

TRADE IN LIVE EXOTIC REPTILES

Need for a comprehensive international, European and national legal policy

With 1,817,728 live specimens officially imported in 2017 and 2018, the European Union remains one of the top importing legal markets for reptiles besides the United States of America.

Reptiles are one of the most diverse groups of vertebrates in the world and include 4 major orders for a total of ~10,800 recognised species:

- *Crocodylia*: crocodiles, gharials, caimans and alligators (24 species)
- *Sphenodontia*: tuataras from New Zealand (1 species)
- *Squamata*: lizards (~6,512 species), snakes (~3,709 species) and amphisbaenids (~193 “worm-lizards” species)
- *Testudines*: turtles (~351 species)

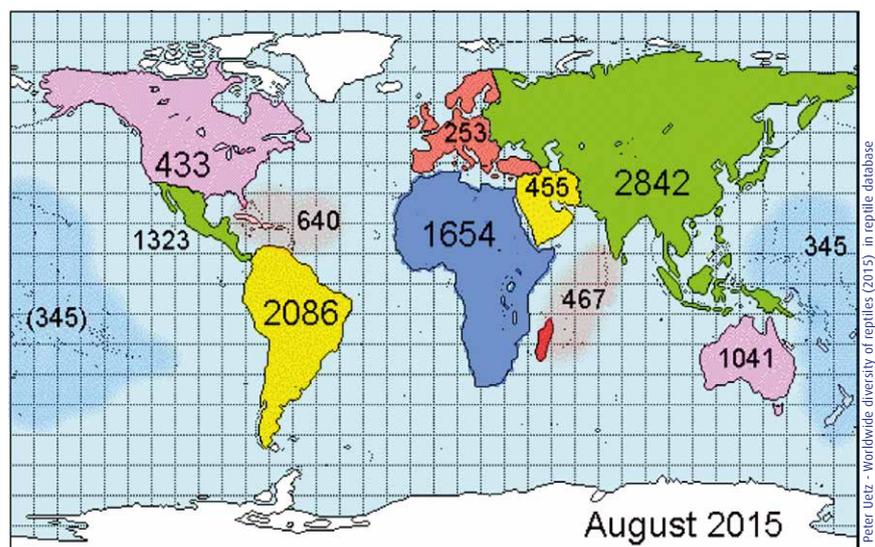
It is difficult to estimate the number of reptiles being kept as pets as there is no public data available. Recent figures (2018) from the European Pet Food Industry (FEDIAF) show that there are at least 6,300,000 reptiles in European Union households, with Italy (1,360,000), Spain (1,075,000), Germany (1,000,000), France (950,000) and the United Kingdom (900,000) ranking the highest. This represents 7.8% of all animals (dogs, cats, birds, small mammals, reptiles and aquarium animals) believed to be kept in EU households.

The trade in exotic reptiles

The trade in exotic reptiles has been growing in the US and the European Union since the 1980s. Prior to this, in the US, reptiles sold as pets were mainly native species like *Trachemys scripta* (Red-ear slider). This turtle also became a popular pet in the European Union and is now listed as an invasive alien species due to its negative impact on native European biodiversity.

Exotic reptiles are very popular pets and their demand is still booming. Professionals from the pet industry in the US consider it to be the fastest growing business in 2019. Although there is no estimate for the European Union, the US legal trade in exotic live reptiles is considered to generate direct and indirect annual revenues worth ~1.4 billion US dollars.

Global Reptiles Species Richness





Echis coloratus (saw scaled viper - No CITES listing)

Around 5,000,000 snakebites occur each year in tropical and sub-tropical countries, provoking 100,000 human deaths. This raises some concern as it is often overlooked by public health policies, and because the costs linked to the production of anti-venom have been increasing dramatically over the years.

Why reptiles matter

Reptiles provide important direct and indirect ecosystem services: as a seed disperser, protein source, medicinal resource, raw material and as predators. They also play a key role in the nutrient cycle. With regard to their role as a medicinal resource, toxins contained in the venom or saliva of reptiles are used by pharmaceutical firms to develop drugs thanks to their important medicinal and, for some species of snakes, antimicrobial qualities. Toxins are also used for Animal Health, Cosmetics, Food and Feed Supplements and Life Science Research. A small number of firms in the European Union specialise in venom production. Snakes are mainly used (80 up to 150 different species) compared to lizards (one or two species only). They use animals bred in their own facilities, but may also buy animals from specialist firms or use wild-caught animals with their own know-how for sourcing. Very few they use are CITES-listed.

International legal issues

Like amphibians, the trade of most reptiles is **not legally regulated** at international level. It could be stated that they are overlooked animals from an international legal perspective.

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which entered into force in 1975, covers around 900 species, representing ~8.5% of the recognised species.

Like amphibians, most reptiles are listed under Annex II which includes species that, although currently not threatened with extinction, may become so without trade controls. Unlike trade in Appendix I specimens, trade in Appendix II specimens requires only an export permit and captive-bred individuals of these species are acceptable for trade and sale. All crocodylians, Boidae and Pythonidae are CITES (I or II).

