

5th meeting of the CARICOM-US Trade and Investment Council, 15 November 2013, Washington, DC

Threat to Export of Queen Conch (*Strombus gigas*) to the USA Presentation by Milton Haughton, Executive Director, CRFM

Background

The Queen Conch is a very important marine species in the Caribbean Region where it is harvested for food and for export. The fishery provides stable direct employment for thousands of persons in the CARICOM Member States. It is a high-value species which is in high demand on the international market. The QC is one of the most important fishery resources in the Caribbean, and conch meat, and to a lesser extent shells and by-products made from the shell, are exported to the US market.

The harvesting of Queen Conch expanded rapidly during 1970s and 1980s, driven by international market demand and domestic consumption. Unfortunately, queen conch is particularly vulnerable to habitat degradation and overfishing. It grows slowly, reproduces late in life, and reproduces in groups in shallow water, where it can be easily harvest.

Concerns about the health and long term survival of queen conch and accompanying evidence of population declines in some countries led to the inclusion of queen conch on Appendix II of the Convention in International Trade in Endangered Species of Fauna and Flora (CITES) in 1992.

An Appendix II listing is used for species that are not necessarily threatened with extinction, but may become so unless international trade in the species is regulated, to avoid utilization incompatible with the survival of the species. Since 1992, CITES has been monitoring and regulating international trade and by extension, management, protection and conservation of queen conch to ensure sustainable trade and sustainable use more generally

Issues

1. WildEarth Guardians, an environmental NGO, based in Denver Colorado, petitioned the US Secretary of Commerce, to list the queen conch as a “threatened” or “endangered” species under the USA Endangered Species Act (ESA).
2. The petition states that the species is declining and threatened with extinction due to habitat degradation, specifically, water pollution and destruction of sea grass nursery habitat; overutilization resulting from commercial harvest, inadequacy of existing regulatory mechanisms, and other natural and manmade factors such as biological vulnerability, human population growth, and other synergistic effects.
3. The Petition goes on to say that, “[l]isting the queen conch under the ESA would provide needed protection for this species by limiting or restricting U.S. take and *import* of the species.”(emphasis added).
4. The US Department of Commerce published in its Federal Register Volume 77 Number 166 dated 27 August 2012 a 90-Day Finding on the Petition by Wild Earth Guardians and invited interested parties to submit comments on the Petition.
5. On October 26, 2012 the CRFM Secretariat, after consultation with Member States, submitted a response to the US Department of Commerce, rebutting the Petition and asking the United States Government to reject the Petitioner’s request.

Implication

1. If queen conch is listed as threatened or endangered under the ESA, conch exports from the CARICOM States to the United States market would be prohibited.

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2. This would result in significant social and economic hardship for thousands of Caribbean fishermen, fish processors/exporters and their families, and fishing communities, and undermine peace and stability in coastal communities that rely on the queen conch resource, because it will effectively deprive them of their source of income and livelihoods.

Concerns about the petition

3. A review of the petition submitted by WildEarth Guardians shows that it contains broad statements on overexploitation, unsustainable harvest and unsustainable trade of the Queen conch throughout its range. However, we found that most of the information presented in the petition in respect of our States is outdated and simply incorrect. It does not reflect the true, conservation status and management systems in place for the Queen Conch.
4. We disagree that conch landings in the region are “grossly underestimated”, especially the major fishing States.
5. We disagree that Queen Conch is being harvested at unsustainable levels, resulting in population declines, stock collapses, as well as recruitment and reproductive failure.
6. We disagree that Queen Conch trade is unsustainable in many Caribbean countries, and illegal harvest, and illegal international trade are common and widespread problem throughout the Caribbean region.
7. We disagree that conch densities are so low that recruitment failure is a risk to local fisheries in the Caribbean region
8. In fact, the petitioner made no effort to obtain current readily available information regarding the conservation status and management systems for the Queen Conch fisheries in the 17 CARICOM/CRFM Member States before submitting its petition. For example, the CRFM website contains scientific meeting reports for 2006, 2007, 2008, 2009, 2010, and 2012, to mention just of few, which contain scientific and resource management information on the queen conch, that could easily have been obtained. They Instead relied on information that is either obsolete, unreliable or incorrect.
9. The numerous scientific studies, public awareness campaigns, and conservation and resource management measures **implemented** by our Member States to protect and conserve the resource over the past 15 years, **were not** considered in the petition.
10. Our States, and especially the major conch fishing States with the most extensive stocks (e.g. Jamaica, Belize, The Bahamas, and the Turks and Caicos islands) have developed and implemented conservation and management measures and regulations to ensure sustainable use and sustainable trade of the Queen conch. The countries with smaller stocks and fisheries have likewise taken positive actions to protect the resources, including Antigua and Barbuda, St. Lucia, St. Vincent, Grenada, Dominica, Barbados.
11. The specific regulations vary but tend to include: (i) minimum shell lengths and minimum meat weights, (ii) closed fishing seasons, (iii) closed areas (reserves), (iv) catch and export quotas, and (v) restrictions on the use of certain types of fishing gears e.g SCUBA equipment for commercial conch fishing.
12. In the case of **Jamaica**, the conch fishery has been well managed by a robust and transparent catch and export quota system since 2000. This is informed by periodic fishery independent surveys.

