

# Science for Environment Policy

## Additional legislation and enforcement needed to protect threatened and rare reptiles from the pet trade in Europe?

**The prominent role of EU countries in the international trade of reptiles for pets, including many rare and illegally traded species, is highlighted in a recent study.**

The researchers call for better enforcement and tighter legislation to control the trade, which is a major threat to global biodiversity. In particular the researchers appeal for legislation to be passed for species protected in their native range countries, which can currently be freely traded in the EU if they are not subject to international trade conventions such as CITES.

The trade in some species of wild reptiles, both legal and illegal, has been reported as the second largest worldwide threat to their survival.

Demand for rare species can also stimulate illegal trade, as they fetch high prices on the black market, leading to overharvesting of threatened species. Between 2004 and 2014, EU Member States officially reported the import of 20 788 747 live reptiles. In 2005, the EU was one of the top global importers of live reptiles for the pet trade (valued at €7 million).

The trade in threatened species is regulated by the Convention on International Trade in Endangered Species (CITES). CITES is implemented through licensing controls on imports and exports and species are listed under three Appendices<sup>1</sup>. The EU implements CITES via the European Wildlife Trade Regulations (EWTR - Council Regulation No. 338/97)<sup>2</sup>, which include additional control mechanisms, for example, the suspension of imports of wild-sourced species<sup>3</sup>. Over 5500 animals are listed on CITES of which 793 are reptiles. Fewer than 8% of the world's reptiles (there are currently recognised 10 272 reptile species) are listed under CITES and EWTR, and trade in these unlisted species is therefore not monitored or regulated at an international level.

In this study, researchers consulted experts on reptile trade to provide examples of the unsustainable and illegal trade in live reptiles around the world. Experts included scientists, officers of conservation agencies, conservationists and enforcement and customs officials. Information provided by expert consultation was supported with a review of published literature and unpublished information provided by relevant administrative bodies, grey literature, reptile fairs, wholesaler and retail shop lists and species lists of private collectors. Online databases were also consulted including the CITES trade database, the EWTR annexes and The Reptile Database for classification of reptiles. Information for trade in species not subject to CITES was taken from the IUCN Red List, which has assessed 45% of the world's reptiles in terms of threats to their conservation status. Of these species 1390 species are threatened by biological resource use and 355 species are targeted by reptile collectors, including 194 non-CITES species.

The researchers document a range of examples of the illegal trade in reptile species from Africa, Asia, Oceania, and Latin America for sale across EU Member States. The reptile trade can also affect species native to Europe. For example the researchers say that, illegal trade, carried out by a small organisation, has caused major declines in a population of European green lizard (*Lacerta viridis*). The study identified the following key issues:

- 75 reptile species categorised as threatened under the IUCN Red List, but not listed under CITES, were identified as for sale in Europe. Some of these species are highly sought after in the European pet market, as they are not subject to CITES regulation. For example, the Orlov's viper (*Vipera orlov*) is found in only a small area of the Caucasus in Russia with fewer than 250 mature individuals left in the wild.
- The EWTR implements the protection of species native to the EU or listed by CITES. All other species can be freely traded within the EU, even if they are threatened or strictly protected in their native range. Some of the most expensive traded species in Europe are protected by national laws in their country of origin (but have no legal protection in the EU), meaning they can fetch prices of up to thousands of euros per pair.
- Exploitation of newly discovered species has recently become a major concern, with scientists now withholding the location information for new species to prevent trade. For example, the psychedelic gecko (*Cnemaspis psychedelica*) described in 2010 and endemic to an eight-square-kilometre island of Hon Khoai, Vietnam, has now been regularly sold in Europe for around €2 500–3 000 per pair.

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**Contact:**  
[mark.auliya@ufz.de](mailto:mark.auliya@ufz.de)

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1. Appendix I: lists species threatened with extinction. Commercial trade is not permitted. Currently 80 reptile species listed.

Appendix II: lists species likely to be threatened with extinction if trade is not regulated. Trade is permitted with an export permit but should not be detrimental to the species survival. Currently 673 reptile species listed.

Appendix III: lists species that are currently being monitored in a country that needs help to protect from over-harvesting, trade in these species is allowed with permits. Currently 40 reptile species listed.

