

**Seventh meeting of the Conference of the Parties
Lausanne (Switzerland), 9-20 October 1989**

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Membership of the Standing Committee

NOTING that composition of the membership of the Standing Committee was established by Resolution Conf. 6.1 Annex 1 adopted at the sixth meeting of the Conference of the Parties (Ottawa, 1987), which provides, in part, for one Party to be elected from each of the six major geographical regions consisting of Africa, Asia, Europe, North America, South and Central America and the Caribbean, and Oceania;

RECOGNIZING that members, for whatever reason, may not be able to attend meetings of the Standing Committee and that such absences may reduce the capacity of the Standing Committee to carry out its assigned tasks;

RECALLING that under Resolution Conf. 6.1 Annex 1, the Secretariat shall make provisions in its budget for the payments, if requested, of reasonable and justifiable travel expenses of one person representing each of the six regional members, and that members should make every effort to pay their own travel expenses;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

DECIDES

- a) to amend Resolution Conf. 6.1 Annex 1, by adding the following paragraph D) to the "DETERMINES" section of the Resolution:

"D) a Party elected as an alternate member from each of the six major geographic regions described in paragraph A) to attend meetings as a regional member only in the absence of the member of the region to which it belongs;"

and

- b) by amending paragraph b) i) of the same section to read as follows:

"all Committee members may participate in Committee business but only the regional members or alternate regional members shall have the right to vote except in the case of a tie vote, when the Depositary Government shall have the right to vote to break the tie;"

* This document was prepared after the meeting from document Doc. 7.6 Annex adopted without amendment. (Note from the Secretariat).

Financing and Budgeting of the Secretariat and of Meetings of the Conference of the Parties

RECALLING Resolution Conf. 6.2 adopted at the sixth meeting of the Conference of the Parties (Ottawa, 1987);

HAVING REVIEWED the 1987 and 1988 accounts and the 1990/1992 budget estimates submitted by the Secretariat;

HAVING NOTED the revised estimates of expenditures for 1989 presented by the Secretariat;

HAVING REVIEWED the 1990/1995 medium term budget estimates;

RECOGNIZING that regular funding by UNEP ceased after 1983 and that the funding of the Secretariat and of meetings of the Conference of the Parties is now solely the responsibility of the Parties;

ACKNOWLEDGING with appreciation the support provided to the Secretariat by the Executive Director of UNEP, which has provided, as an interim measure, direct financial assistance to cover the shortage in financial resources in 1987 and the first half of 1988;

ACKNOWLEDGING that the financial amendment to the Convention, adopted in Bonn in 1979, entered into force on 13 April 1987;

RECOGNIZING the continuing need for administrative and financial arrangements between the Parties and the Executive Director of UNEP;

NOTING the considerable increase in the number of Parties as well as organizations attending the meetings of the Conference of the Parties as observers, and the resulting additional expenditure incurred by the Secretariat;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

APPROVES the 1987 and 1988 accounts and TAKES NOTE of the estimates of expenditure for 1989;

APPROVES the 1990/1992 budget;

TAKES NOTE of the 1990/1995 medium term budget estimates;

REQUESTS that the Executive Director of UNEP, with the approval of the Governing Council of UNEP, seek the consent of the United Nations Secretary General for an extension of the Trust Fund until 31 December 1995 to provide financial support for the aims of the Convention in accordance with the Terms of Reference for the Administration of the Trust Fund for the Convention on International Trade in Endangered Species of Wild Fauna and Flora, attached as the Annex to this Resolution;

APPROVES the Terms of Reference for the Administration of the Trust Fund, attached as the Annex to this Resolution, for the financial periods beginning on 1 January 1990 and ending on 31 December 1995;

AGREES

- a) that contributions to the Trust Fund shall be based on the United Nations scale of assessment as amended from time to time, adjusted to take account of the fact that not all members of the United Nations are Parties to the Convention;
- b) that any other basis of assessment of contributions shall not be used without the consent of all Parties present and voting at a meeting of the Conference of the Parties;

* This document was prepared after the meeting from document Com. 7.9 adopted after having been amended. (Note from the Secretariat).

- c) that any change in the basic scale of contributions which would increase the liability of a Party to contribute, or would impose a new such liability, shall not apply to that Party without its consent, and that any such proposal to change the basic scale of contributions from that currently in use shall only be considered by the Conference of the Parties if notice of such proposal has been communicated by the Secretariat to all Parties at least 90 days before the meeting; and
- d) that Parties should pay their contributions to the Trust Fund in accordance with the agreed scale as in the Table attached to this Resolution, and whenever possible, should make special contributions to the Trust Fund above their assessed contributions;

REQUESTS all Parties to pay their contributions as far as possible during the year prior to the one to which they relate or, in any case, promptly by the beginning of the respective calendar year to which the contributions apply;

APPEALS strongly to those Parties which, for legal or other reasons, have so far been unable to contribute towards the Trust Fund to do so;

URGES all Parties which have not yet done so to deposit as soon as possible an instrument of acceptance of the amendments of 22 June 1979 and of 30 April 1983;

INVITES states not Party to the Convention, other governmental, intergovernmental and nongovernmental organizations, and other sources to consider contributing to the Trust Fund;

