023, except for Parties that lodged a reservation during that interval in accordance with Article XV (3). The 19<sup>th</sup> Conference agreed to delay the listings of requiem sharks (*Carcharinidae* spp.) and straw-headed bulbul (*Pycnonotus zeylanicus*) in Appendix II and I respectively by 12 months (which came into effect on 25 November 2023); sea cucumbers (*Thelepenota* spp.) in Appendix II by 18 months (coming into effect on 25 May 2024); and *Dipteryx* spp. and trumpet trees (*Handroanthus* spp., *Roseodendron* spp., *Tabebuia* spp.) in Appendix II by 24 months (coming into effect on 25 November 2024).
3. Amendments to Appendix III were made following requests by Cuba and South Africa in accordance with paragraph 1 of Article XVI of the Convention. The amendments entered into force on the same date as amendments to Appendices I and II adopted at the 19<sup>th</sup> Conference, that is, on 23 February 2023.

#### Overview and national interest summary

4. The Convention is a multilateral environmental agreement that regulates the international trade in wild fauna and flora via the listing of species in Appendices. The amendments to the Appendices made at the 19<sup>th</sup> Conference relate to species being listed on, removed from or moved between the Appendices. This includes deletion, addition or transfer of taxa from, to or between the Appendices, and amendment to the annotations accompanying some already-listed taxa.
5. Regularly updating the list of species in the Appendices is critical to ensuring that the Convention can continue to effectively regulate the international trade in species at risk from over-exploitation. This both facilitates legal trade in specimens where appropriate and reduces burdensome regulation where it is not necessary.

6. The treaty action is consistent with Australia's strong commitment to the Convention and to international cooperation for the protection and conservation of wildlife more generally. Undertaking the required regulatory action within the specified timeframes is required for Australia to meet its obligations as a Party to the Convention.

### **Reasons for Australia to take the treaty action**

7. The Convention is a multilateral environmental agreement that entered into force generally on 1 July 1975 and for Australia on 27 October 1976. The Convention arose from recognition that international cooperation is essential to safeguard certain species of fauna and flora from over-exploitation where their trade crosses country borders.
8. Participation in the Convention advances Australia's domestic and regional conservation and trade interests by protecting native species from detrimental trade and facilitates legitimate wildlife trade into and out of Australia. The Convention also provides a forum for international cooperation in order for Australia to enhance relationships with other Parties for the benefit of promoting effective regulation of international wildlife trade.

### *Amendment of the Appendices*

9. International trade of species of fauna and flora is regulated via the listing of species in three Appendices to the Convention. Species listed in Appendix I have the highest degree of protection and cannot be internationally traded, except under very specific and highly regulated circumstances (Article II (1) and Article III of the Convention). Species listed in Appendix II are not necessarily threatened by extinction but require international trade to be monitored to avoid overutilisation. International trade in specimens of species listed on Appendix II must be accompanied by a valid permit from the exporting country (Article II (2) and Article IV of the Convention). An export permit can only be granted if the country of export has determined that export of the species will not be detrimental to the survival of that species (known as a non-detriment finding).
10. A Party may also unilaterally identify species or populations within its jurisdiction where the cooperation of other Parties is needed to assist in regulating international trade and to avoid undermining domestic regulation (Article II (3) and Article V of the Convention). These species are included in Appendix III. A Party can request an Appendix III listing at any time, but requests are generally timed to coincide with a Conference of the Parties to simplify administration of the Appendices. The Conference of the Parties does not make decisions on these listings, though it may determine that a species requires broader protection and move a species from Appendix III to Appendix I or Appendix II of the Convention.
11. Timely amendment of the Convention Appendices ensures that species are regulated appropriately according to current conservation requirements and trade pressures. This is crucial to the effective operation and implementation of the Convention.

### **Obligations**

12. Australia is obliged to regulate international trade in specimens of species included in the Appendices in accordance with the Convention. The only exception is if Australia makes a

reservation, in which case Australia would be treated as a Party not subject to the Convention for the particular plant or animal species listed in an Appendix to which the reservation relates. If a reservation were made, in order to trade in that species with any other Convention Parties that implement the listing, Australia would be required to provide equivalent documentation meeting the information standards of a CITES permit, including a finding that trade will not be detrimental to the survival of the species (a non-detriment finding).

