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F.No. 4-31/2011 WL
Government of India
Ministry of Environment & Forests
(Wildlife Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi-110003, India
Dated: 06.01.2012

Mr John Scanlon,
Secretary General, CITES Secretariat,
Geneva, Switzerland

Sub: Information to be submitted for the 20th meeting of the Plants Committee and the 26th meeting of the Animals Committee-reg.

Dear Mr Scanlon,

Kind attention is invited to the notification no. 2011/049 dated 10th November 2011 on the subject above, whereby Parties were requested to provide the information for forthcoming meetings of Animals Committee and Plants Committee. In this regard, information related to India is as follows:

a) Sharks

i) Many species of sharks and other Elasmobranchs are listed in schedules of Wild Life (Protection) Act, 1972 of India. No trade in these species is allowed and violations are punishable with imprisonment and fine. India has also established Marine National Parks, such as the Gulf of Mannar Marine National Park. Costal States of the Union also have fisheries legislations which empower the state fisheries departments to regulate fishing on a scientific basis and thus conserve fish. A study to understand the ecology, habitat requirement and behavior of Whale Shark has also been initiated using satellite telemetry to strengthen the conservation plan of this species in India. India seeks the international collaboration to monitor the population of this species along with other threatened sharks in India.

The Management of shark fisheries in India is in the initial stage and efforts are being made to collect the accurate data on catch, species composition, biological parameters, and species identification. In India Elasmobranchs mainly land up as by-catch, and the country occupies third position among Asian countries in Elasmobranch landings. In view of increasing demand for shark fins both for international and domestic consumption, there is high fishing pressure on the stocks. The annual production trend of Elasmobranchs over the last ten year period shows that the landing declined from 64,826 tonnes in 1999 to 52,777 tonnes in 2009. The details of estimated landings (in tonnes) of Elasmobranchs in India during the period 1999-2009 are given at **Annexure I.**

Shark fins have become one of the world's most precious commodities and growing trade in shark products like fins, liver oil, cartilage, skin and shark curios such as jaws and teeth, had played a significant role in increased shark harvests in India especially in the States of Gujarat, Maharashatra, Gujarat, Tamil Nadu, Andhra Pradesh, Orissa, Andaman and Nicobar Islands and Lakshadweep Islands.

Most of the Indian shark fin exports have been directed to Hong Kong and Singapore. Recently, new markets have emerged in UK, USA, Malaysia, Germany and Taiwan. In this regard,

there was considerable scope for substantially increasing in the volume of India's exports of shark products. However, worldwide awareness programmes have helped to suspend further expansion of this trade. It is estimated that in 2009 India produced 52,777 tonnes of Elasmobanchs and exported 319 tonnes, worth Rs. 7350 lakhs (US $ 15.5 million) **(Annexure II).** On analysing the export data of shark products from India during the 10 year period (1999-2000 to 2009-10), it may be observed that there is a decline in the quantity of fins exported (from 960 tonnes in 1999-2000 to 319 tonnes in 2009-2010). However, value-wise, there is considerable increase from Rs. 1180 lakhs (US $ 2.74 million) in 1999-2000 to Rs. 7350 lakhs (US $ 15.5 million) in 2009-2010. This can be attributed mainly to the shift in price of the shark fin products owing to the heavy demand. Shark-fin export in India reached its peak in 1995 with 303 tonnes, while a second peak was reached in 2001 (248 tonnes).

India's report on implementation of National Plans of Actions for sharks or regional plans and other available relevant data and information on the species: The International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks) was initiated about a decade back, and several countries have developed National Plan of Action for Sharks (NPOA-Sharks). India is in the process of formulating a national plan of action for sharks in India by facilitating and reporting of species specific landings as well as collecting biological data, training in species identification to biologists as well as engaging technical staff in collection of fishery data. Further, for establishment of abundance indices, stock studies of different shark species are also planned. Recently India has appointed Sub-focal scientific authority under the Scientific Authority of Central Marine Fisheries Research Institute, Kochi to frame a plan on Sharks.

ii) There are nearly 40 shark species found in India, out of which 10 species of sharks, rays, sawfish, and guitarfish (Class *Chondrichthyes*), as listed below, are included in Schedule I of the Wild Life (Protection) Act, 1972, thereby accorded the ten species the highest degree of protection under Indian law. Further, the Indian shark species *Pristis zijsron* is listed in Appendix-I and shark species *Rhincodon typus* and *Pristis microdon* are listed in Appendix-II of CITES.