At the last Conference of the Parties (CoP18-2019) of the CITES convention, the following changes have been made:

- **Inclusion of 10 species in Annex I (5 geckos listed for the first time and 5 turtles have been transferred from Annex II to I)**
- **Inclusion of one snake in Annex II**
- **Inclusion of 5 geckos in Annex II**

European legal issues

At EU level, **trade in certain exotic reptiles** is regulated under Environmental and Animal Health legislation.

Under Environmental legislation, the *EU CITES regulation* implements the international provisions of the Washington Convention (~900 species). The trade in CITES-listed reptiles to the European Union is authorised provided that applicable CITES documentation is submitted (such as import permits). The EU adds an additional layer of protection and such permits will only be issued provided the EU has received positive scientific advice (Non-Detriment Finding). It also adds 22 non-CITES listed species of reptiles in Annex D to monitor their importation within the European Union.

Under Environment legislation, the *regulation on invasive alien species* prohibits the importation, trade, keeping and breeding of *Trachemys scripta* which is a species of North-American turtle. This species is detrimental to European biodiversity.

Under Animal Health legislation, general rules (sanitary checks) apply when a reptile is entering the European Union. There is no other sectoral legislation applying to reptiles.

Annex D of the EU regulation primarily includes species not listed in the international CITES Appendices, but for which the European Union wishes to monitor the import flows to the different countries of the European Union. If these trade flows prove to be very significant, this may lead the Union to subsequently list these species in an Annex in which they will receive a higher degree of protection.

Over-exploitation, lack of data and concerns related to species conservation

- The conservation status of many reptiles, including their risk of extinction, is broadly unknown due to a lack of data as less than 40% of reptile species have been assessed under IUCN. Scientists consider that approximately 20% of reptile species worldwide are under threat. A study conducted in 2013 on ~1,500 species reveals that Crocodylians, turtles (especially freshwater turtles) and some lizards should be considered the most endangered, as compared to snakes or other lizards. Local extinction of snakes and lizards have also been reported, however, which indicates the need for a nuanced interpretation.



The dramatic decline of the Tokay Gecko (*Gekko gecko*), exported in massive quantities as captive-bred, led the last CITES CoP (2019) to list it in Annex II. In 2018, official Indonesian quotas on exportation for captive-bred specimens jumped unexpectedly from 45,000 specimens to be exported annually to 1,800,000, out of which 98.8% were for consumption purposes (including traditional medicines).

- Reptiles are heavily exploited in the world for meat, traditional medicines, the skin leather industry and the pet trade. High demand for wildlife reptiles fuels illegal trade and contributes to putting pressure on ecosystem. Taking reptile species from the wild is considered the second-biggest impacting cause of their survival after habitat loss. Conservation is put at risk when it leads to a severe population decline within a long-range population.

The legal trade under CITES may become problematic when it leads to the over-exploitation of wild-caught animals. The European Union, through its Scientific Review Group, may establish positive or negative opinions on exportation quotas and importation suspension (Non-Detriment Finding). This procedure allows the European Union to check whether exportation quotas for Annex II species, which are made voluntarily and unilaterally by the source country, are in conformity with the conservation requirements set out in the CITES regulation.

Enforcement within CITES may be highly complex as the same species may fall into different legal categories. Its status will depend on whether it is wild-caught, captive-bred or ranched and whether appropriate legal documentation is available. The smuggling and laundering of CITES-listed wild-caught reptiles as captive-bred is not rare according to different scientific studies.



In 2019, an international police investigation involving 22 countries and coordinated by Interpol (Blizzard Operation) organised a one-month action to fight the illegal trade of reptiles. Around 4,400 live animals were seized, including 20 crocodiles and alligators, 2,700 turtles and tortoises, 1,059 snakes and 512 lizards and geckos. At European level, France, the Netherlands, Germany, Belgium, Portugal, Sweden, Denmark, Italy, Estonia, Hungary, Latvia, Poland and Spain were involved in the operation. The authorities targeted aircraft passengers, commercial cargo, pet shops and legal pet owners. At European level, twelve arrests were made (6 in Italy and 6 in Spain). Interpol stated 'that it anticipates more arrests and prosecutions in the future as probes into the reptile trade continue'. Interpol also made a clear link between the illegal reptile trade and criminal organisations.

The problem is even more acute for non-CITES listed reptiles as their trade is not subject to international law. National legislation may provide some protection in the country of origin (by e.g. prohibiting the exportation of certain legally-protected species) or in destination countries (by setting up positive list of reptiles, for example).

Concerning Belgium specifically, 14,101 live reptiles were imported in 2018 from third countries according to the TRACES database. The United States (7,526), Vietnam (4,961) and Togo (1,073) ranked the highest. This confirms Belgium does not rank highly as an official importer of live reptiles from third countries. Official data records very little official intra-EU trade importation of reptiles, with Italy as the primary importer of reptiles to Belgium with only 100 specimens.



Goniurosaurus kuroiwa (Kuroiwa's Leopard Gecko - No CITES listing).