13. The amendments to the Appendices do not change the existing substantive obligations of Parties to the Convention. Australia continues to be obliged to prohibit trade in the species included in Appendices I, II and III except in accordance with Article III, Article IV and Article V of the Convention respectively, and where personal and household effects exemptions under Article VII (3) may apply. The amendments change the composition of the list of species to which the Convention's export and import rules must be applied.

#### *Amendments to species listings*

14. The 19<sup>th</sup> Conference reviewed 52 listing proposals regarding Appendices I and II, of which 46 were adopted. Several requests for amendments to Appendix III were also timed to coincide with the 19<sup>th</sup> Conference. Cuba requested the Cuban bullfinch (*Melopyrrha nigra*) and Cuban grassquit (*Tiaris canorus*) in CITES Appendix III and South Africa requested eighteen plant taxa in CITES Appendix III; *Conophytum* spp., *Mestoklema tuberosum*, *Raphionacme zeyheri*, *Crassothonna clavifolia*, *Othonna armiana*, *Othonna cacalioides*, *Othonna euphorbioides*, *Othonna retrorsa*, *Tylecodon bodleyae*, *Tylecodon nolteei*, *Tylecodon reticulatus*, *Monsonia herrei*, *Monsonia multifida*, *Monsonia patersonii*, *Pelargonium crassicaule*, *Pelargonium triste*, *Adenia spinosa* and *Portulacaria pygmaea*.
15. Australia is neither a range State (that is, the species do not naturally occur in Australia) for the majority of species covered by the adopted listing proposals for Appendices I, II and the Appendix III requests, nor does Australia have an industry in the international trade of the majority of these species. As such, there will be no ramifications for Australia arising from the listing amendments for the majority of these species.
16. The amendments that are relevant to Australia include: listing of an endemic Australian reptile, *Tiliqua adelaidensis*, to Appendix I; four marine species taxa (requiem sharks, hammerhead sharks, guitarfish and sea cucumbers) listings for which Australia is a range State; and seven listings for species in which Australia is known to trade: *Rhodiola* spp., brazilwood and five of the Appendix III South African plant listings (*Conophytum* spp., *Othonna retrorsa*, *Tylecodon reticulatus*, *Pelargonium triste* and *Adenia spinosa*). Though these listings do not necessitate additional legislation or regulation to implement, their operation will increase compliance requirements for several Australian traders, including licensing costs (detailed from paragraph 31 below).
17. *Listing of Australian native species*: the following species was listed to Appendix I:
  - a. *Tiliqua adelaidensis* (pygmy bluetongue lizard).
18. The listing proposal was developed by Australia with input from the states and territories and technical threatened species experts, and received endorsement of the CITES Animals

Committee (the CITES scientific and technical committee for fauna). There is evidence that international trade is or may be a threat to the survival of these species. The species met the criteria for inclusion in Appendix I and was adopted by consensus at the 19<sup>th</sup> Conference.

19. *Marine species listings*: the following taxa were listed in Appendix II:

- a. Requiem sharks (*Carcharhinidae* spp.);
- b. Hammerhead sharks (*Sphyrnidae* spp.);
- c. Guitarfish (*Rhinobatidae* spp.); and
- d. Sea cucumbers (*Thelenota* spp.).

These species have ranges that extend into Australian waters and are relevant to Australian export fisheries in state, territory and Commonwealth jurisdictions.

20. *Species Australia is known to trade*:

- a. *Rhodiola* spp. in Appendix II with annotation “All parts and derivatives except: a) seeds and pollen; and b) finished products packaged and ready for retail trade”. This listing may affect up to two Australian importers; and
- b. *Conophytum* spp., *Othonna retrorsa*, *Tylecodon reticulatus*, *Pelargonium triste* and *Adenia spinosa* in Appendix III. These species are known to be imported by Australian businesses and will affect several Australian importers.