1. *Rhincodon typus* (Whale shark)
2. *Anoxypristis cuspidate* (Knifetooth sawfish)
3. *Carcharhinus hemiodon* (Pondicherry shark)
4. *Glyphis gangeticus* (Ganges shark)
5. *Glyphis glyphis* (Speartooth shark)
6. *Himantura fluviatilis* (Ganges stingray)
7. *Pristis microdon* (Largetooth sawfish)
8. *Pristis zijsron* (Longcomb sawfish)
9. *Rhynchobatus djiddensis* (Giant guitarfish)
10. *Urogymnus asperrimus* (Porcupine ray)

India has already taken appropriate measures for protection and conservation of these species.

iii) Government of India has enacted Wild Life (Protection) Act in 1972 with the objective of protecting the wildlife of the country and to control poaching, smuggling and illegal trade in wildlife and its derivatives. Trade or export/import is strictly regulated and intensity varies for the species listed in the 5 schedules of the Act. Out of nearly 40 shark species found in India, 10 are included in Schedule I of the Wild Life (Protection) Act, 1972, thereby according there the highest degree of protection under Indian law. Therefore, there are adequate domestic measures regulating the fishing of threatened shark species.

iv) Same as point (iii)

b) Sturgeons : India is not a range country.

c) Orchids: annotation for species included in Appendix II

In India, orchids are exported mainly from the Eastern region. However, only indigenous cultivated varieties of the orchid species are exported while no hybrid varieties are exported from India. Therefore, at present India does not require any further exemptions for artificially propagated hybrids of Orchidaceae species included in Appendix II. Further, orchids that are imported into India are mainly from Thailand. These imports are accompanied with CITES permits for internal consumption and are not re-exported.

d) ***Aniba rosaeodora*** **and** ***Bulnesia sarmientoi*****:** India is not a range country.

e) ***Cedrela odorata, Dalbergia retusa, D. granadillo*** **and** ***D. stevensonii*** **:** India is not a range country.

f) Non-Detriment Findings

i) The workshop on Strengthening CITES implementation capacity organized by CITES Secretariat and the Protected Areas and Wildlife Bureau, Philippines in June 2010 was found to be very useful and hence it was suggested by the Indian Team to the organizers to conduct the similar kind of workshop at national level involving more participants from various enforcement agencies and scientists in India. With funding support of CITES Secretariat, a two-day National Level Training Workshop in India was organised with following objectives.

1. Strengthening CITES implementation capacity to ensure sustainable wildlife management and non-detrimental findings in India.
2. Orientation towards identification of Indian faunal and floral species listed in CITES Appendices.

About 25 participants and resource persons attended this workshop. Leading experts in the fields of wildlife forensics, taxonomy and trade were invited for this workshop as resource persons. Similarly, a two-day training cum-consultation workshop on NDF study for Red Sanders (*Pterocarpus santalinus)* was also conducted at Tirupati, Andhra Pradesh on 26th and 27th February 2011 by the Andhra Pradesh State Forest Department in collaboration with Ministry of Environment and Forests, Government of India and the Wildlife Institute of India. About 25 officials and scientists participated in the workshop.

In general, all participants of both workshops opined that the checklist prepared by CITES for NDF is handy. However, it needs some revision especially on aquatic animals such as fishes. The participants felt that it would be better to have 'Effective prevention method for illegal bycatch, whether it is 'high confidence, medium confidence, low confidence, no confidence or uncertain' in the checklist of NDF. Participants also emphasized on the importance of generating data on the species listed in various Appendices of CITES to make a successful NDF in India.

ii) A questionnaire regarding NDF using the questionnaire issued with Notification to the Parties No. 2009/023 of 8 June 2009 is enclosed for kind information (**Annexure III**).

g) Aloe and Euphorbia: The export and import of Aloes and Euphorbias is negligible in India. However, in the recent past, following instances of export/import in these species have been reported for India:

i. *Aloe humilis*: 1500 live plants exported to Australia in 2007
ii. *Aloe variegata*: 2000 live plants exported to Australia in 2007

iii. *Euphorbia gymnocalicioides*: 1 live plant imported from Germany in 2007 (educational purpose)
iv. *Euphorbia trichadenia*: 3 live plants imported from Germany in 2007(educational purpose)
v. *Euphorbia tubiniformis*: 1 live plant imported from Germany in 2007(educational purpose)

