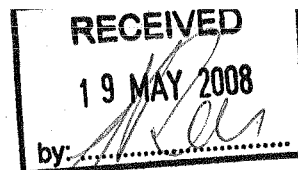




Australian Government

Department of the Environment, Water, Heritage and the Arts



Committee Secretary  
Joint Standing Committee on Treaties  
Department of House of Representatives  
PO Box 6021  
Parliament House  
CANBERRA ACT 2600

Submission 6  
TT 12 March 2008

Dear Sir/Madam

As requested by the Joint Standing Committee on Treaties (JSCOT) at the hearing on 8 May 2008 in relation to the National Interest Analysis on the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), I am writing to provide further information to the Committee.

I was asked by the Committee to provide information of relevance to a decision to allow six *Pristis microdon* (freshwater sawfish) to be exported to overseas aquaria.

Attached (Attachment A) is a copy of the non-detriment finding (NDF) which was prepared by Cairns Marine Aquarium Fish prior to the export being approved in November 2007. A NDF is the standard mechanism used in CITES for determining that an export will not be detrimental to a species in the wild. In this instance, the department required that the NDF be prepared in accordance with IUCN guidelines and also placed the draft NDF on the internet for public comment – this is not usual practice. The NDF was amended on the basis of comments received (including from the Humane Society International).

I mentioned in my evidence to the Committee a report prepared by the CSIRO, and the Committee sought a copy. This report is attached at Attachment B, and also can be found on the internet at <http://www.environment.gov.au/coasts/publications/pubs/assessment-glyphis.pdf>, which in part states the following:

- “Australian populations of *P. microdon* appear to be still relatively healthy (particularly in Western Australia) and are likely to comprise a high proportion of the global population”; and
- *Pristis microdon* is “known from several drainage systems in northern Australia in fresh or weakly saline water: the Fitzroy, Durack, Robinson and Ord Rivers (Western Australia), the Adelaide, Victoria, Daly, East Alligator, Goomadeer, Roper, McArthur, Wearyan and Robinson Rivers (Northern Territory), and the Gilbert, Mitchell, Normanby, Wenlock, Mission, Embley and Leichhardt Rivers (Queensland). There are coastal records (many of them unvalidated) from Queensland, Northern Territory and Western Australia, including one individual captured off Cape Naturaliste, southern Western Australia (R. McAuley, Fisheries WA, personal communication). There are no other Australian records of this species outside the tropics. This species was

encountered in 12 of the 39 river/creek systems sampled between the Fitzroy River in Western Australia and Normanby River in Queensland (Thorburn et al. 2004). It was captured near river mouths, such as the Robinson River (Western Australia), and also encountered several hundred kms from the sea, such as at Elsey Station on the Roper River and Geike Gorge (over 350 km from the sea) on the Fitzroy River. Additional data collected by Morgan et al. (2002) indicated the presence of this species in Margaret River Gorge (a tributary of the Fitzroy River), over 400 km inland.”

In preparation for the CITES COP 14, the Department approached Dr John Stevens, CSIRO Marine Research, one of the authors of the report and a world recognised expert on sawfish, and sought his advice on the possibility of a sustainable take of sawfish from Australian waters. His informal advice was that:

- “We are only recently starting to find out more about populations of sawfish in Australia, and there are some current projects that should help with this. However, nothing is published on population status at this stage, and information is only anecdotal. There is little doubt that populations of several species are more healthy in some areas of Australia than we imagined before any work was carried out. However, it is far too early for any quantitative data to support this”; and
- That in his judgement, up to 10 juvenile *Pristis microdon* could be taken from Australian rivers annually without impacting on the sustainability of the population in the wild.

The Committee also asked for information on the commercial (or otherwise) nature of the aquaria to which the six freshwater sawfish were exported last year, and I took that on notice. We have checked our records and have no records on file about the nature of the aquaria. However, the three aquaria concerned were Mare Nostrum Serm, Montpellier, France, Dallas World Aquarium, Dallas, USA and Georgia Aquarium, Atlanta, USA.

In my evidence I mentioned that an Ambassador Agreement had been made between each importing aquarium, the exporter and the Department. The receiving institutions agreed through this process to cooperate with other aquarium institutions in the display and breeding of this species and to participate and support any studbook or management plan endorsed by the department. They also agreed to cooperate with relevant research programmes (see items 6.1 and 6.2 of the attached Ambassador Agreement – Attachment C). These agreements formed part of meeting the “for conservation purposes” aspect of the CITES annotation.

In addition to the evidence I provided to the Committee, I would like to reiterate that a number of species appear on both CITES Appendix I and II, based on arguments accepted by CITES that certain populations in some countries are more robust than others.

Australia’s argument that its population of *Pristis microdon* was more robust than other populations and could therefore sustain a small live trade was not unusual within CITES. This argument was accepted by the majority of Parties at the Conference, including one of the proponents of the proposed listing after its sawfish scientist

consulted Dr John Stevens as to the veracity of the scientific evidence Australia put forward in support of its proposal to list *Pristis microdon* on Appendix II rather than Appendix I.

You have also sought my comments on the Hansard record of my evidence. I have suggested a few minor changes in the attached text (Attachment D).

Thank you for the opportunity to comment and to provide further information.

Yours sincerely



Kerry Smith  
Assistant Secretary  
Wildlife Branch  
15 May 2008