#### *Amendments to annotations*

21. Many of the species listed in the Appendices to the Convention have interpretive annotations specifying the populations of the species that are subject to the trade controls in the Convention; and/or the parts or products derived from the species that are subject to the trade controls; and/or the circumstances under which trade is permitted.

22. The amendments adopted to the current annotation regulating trade in brazilwood (*Paubrasilia echinata*) in Appendix II exempt all re-exported finished musical instruments and instrument accessories from permitting requirements. Australia imports a significant quantity of worked or finished musical instrument bows made of brazilwood for commercial sale but does not appear to import unfinished bows or raw timber. The amendment annotation listing will not affect Australia’s musical instrument industry.

#### *Entry into force for Australia*

23. The amendments to Appendices I and II, including amendments to annotations, agreed at the 19<sup>th</sup> Conference are consistent with Australia’s commitment to the conservation of species threatened by international trade. Australia has not lodged a reservation under paragraph 3 of Article XV for any of the amendments. The amendments entered into force on 23 February 2023, with the exception of several Appendix I and II listings. The 19<sup>th</sup> Conference agreed to delay the listings of requiem sharks (*Carcharinidae* spp.) and straw-headed bulbul (*Pycnonotus zeylanicus*) in Appendix II and I respectively by 12 months (which came into effect on 25 November 2023); sea cucumbers (*Thelenota* spp.) in

Appendix II by 18 months (coming into effect on 25 May 2024); and *Dipteryx* spp. and trumpet trees (*Handroanthus* spp., *Roseodendron* spp., *Tabebuia* spp.) in Appendix II by 24 months (coming into effect on 25 November 2024).

24. The amendments to Appendix III also entered into force on 23 February 2023. Parties may enter a reservation to Appendix III listings at any time (i.e. reservations are not limited to the 90-day period before the amendment enters into force as for Appendices I and II). Australia has not entered a reservation to any of the amendments under paragraph 2 of Article XVI of the Convention.

#### *Reservations of other Parties*

25. The following Parties have entered reservations in relation to Appendix I and II amendments adopted at the 19<sup>th</sup> Conference pursuant to Article XV (3) of the Convention.
- a. Canada with regard to all amendments, due to the necessity to complete its domestic legal requirements for the entry into force of these amendments.
  - b. Republic of Indonesia with respect to the inclusion in Appendix II of *Copsychus malabaricus* (white-rumped shama), valid until 25 November 2023; the inclusion of Carcharnidae spp. (requiem sharks), valid until 25 May 2024; and the inclusion of *Thelenota* spp. (sea cucumbers), valid until 25 May 2025.
  - c. Japan with regard to the inclusion in Appendix II of *Prionace glauca* (blue shark).
  - d. Palau with regard to the inclusion in Appendix II of *Prionace glauca* (blue shark).
  - e. Thailand with regard to the inclusion of Carcharhinidae in Appendix II for a period of six years or until 25 November 2028 in order to complete its domestic preparation for complying with the amendment.
  - f. Yemen with regard to the inclusion in Appendix II of *Prionace glauca* (blue shark).

#### *Adoption of, or amendments to, Resolutions*

26. The 19<sup>th</sup> Conference also adopted and amended Resolutions for the better regulation of international trade in species, and parts and derivatives of species. Resolutions of the Conference of the Parties are not binding but are intended to assist interpretation and implementation of the Convention. Section 303CN of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides that the Minister may have regard to Resolutions in making decisions about listed specimens.

#### **Implementation**

27. Australia implements the Convention via Part 13A of the EPBC Act. For a specimen listed under the Convention to be eligible for import to or export from Australia, it must be permitted under the EPBC Act. This includes a consideration of the effect of the export or import of the specimen on its survival and conservation status.
28. As required under section 303CA (1) of the EPBC Act, a list of species in the Appendices to the Convention was established in 2002 – the *List of CITES Species for the Purposes of the Act* (Cth). This list must be updated to include all species included in the Convention Appendices from time to time (EPBC Act ss 303CA (3) and 303CA (9)).