Aloes (mainly *Aloe vera*) are cultivated in India for being used in pharmaceutical and cosmetic industries. Euphorbias are listed in negative list of export under Export-Import Policy of India, thereby prohibiting the trade in wild specimens and regulating the trade in cultivated varieties.

h) Application of the definition of 'artificial propagation' to cultivated material in plant nurseries: According to Resolution Conf. 11.11 (Rev. CoP15), the term 'artificially propagated' shall be interpreted to refer to plant specimens:
a) grown under controlled conditions; and
b) grown from seeds, cuttings, divisions, callus tissues or other plant tissues, spores or other propagules that either are exempt from the provisions of the Convention or have been derived from cultivated parental stock;

India has many nurseries growing *Saussurea costus* (Appendix I) registered with CITES and complying with the definition of 'artificial propagation' of CITES.

This is for your kind information. The same may also kindly be informed to Chair, Plants Committee, and Chair, Animals Committee.

Yours sincerely,

(Dr Shakti Kant Khanduri)
Inspector General of Forests (Wildlife)

Encl: As above

ANNEXURE - I

ESTIMATED LANDINGS (IN TONNES) OF ELASMOBRANCHS IN INDIA DURING 1999-2009

(Source : CMFRI, India)

Year	Sharks	Skates	Rays	Total
1999	40629	2622	21575	**64826**
2000	47048	2538	21788	**71374**
2001	33703	2164	20074	**55941**
2002	36877	2579	19516	**58972**
2003	29277	2543	25023	**56843**
2004	35215	3378	19990	**58583**
2005	26139	3249	16940	**46328**
2006	29094	3018	18566	**50678**
2007	26598	2822	16696	**46116**
2008	26710	3530	18219	**48459**
2009	**29129**	**3742**	**19906**	**52777**

Annexure III

Questionnaire regarding NDF

(Notification to the Parties No. 2009/023 of 8 June 2009)

Please mark or circle the options as required

Party Name	INDIA
Name and contact details of respondent	DIRECTOR, INSTITUTE OF FOREST GENETICS AND TREE BREEDING, COIMBATORE (Scientific Authority of India)

1. What are the principal taxa that your country exports:		
a) Trees	√	
b) Perennials	√	
c) Succulents and cycads	√	
d) Geophytes and epiphytes	√	
e) Mammals	√	
f) Birds	√	
g) Reptiles and amphibians	√	
h) Fish	√	
i) Aquatic invertebrates		
j) Other		
2. Do you currently use the IUCN guidelines when making non-detriment findings http://data.iucn.org/themes/ssc/our_work/wildlife_trade/citescop13/CITES/CITES-guidance-prelims.pdf	YES√	NO
If so, please indicate to what extent and under what circumstances. If not, why?		
3. Apart from the IUCN guidelines, do you use other information or guidance in making non-detriment findings?	YES	NO√
Please specify		
4. Do you find that the outcomes of the NDF Workshop (see citations and hyperlinks above) are a useful addition to the available guidance for making non-detriment findings?	YES√	NO
Please comment		

5. The summary report (http://www.cites.org/eng/com/AC/24/E24-09-01.pdf) of the workshop identified a number of common aspects in making non-detriment findings. Do you agree that the summary report has identified these concepts adequately? (Please respond Yes/No for each of the below items a-h and please indicate if there are other significant matters not covered by the list below)	YES√	NO
a) Geographical scope of the non-detriment finding	YES√	NO
b) Level of confidence in the non-detriment finding	YES√	NO
c) Risk analysis	YES√	NO
d) Regulation of the harvest	YES√	NO
e) Monitoring and adaptive management	YES√	NO
f) Identification of the specimen	YES√	NO
g) Origin of the specimen	YES√	NO
h) Capacity building and information sharing	YES√	NO
Please offer additional comments as necessary		
6. Taking into account that the problems with making non-detriment findings may vary from taxon to taxon, which of the following challenges do you find overall to be the most problematic in making non-detriment findings?	("1" means "least problematic" and "4" means "most problematic")	
Determining that there is sufficient information available to support the non-detriment findings	**3**	
Assessing the level of risk associated with the non-detriment finding	**2**	
Assessing whether or not the level of regulation of harvest practices is sufficient or, if not, what additional regulation is required	**3**	
Evaluation of the effects of harvest and subsequent adaptation of the non-detriment finding	**3**	
Please elaborate		