2. There are 29 additional (non-CITES) species listed on the four EWTR — Annexes A–C — which roughly align with the CITES appendices and Annex D is an additional monitoring list to ensure sustainability

3. Council Regulation No. 338/97: <http://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:31997R0338>

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- CITES law can be circumvented by exceeding export quotas and mislabelling species as unprotected species. For example, the rosette-nosed pygmy chameleon (*Rhampholeon spinosus*) from Tanzania is critically endangered under the Red List, but is exported in the hundreds or thousands in shipments as 'assorted pygmy chameleons', without proper documentation. CITES can also be evaded by fraudulently labelling species caught in the wild as captive bred. Reptiles are also illegally brought into the EU by concealment on smugglers' bodies, in suitcases or in parcels.

This study highlights the scale of the illegal trade of rare reptile species in Europe, which is contributing to the loss of wild populations, including within some of the world's most biodiverse countries and global conservation hotspots. The researchers say that the trade in many threatened species is unregulated, as the majority of reptile species are not subject to CITES. Authorities also have limited capacity and funding to enforce wildlife trade laws.

They also say that policymakers should consult with experts, such as the [IUCN Global Species Programme](#), to gain trade-relevant information for species that are not yet covered, and to understand impacts on species yet to be assessed under the IUCN red list.

The researchers argue that Europe, as a major consumer of live reptile species, should take responsibility for the conservation of species within their native ranges. Specifically, the researchers say an EU-level approach should:

- also focus on the trade in threatened and endemic species not listed in the CITES Appendices;
- temporarily suspend trade of [CITES Appendix II](#) species when the species conservation status is uncertain (i.e. employ a precautionary approach if evidence is not available to show trade is sustainable);
- pass legislation in order to protect non-CITES listed, but nationally protected species. In the US, the Lacey Act protects nationally protected species in other countries from trade within the US, meaning authorities can prosecute illegal smugglers. An EU study on wildlife crime has also noted that passing legislation similar to the Lacey Act is a potential measure that could be undertaken<sup>4</sup>.

In addition, they say that EU authorities should be aware of the scale of fraudulent declaration of animals bred in captivity, which are really taken from the wild. Cross-checking of captive breeding from countries where reptiles are exported from should be undertaken to verify captive breeding claims before permitting imports or issuing exports. For example, exporters should be able to show evidence of captive breeding, such as broken egg shells or photographs of hatchlings with the egg yolk still attached, however the challenge is to prove the breeding of captive individuals from parents that have mated in captivity (according to [CITES definitions of captive bred specimens](#)).

Effective monitoring of reptile populations is also needed to ensure regulated trade is adapted to a species' population status. The EU Scientific Review Group (SRG), which gathers experts from the scientific authorities of EU Member States, does exercise such monitoring on trade into the EU of wild and captive-bred CITES-listed specimens. When the SRG considers that trade in wild specimens is not sustainable, or that there is insufficient evidence that the specimens are of captive-bred origin, trade into the EU cannot take place.

The EU Action Plan on Wildlife Trafficking<sup>5</sup> supports many of these actions, such as better enforcement of existing rules, improving partnership between source and consumer countries in dealing with wildlife trade, improving capacity of and coordination between enforcement agencies within Member States and considering the listing on CITES of rare species to prevent unsustainable imports into the EU. In addition, at the CITES Conference of the Parties (CoP17), it was agreed, often on the basis of EU proposals<sup>6</sup>, that 56 species of reptiles threatened by the international pet trade would be granted new or increased protection under CITES. In the months leading to implementation of the revised CITES Appendix, the researchers expect these prices to increase distinctly, as traders use all opportunities to acquire 'pre-convention' specimens. The researchers also acknowledge that it is currently a major challenge to gather up-to-date information on the ecology of many reptile species and the impact of trade on their populations, which is particularly relevant for species listed on Appendix II of CITES.



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4. The EU has no such legal basis for illegally smuggled wildlife from other countries if it is not covered by the EWTR. This means that non-CITES species, which are legally protected in their country of origin, cannot be properly protected from international trade once they have been illegally removed from their native range. In November 2015, a joint letter from 156 scientists, field biologists, and conservationists from 45 countries, called on the EU to pass equivalent legislation to the [Lacey Act](#). The decision is currently pending.

5. Economic and Scientific Policy Department study on Wildlife Crime (PDF) [http://www.europarl.europa.eu/RegData/etudes/STUD/2016/570008/IPOL\\_STU\(2016\)570008\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2016/570008/IPOL_STU(2016)570008_EN.pdf)

6. EU Action Plan against Wildlife Trafficking: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016SC0038&from=EN>