29. On 23 February 2023 amendments were made to the *List of CITES Species Amendment (Conference 19) Instrument 2023* (Cth). They are not disallowable instruments (under section 44(2)(b) of the *Legislation Act 2003* (Cth) and item 15 of the table in rule 10 of the *Legislation (Exemptions and Other Matters) Regulation 2015* (Cth)).
30. For Australian wild harvest export fisheries, the Convention's requirement for a non-detriment finding is met through the assessment of fisheries for declaration as approved wildlife trade operations (Section 303FN of the EPBC Act).

### **Costs**

31. The treaty action is expected to impose minor additional regulatory costs on Australian businesses and the Australian Government and have no significant effect on Australia's trade interests. Based on preliminary calculations, the annual regulatory burden to Australian business, including permit application and compliance costs, is estimated as a cost of \$48,938 per year. Australia currently has legislation and administrative arrangements in place to implement the provisions of the Convention.
32. The amendments to the Appendices will not require any new domestic regulatory arrangements to be developed but will require trade in some species (species Australia is known to trade, marine species and Australian native species) to meet stricter requirements, as outlined below.

### *Appendix I listings*

33. The new listings of species in Appendix I to the Convention will not impact on Australian industry as there is unlikely to be existing import or export markets for these species.

### *Appendix II listings*

34. The new marine species listings in Appendix II to the Convention require requiem sharks (*Carcharhinidae* spp.), hammerhead sharks (*Sphyrnidae* spp.), sea cucumbers (*Thelenota* spp.) and guitarfish (*Rhinobatidae* spp.) may have an impact on Australian industry.
35. For continued exports of marine species sourced from Australian fisheries, the Australian Government would need to make a non-detriment finding before approving trade. These assessments would be made by the Department of Climate Change, Energy, the Environment and Water (the Department) (being Australia's CITES Scientific Authority) in conjunction with the assessment and approval of fisheries for export.
36. It is anticipated that a non-detriment finding will only be required for fisheries wishing to continue to export requiem sharks (*Carcharhinidae* spp.), hammerhead sharks (*Sphyrnidae* spp.), sea cucumbers (*Thelenota* spp.) and guitarfish (*Rhinobatidae* spp.). Management procedures to enable continuation of any export were implemented before the listings took effect on 23 February 2023 for hammerhead sharks and guitarfish, and 25 November 2023 for requiem sharks, and will be implemented before 25 May 2024 for sea cucumbers.

Businesses that intend to export requiem sharks, hammerhead sharks, guitarfish and sea cucumbers after these times would be required to apply for export permits.

- a. Up to four exporters are anticipated to export requiem sharks from up to five Australian fisheries each. Additionally, there is one live shark exporter expected to make up to eight shipments per year and one exporter of shark skulls expected to make up to ten shipments per year.
- b. The same four exporters are anticipated to export hammerhead sharks from up to five Australian fisheries each. Additionally, the same live shark exporter as requiem sharks is expected to make up to eight shipments of live hammerhead sharks per year.
- c. Consultation did not identify significant exports of guitarfish. However, if they are exported, the same four exporters are anticipated to export guitarfish from up to five Australian fisheries each.
- d. Five existing Australian fisheries harvest the relevant species of sea cucumbers. Based on best available information and consultation, we expect the number of exporters required to apply for CITES permits for sea cucumbers will be no more than two export businesses per fishery.

37. The listing of *Rhodiola* in Appendix II may have an impact on Australian businesses that trade in raw *Rhodiola* product. Businesses that intend to trade in these specimens would be required to apply for import or export permits. Consultation identified up to two businesses that trade in these specimens.
38. The import and export of species listed in Appendix II to the Convention generally requires a permit from the Department, at a cost of \$73 for a single use permit, or \$183 for a multiple consignment authority. Single use permits and multiple consignment authorities are valid for a period of six months. Pre-Convention certificates for export of items obtained before the listing of a species are available free of charge and are also valid for a period of six months.