ANNEXURE - II

ITEM-WISE EXPORT DETAILS OF SHARK/RAY PRODUCTS

(Source: Marine Products Export Development Authority, 2011)

Item		09-10	08-09	07-08	06-07	05-06	04-05	03-04	02-03	01-02	00-01	99-00
Frozen products*	Q	20	53	76	31	11	1	4	25	437	772	**680**
	V	20.60	93.83	88.80	40.49	13.63	1.15	3.95	13.57	242.67	1062.64	**279.88**
Dried fins	Q	94	86	71	90	142	176	177	146	146	248	**123**
	V	4924.59	2100.39	1022.74	1317.60	1592.82	1457.03	1581.61	1988.43	1672.16	2058.18	**684.48**
Dried tail/ dog chew**	Q	31	20	35	44	39	73	23	15	0	3	**0**
	V	1015.34	681.88	246.70	477.02	348.46	795.86	175.40	83.38	0.55	51.30	**0.00**
Dried skin	Q	120	94	60	15	0	0	0	0	0	0	**0**
	V	571.43	265.39	140.47	31.22	0	0	0	0	0	0	**0**
Dried shark bones	Q	8	9	24	44	61	18	9	8	10	87	**63**
	V	28.86	23.22	40.34	70.88	116.18	19.33	6.43	18.25	17.99	55.83	**85.74**
Dried shark finrays	Q	19	15	23	18	34	41	34	28	5	28	**4**
	V	615.58	345.08	371.03	360.21	393.60	517.57	440.79	427.06	101.33	153.22	**46.95**
Dried shark /ray	Q	4	18	62	101	1	59	2	4	140	370	**90**
	V	68.40	51.04	114.72	159.35	4.84	109.75	35.13	5.08	48.84	167.82	**82.42**
Dried gill	Q	7	1	3	1	0	0	0	0	0	0	**0**
	V	70.08	14.46	30.41	3.33	0	0	0	0	0	0	**0**
Dried shark jaws	Q	0	0	2	0	2	0	4	1	0	0	**0**
	V	1.81	0.00	3.59	0.35	7.75	0.00	6.51	12.98	0.00	0.00	**0.00**
Dried shark cartilage	Q	1	0	0	0	0	0	0	0	0	0	**0**
	V	16.20	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	**0.00**
Shark teeth	Q	0	0	18	8	0	5	0	0	0	0	**0**
	V	0.77	0.94	4.85	1.68	0.84	15.09	0.73	0.00	0.00	0.00	**0.00**
Squaline (shark oil)	Q	15	57	183	118	169	689	537	0	4	0	**0**
	V	14.89	522.35	1,676.57	589.95	344.29	1,388.54	1,168.67	0.00	8.48	0.00	**0.00**
Cooked shark with spice & salt	Q	0	15	0	0	0	0	0	0	0	0	**0**
	V	0.00	36.95	0.00	0.00	0.00	0.00	0.00	0.00	0.28	0.00	**0.00**
TOTAL	Q	319	365	554	470	460	1,062	789	226	744	1,507	**960**
	V	**7,348.55**	**4,135.53**	**3,740.21**	**3,052.06**	**2,822.40**	**4,304.34**	**3,419.23**	**2,548.75**	**2,092.31**	**3,549.90**	**1,179.46**

Q : Quantity in tonnes
V : Value in Rs. Lakhs
*Frozen shark/ray products comprises :whole shark/ray, gutted finless shark, shark meat, shark/ray steak, shark wings, tail and shark/ray gills
**Dog chew : made out of ray fish tail

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7. Which of the following components of the non-detriment finding workshop outcomes did you find most useful	("1" counts as "most important" and "3" as "least important")
Summary report (http://www.cites.org/eng/com/AC/24/E24-09.pdf)	**1**
Taxonomic Working Group reports (http://www.cites.org/eng/com/PC/18/E-PC18-14-02.pdf and http://www.cites.org/eng/com/AC/24/E24-09-01.pdf); and	**1**
Case studies (see: (http://www.conabio.gob.mx/institucion/cooperacion_internacional/TallerNDF/taller_ndf.html)	**1**
Please offer comments	
8. What additional guidance beyond the non-detriment finding workshop outcomes (refs) and other previously existing material, such as the IUCN guidelines, could be provided that you would consider useful for making non-detriment findings?	-
9. Do you have additional information to that provided in the workshop reports (such as case studies, national or regional guidelines, experience) that would assist other scientific authorities in making non-detriment findings	No