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13. A quota system is also used by Belize. This is again informed by regular scientific surveys. Fishery independent surveys have been done in Belize in 1996, 2003, 2004, 2006, 2008, 2010 and 2012 to monitor stock distribution and abundance and set the TAC.
14. The Turks and Caicos Islands apply an annual quota system, based on regularly conventional scientific assessments using catch and effort data.
15. In The Bahamas where conch is distributed over a vast area, 5 density surveys have been conducted since 2009,
16. In all these cases, therefore, scientific-based management advice guides the harvesting practices and the formulation and implementation of conservation and management regulations. Assessments studies are repeated at regular intervals. Some assessments have been subjected to regional peer review during the annual CRFM scientific meetings – to which I should mention the USA NMFS is always invited and usually participate.
17. The most important conch producing/exporting CARICOM States, therefore, good data collection and monitoring systems in place, and conduct regular assessments that allow them to properly manage their conch fisheries and protect the species through quota systems and other measures.
18. More importantly, these systems are yielding good, positive results. For example, in the Case of **Belize**, recent studies have confirmed that stock abundance has increased substantially in response to the conservation and management interventions over the past 15 yrs. The standing stock – the biomass of QC on the fishing grounds has increased by about 5 fold, and CPUE has also increased. There are also a number of reserves and refugia where no fishing is permitted
19. Co-chairs, we oppose the petition to list the Queen conch as an endangered or threatened species on the ground that the petitioner's information is unreliable and obsolete.
20. Taking into account all the circumstances, the listing would in our opinion be unreasonable, disproportionate, unfair, inequitable, and inappropriate in addressing the issues in question. It is an unnecessary and unreasonable barrier to trade in the species.
21. Furthermore, if this petition succeeds, it would create significant social and economic hardship for thousands of hard working Caribbean fishers and their families, women and children, increase unemployment, poverty and vulnerability, and undermine peace and stability of coastal communities that rely on the resource. This is because it would effectively deprive them of their main source of livelihood and sustenance.

What is the Government of the USA being asked to do?

We are asking the Government of the USA to:

- (i) Note that the petitioner has failed to make such enquiries as a reasonable person making such a submission should have done to gather relevant information on the Queen conch;
- (ii) Note also that the petitioner has failed to take into account several relevant recent studies and reports on the conservation status and management systems for the queen conch in the region.
- (iii) Take account of all the available, updated information on the conservation status of the Q C and the regulatory systems in the region in your evaluation of the petitioner's request to list the Queen conch as endangered or threatened;
- (iv) For these reasons mentioned above we are of the opinion that the petition should be reject, as the available evidence does not support the claim that the queen conch is a threatened or endangered species within the meaning of ss 3(6) and 3(20) ESA.

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In addition, we are concerned that we may not have access to all relevant information regarding the ongoing review process.

- 1) We need to fully understand the review process :
 - a. What are the steps, major deadlines and overall timeline for making a decision on the petition
 - b. What is the **current status** of the review process
- 2) What opportunities exist for us to engage in the process, particularly to provide information to the scientific, resource management and conservation of the species in our countries.
- 3) International trade in queen conch has been regulated by CITES since 1992. The Government of the USA was instrumental in placing it on appendix 2 of Cites and in supporting the countries in addressing the recommendations of CITES.
- 4) CITES continues to monitor and supervise international trade in QC.
- 5) We believe that this multilateral mechanism is an effective arrangement in controlling excessive and illegal fishing practices and trade that is detrimental to the survival of the species.
- 6) In a nutshell, countries that do not have adequate and transparent conservation and management systems in place are sanctioned and prohibited from participating in international trade, until they can demonstrate that they have adequate systems in place. In fact most such states have already imposed moratoria on export of QC. On the other hand those that are managing and utilizing their resources in a sustainable manner are allowed to continue to export the commodity.

In closing

1. We disagree with a lot of the information presented in the petition. The petitioner failed to consult our states or make reasonable effort to obtain readily available scientific and commercial information regarding the conservation status and management for the Queen and instead relied on information that is unsafe and unreliable.
2. Our States have made major investments in protecting and managing our queen conch stocks to ensure sustainable use of the resource.
3. We continue to work with our countries to regularly review and strengthen our queen conch monitoring and management systems based on international best practices.
4. In fact we are working not only with our Member States but with neighbouring states in Central America and the Dominican Republic to among other things, further strengthen conservation and management of the QC and other species of interest.