#### *Appendix III listings*

39. There are no expected costs to Australian business resulting from the Appendix III amendments by Cuba (*Melopyrrha nigra* and *Tiaris canorus*), as they are not Australian species and there is no evidence of Australian trade in the species.
40. Thirteen of the species included in the Appendix III amendments by South Africa are expected to have no costs to Australian businesses (*Mestoklema tuberosum*, *Raphionacme zeyheri*, *Crassothonna clavifolia*, *Othonna armiana*, *Othonna cacalioides*, *Othonna euphorbioides*, *Tylecodon bodleyae*, *Tylecodon nolteei*, *Tylecodon reticulatus*, *Monsonia herrei*, *Monsonia multifida*, *Monsonia patersonii*, *Pelargonium crassicaule*, and *Portulacaria pygmaea*). These are not Australian species and there is no evidence of Australian trade in the species.
41. Five of the species included in the Appendix III amendments by South Africa (*Conophytum* spp., *Othonna retrorsa*, *Tylecodon reticulatus*, *Pelargonium triste* and *Adenia spinosa*) are



known to be imported to Australia and are expected to have costs to Australian businesses. Based on best available information, we expect the number of exporters required to apply for CITES permits for *Conophytum* spp. to be three import businesses, *Othonna retrorsa* to be two import businesses, *Tylecodon reticulatus* to be two import businesses, *Pelargonium triste* to be nine import businesses and *Adenia spinosa* species to be three import businesses.

42. The import and export of species listed in Appendix III to the Convention generally requires a permit from the Department, at a cost of \$73 for a single use permit. Single use permits are valid for a period of six months. Pre-Convention certificates for export of items obtained before the listing of a species are available free of charge and are also valid for a period of six months.

### **Impact Analysis**

43. The Office of Impact Analysis has been consulted regarding the listing of species that occur naturally in Australia and/or are subject to international commercial trade in Australia, as well as the species included in the Appendix III amendments. These are: pygmy bluetongue lizard (*Tiliqua adelaidensis*), requiem sharks (*Carcharhinidae* spp.), hammerhead sharks (*Sphyrnidae* spp.), sea cucumbers (*Thelenota* spp.), guitarfish (*Rhinobatidae* spp.), *Rhodiola* spp., Cuban bullfinch (*Melopyrrha nigra*), Cuban grassquit (*Tiaris canorus*), *Conophytum* spp., *Mestoklema tuberosum*, *Raphionacme zeyheri*, *Crassothonna clavifolia*, *Othonna armiana*, *Othonna cacalioides*, *Othonna euphorbioides*, *Othonna retrorsa*, *Tylecodon bodleyae*, *Tylecodon nolteei*, *Tylecodon reticulatus*, *Monsonia herrei*, *Monsonia multifida*, *Monsonia patersonii*, *Pelargonium crassicaule*, *Pelargonium triste*, *Adenia spinosa* and *Portulacaria pygmaea*. The consultation also included impacts on individuals from the listing of requiem sharks (*Carcharhinidae* spp.), hammerhead sharks (*Sphyrnidae* spp.), sea cucumbers (*Thelenota* spp.), guitarfish (*Rhinobatidae* spp.), *Rhodiola* spp., Cuban bullfinch (*Melopyrrha nigra*), Cuban grassquit (*Tiaris canorus*), *Conophytum* spp., *Mestoklema tuberosum*, *Raphionacme zeyheri*, *Crassothonna clavifolia*, *Othonna armiana*, *Othonna cacalioides*, *Othonna euphorbioides*, *Othonna retrorsa*, *Tylecodon bodleyae*, *Tylecodon nolteei*, *Tylecodon reticulatus*, *Monsonia herrei*, *Monsonia multifida*, *Monsonia patersonii*, *Pelargonium crassicaule*, *Pelargonium triste*, *Adenia spinosa* and *Portulacaria pygmaea* in Appendix II and III.
44. The Office of Impact Analysis advised that an Impact Analysis was not required.

### **Future treaty action**

45. Appendices I and II are amended from time to time in accordance with the provisions of Article XV of the Convention. Amendments may be adopted by a two-thirds majority of the Parties present and voting at a meeting of the Conference of the Parties, or through a postal procedure between meetings. Amendments to Appendices I and II then enter into force automatically 90 days following the meeting or the completion of the postal procedure for all Parties except those Parties that lodge a reservation.
46. Appendix III may be amended in accordance with the provisions of Article XVI of the Convention. A Party can request an Appendix III listing at any time, although the Conference of the Parties has recommended that changes be timed to coincide with

amendments to Appendices I and II. Amendments to Appendix III enter into force automatically 90 days following communication of the list to the Parties by the Secretariat.