At Belgian regional level (Flanders), a positive list of reptiles has been adopted under animal welfare legislation in April 2019 and entered into force on 1st October 2019. It exclusively applies in the territory of the Flemish region and covers 422 species which can be legally detained:

- 107 snakes (with 30% CITES species)
- 249 lizards (with 35% CITES species)
- 66 turtles (with 61% CITES species)

The Walloon Council of animal welfare made a proposal to the Walloon minister of animal welfare in April 2017 to regulate 232 species. This list has not been enacted yet.

Studies at Member States level have shown that action is needed at European level in order to tackle the trade

in reptiles in a coherent and effective manner. The European Single Market implies considering the EU as a single territory, without borders and with no other obstacles linked to the free movement of goods. As a consequence, intra-trade movements of, specifically, exotic species non-regulated at European level would appear difficult to track. Enforcement by public authorities is also difficult when it comes to reptile species that are legally protected in their countries of origin and banned from export. When those species are found to be traded within the European Union, it poses challenges to public authorities as the current EU legal framework dealing with exotic species does not cover the matter.

The problem is even more acute with the rise of e-commerce and social media as platforms for the exchange and sale of reptiles. En-

forcement is a big challenge for public authorities because of loopholes in existing national or EU laws (animals are, for example, not covered by the new EU Framework on Market Surveillance). The specific characteristics of online trade make enforcement difficult, due to which it is moving rapidly, along with the existence of close groups on social media platforms.

Recommendations

- As a long-term goal, consider establishing at international level a strong legal and policy framework for non-CITES listed reptile species, encompassing biodiversity, health and animal welfare-related issues.

In order to be able to do so, consider legal ways to:

- Prevent the trade of any wild-caught species, save for where a proper Non-Detriment Finding can be produced by an independent international Scientific Committee, taking into account biodiversity (impact on wild population and ecosystem), health (e.g. transmission of pathogens or parasites to humans and animals) and animal welfare (suitability to be kept in captivity);

- Prevent the illegal trade of non-native reptile species protected in the range states;
 - Prevent the trade of non-native reptile species recently discovered and not yet scientifically described;
 - Prevent specifically the trade of non-native reptile species which are venomous, except for the strictly controlled use of biological active ingredients for scientific, pharmaceutical and cosmetic purposes;
 - Strengthen capacity-building in range states to enhance scientific research and monitoring of wild populations, to develop appropriate legal protection and efficient enforcement capacities;
 - Promote sustainable economic alternatives for local populations in range states that rely upon the trade in live reptiles;
 - Engage with the CITES convention in order to enhance scientific cooperation, specifically for CITES listed-species that are found to be over-exploited in the wild and/or not a suitable animal for the pet trade.
- **As a medium-term goal, ensure that the current legislative framework is fit for purpose and functions coherently and efficiently against the illegal trade and over-exploitation of CITES-listed reptile species.**

In order to be able to do so:

- Make an in-depth analysis of the legal and illegal trade of CITES listed-species within the European Union by investigating and comparing existing trade data records (cf. CITES and TRACES databases), import permits, national and European seizure records, routes of trade and any other appropriate criteria. In doing so, develop a better knowledge of the illegal trade at European level, engaging with INTERPOL and EUROPOL for appropriate enforcement controls with customs services and any other law enforcement agencies;
- Assess whether the legal trade of CITES-listed species poses a threat to the survival of wild populations. Where such a threat exists, or where there is a lack of data regarding the status of wild populations, consider changing the species status within CITES and related selection criteria;
- Facilitate collaboration and enhance synergies and data exchange between researchers, hobbyists and professional keepers and breeders, NGOs, civil society, government, and policy-makers at national, European and international level;

Atheris ceratophora (Usambara Horned Viper - no CITES listing).



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- Engage with relevant range states to ensure compliance of import permits with applicable legislation;
 - Add reptile species to Annex D of the CITES EU Regulation to the extent applicable criteria are met;
 - Consider establishing a positive list of reptiles to be kept as pets based on biodiversity, health and animal welfare criteria or any other appropriate tool.
- As a short-term goal, ensure that current legislative frameworks are enforced at national level by public authorities and respected throughout the global supply chain.

In order to be able to do so:

- Strengthen national enforcement capacities for border controls and e-commerce;
- Exchange information and experiences between Member States in order to gather data on intra-trade movements of reptiles within the European Union;
- Organise a campaign to raise awareness among reptile traders, hobbyists and other pet owners of the threat linked to the legal and illegal trade of reptiles, including serious concerns relating to e-commerce;
- Organise regular and targeted checks at pet shops, fairs and other platforms where reptiles are being sold or exchanged.

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This fact sheet is part of a set of a series of six covering the trade in exotic animal species. They are focused on illegal importation of meat into the European Union (including bushmeat) and the legal or illegal trade in reptiles and amphibians. They were developed on a collaborative way between the FPS Health and a group of experts. They were issued during the "Towards a sustainable wildlife trade" One World One Health recommendations event organized on 3 and 4 December 2019 by the FPS Health and the Belgian Biodiversity Platform.



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