47. The Convention itself (other than the Appendices) can only be amended at an extraordinary meeting of the Conference of the Parties, pursuant to its Article XVII. Such amendments are to be adopted by a two-thirds majority of Parties present and voting and will enter into force for those Parties accepting it 60 days after two-thirds of the Parties have deposited an instrument of acceptance.
48. Any future amendment to the Convention or the Appendices would constitute a treaty action and be subject to Australia's domestic treaty making requirements, including tabling in Parliament and consideration by the Joint Standing Committee on Treaties (JSCOT).
49. The Convention does not expressly provide for the negotiation of future related legally binding instruments such as protocols or annexes.
50. Regarding reservations, Parties may enter a reservation with respect to a particular amendment to Appendices I or II, in accordance with paragraph 3 of Article XV, during the 90-day period before the amendment enters into force. Parties may enter a reservation to Appendix III listings at any time in accordance with paragraph 2 of Article XVI (i.e. reservations are not limited to the 90-day period before the amendment enters into force as for Appendices I and II). Until a reservation is withdrawn, the Party shall be treated as a State not a Party to the Convention with respect to trade in the species concerned.

### **Withdrawal or denunciation**

51. Any Party may denounce the Convention by written notification to the Depositary Government (Government of Switzerland) at any time, in accordance with Article XXIV. The denunciation takes effect twelve months after the Depositary Government has received the notification.
52. Any denunciation by Australia would constitute a treaty action and would be subject to the domestic treaty making requirements.

### **CONTACT DETAILS**

Wildlife Trade Regulation Section  
First Nations Heritage, Wildlife and Planning Division  
Department of Climate Change, Energy, the Environment and Water.

**ATTACHMENT ON CONSULTATION**  
**Amendments to Appendices I, II and III of the Convention on International Trade in**  
**Endangered Species of Wild Fauna and Flora**

**(Panama City, 25 November 2022)**

**2024 ATNIA 1**

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**CONSULTATION**

**Summary of outcomes**

53. The Department consulted with state and territory governments, the Indigenous Advisory Committee, the Office of the Threatened Species Commissioner, relevant industry bodies, non-government organisations (NGOs) and members of the public on proposed amendments to Appendices I and II of the Convention in advance of the 19<sup>th</sup> Conference of the Parties. Submissions and comments were received and considered.
54. The consultation did not include those amendments to Appendix III adopted concurrently with the amendments to Appendices II and III adopted at the 19<sup>th</sup> Conference, as Australia was not made aware of these proposed amendments until the conclusion of the 19<sup>th</sup> Conference. The Department's assessment of the Cuban Appendix III and the majority of the South African Appendix III amendments identified no impact on Australian stakeholders as these species are not found in Australia and there is no evidence of Australian trade in these species. For those taxa of the South African Appendix III amendments that will impact Australian businesses (*Conophytum* spp. *Othonna retrorsa*, *Tylecodon reticulatus*, *Pelargonium triste* and *Adenia spinosa*), the Department has been unable to consult with stakeholders due to the timing of the listings. Information about the likely regulatory impact of these listings has been acquired from the Department of Agriculture, Fisheries and Forestry (DAFF). DAFF informed affected stakeholders of the upcoming listings and new requirements on 13 February 2023.
55. Following consultation, the Department concluded that the species conservation benefits that would be gained as a result of changes to the Convention Appendices, agreed at the 19<sup>th</sup> Conference, outweighed the impacts on Australia. This is due to:
- relatively low levels of Australian imports or exports of affected species;
  - for those species that are exported, the management agencies responsible believe that harvest regimes are sustainable, meaning non-detriment findings for continued export of species should be able to be made, potentially subject to management variations; and
  - no change in the ability to trade domestically in affected species.
56. The Department wrote to relevant government agencies to advise of the outcomes of the 19<sup>th</sup> Conference, highlighting aspects of particular relevance.

## **Consultation process**

### ***Consultation on Australia's listing proposal***

57. From 13 August 2018, the Department consulted with state and territory governments, the CITES Animals Committee and its Nomenclature Specialist, NGOs and scientists on the development of Australia's proposal to the 19<sup>th</sup> Conference to amend the Convention Appendices. Australia's proposal was to list *Tiliqua adelaidensis* (Pygmy bluetongue lizard) to Appendix I.
58. Comments in support of Australia's proposals were received from the CITES Animals Committee and its Nomenclature Specialist, the South Australian Department of Environment and Water, and consulted scientists. No other comments on Australia's proposal were received.

### ***Consultation on the remainder of the species listing proposals***

#### *Industry Groups*

59. From 24 June 2022, the Department consulted stakeholders in the following industries: commercial marine fishing industry, musical instrument industry, furniture industry, timber importers, antiques industry, zoo and aquarium industry, hunting industry and naturopathy industry. Communications advised of the 19<sup>th</sup> Conference and invited comments on the list of proposals for amendment to the Appendices. In total, approximately twenty-one industry representatives and individual traders were contacted directly.
60. Formal responses from industry representatives identified that proposals of greatest interest to Australian industry were those relevant to requiem sharks, sea cucumbers and brazilwood. Fisheries agencies and industry representatives were consulted in detail about the proposed listings of requiem sharks, hammerhead sharks, guitarfish and sea cucumbers. The Department had several discussions with these stakeholders both in the lead up to and during the 19<sup>th</sup> Conference to take their concerns into account for Australia's position at the meeting. Consultation is ongoing in regard to the development of non-detriment findings.
61. Comments were taken into account in the Department's preparation of Australia's positions, and considered in the context of broader scientific evidence on the conservation status of species.

#### *Non-government organisations*

62. From 24 June 2022, the Department consulted NGOs advising of the 19<sup>th</sup> Conference and invited comments on the species proposals and agenda items. A full list of NGOs contacted is provided below.
63. A virtual meeting was held on 1 March 2022 and 1 September 2022 between the Department and representatives from NGOs, including representatives from Conservation Analytics, Humane Society International, International Fund for Animal Welfare, Born Free, WWF and TRAFFIC.

64. Written comments were received from the following nine non-government representatives: Born Free, Environmental Investigations Agency, Humane Society International, International Fund for Animal Welfare, Species Survival Network, TRAFFIC, Wildlife Conservation Society, Wildlife Management International, and WWF.
65. Comments were taken into account in the Department's preparation of Australia's positions, and considered in the context of broader scientific evidence on the conservation status of species.

*Public Consultation*

66. The Department invited public comment on proposals to be considered at the 19<sup>th</sup> Conference via the Department's website on 4 August 2022.
67. Only one person responded. Their comments were received and were considered against scientific evidence about the conservation status of the species during the Department's preparations.

*Australian delegation*

The Australian delegation to the 19<sup>th</sup> Conference comprised five officers from the Department of Climate Change, Energy, the Environment and Water. One officer was elected amongst the Chairs of the 19<sup>th</sup> Conference and acted independently of the Australian delegation in that role for the duration of the meeting.

## **LIST OF STATE/TERRITORY AGENCIES CONSULTED**

### ***New South Wales***

Department of Primary Industries

### ***Northern Territory***

Department of Industry, Tourism and Trade

### ***Queensland***

Department of Agriculture and Fisheries

### ***South Australia***

Department for Environment and Water

Department of Primary Industries and Regions

### ***Tasmania***

Department of Primary Industries, Parks, Water and Environment

Department of Natural Resources and Environment

### ***Victoria***

Victorian Fisheries Authority

### ***Western Australia***

Department of Primary Industries and Regional Development

## **LIST OF NON-GOVERNMENT ORGANISATIONS CONSULTED**

Australian Marine Conservation Society

Born Free

Conservation Analytics

Environmental Investigations Agency

Foundation Franz Weber

Humane Society International (Oceania office)

International Fund for Animal Welfare (Australian office)

IWMC World Conservation Trust

Species Survival Network

TRAFFIC

Wildlife Conservation Society

World Animal Protection

WWF