DECIDES that the standard participation charge for all observer organizations other than the United Nations and its specialized agencies, as decided at the third meeting of the Conference of the Parties (New Delhi, 1981), be maintained at a minimum of US\$ 150 (except as otherwise decided by the Secretariat as required) and URGES such organizations to make a greater contribution if possible at least to meet their effective costs of participation;

AGREES that external funds from nongovernmental sources for special projects shall not be accepted without review by the Standing Committee, in consultation with the appropriate Committees as necessary, of the specific contribution and project to be funded;

DIRECTS the Secretariat to submit to the Standing Committee and other appropriate Committees a list of priorities for funding, representing opportunities to enhance the legislation, implementation, and enforcement of the Convention by the Parties, as well as any scientific studies or components thereof, and a proposal adequate for review by experts of each project six months before the scheduled solicitation of any funding; and

APPROVES the Secretariat report.

Annex

TERMS OF REFERENCE FOR THE ADMINISTRATION OF THE TRUST FUND FOR THE CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA

1. The Trust Fund for the Convention on International Trade in Endangered Species of Wild Fauna and Flora (hereinafter referred to as the Trust Fund) shall be further continued for a period of six years to provide financial support for the aims of the Convention.
2. Pursuant to the Financial Regulations and Rules of the United Nations, the Executive Director of the United Nations Environment Programme (UNEP), with the approval of the Governing Council of UNEP and the Secretary General of the United Nations, shall continue the Trust Fund for the administration of the Convention.

3. The Trust Fund shall cover two financial periods of three calendar years each: the first financial period begins on 1 January 1990 and ends on 31 December 1992; the second financial period begins on 1 January 1993 and ends on 31 December 1995. The appropriations of the Trust Fund for the first financial period shall be financed from:
 - a) the contributions made by the Parties by reference to the attached Table, including contributions from any new Parties which are to be added to the Table;
 - b) contributions from states not Party to the Convention, other governmental, intergovernmental and nongovernmental organizations and other sources; and
 - c) any uncommitted appropriations from the 1988-1989 financial period.
4. The budget estimates covering the income and expenditure for each of the three calendar years constituting the financial period to which they relate, prepared in Swiss francs and US dollars, shall be submitted for approval to the regular meeting of the Conference of the Parties to the Convention.
5. The estimates of each of the calendar years covered by a financial period shall be specified according to objects of expenditure; and shall be accompanied by such information as may be required by, or on behalf of, the contributors, and such further information as the Executive Director of UNEP may deem useful and advisable. In particular, estimates shall also be prepared for each of the calendar years.
6. In addition to the budget estimates for the financial period described in the preceding paragraphs, the Secretary General of the Convention, in consultation with the Standing Committee and the Executive Director of UNEP, shall prepare a medium term plan as envisaged in Chapter III of Legislative and Financial Texts Regarding the United Nations Environment Programme and the Environment Fund. For the first financial period, the medium term plan will cover the years 1990-1995, inclusive, and will incorporate the budget for the 1990-1992 financial period.
7. The proposed budget and medium term plan, including all the necessary information, shall be dispatched by the Secretariat to all Parties at least ninety days before the date fixed for the opening of the regular meeting of the Conference of the Parties.
8. The budget shall be adopted by a 3/4 majority of the Parties present and voting at the regular meeting.
9. In the event that the Executive Director of UNEP anticipates that there might be a shortfall in resources, over the year as a whole, he shall consult with the Secretary General of the Convention, who shall seek the advice of the Standing Committee as to its priorities for expenditure.
10. Upon the request of the Secretary General of the Convention, after seeking the advice of the Standing Committee, the Executive Director of UNEP should, to the extent consistent with the Financial Regulations and Rules of the United Nations, make transfers from one object of expenditure to another. At the end of any calendar year of a financial period, the Executive Director of UNEP may proceed to transfer any uncommitted balance of appropriations to the following calendar year, provided that the total budget approved by the Parties for the triennium shall not be exceeded unless this is specifically sanctioned in writing by the Standing Committee.
11. Commitments against the resources of the Trust Fund may be made only if they are covered by the necessary income of the Convention.
12. All contributions shall be paid in convertible currencies. Contributions from states that become Parties after the beginning of the financial period should be made on a prorata basis for the balance of the financial period.
13. At the end of each calendar year of a financial period, the Executive Director of UNEP shall submit to the Parties the accounts for the year. He shall also submit, as soon as practicable, the audited accounts for the financial period.

14. The Secretary General of the Convention shall provide the Standing Committee with an estimate of proposed expenditure over the coming calendar year simultaneously with, or as soon as possible after, distribution of the accounts and reports referred to in the preceding paragraphs.
15. The general procedures governing the operations of the Fund of UNEP and the Financial Regulations and Rules of the United Nations shall govern the financial operations of the Trust Fund for the Convention.
16. These Terms of Reference shall be effective for the financial periods of 1 January 1990 to 31 December 1995 subject to amendments at the eighth meeting of the Conference of the Parties.

Table

TRUST FUND FOR THE CONVENTION ON INTERNATIONAL TRADE
IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA

Scale of Contributions for the Triennium 1990-1992
US\$ 1 = Sfr. 1.65

Party	UN Scale %	Total 1990-1992		Annual Contribution	
		US\$	Sfr	US\$	Sfr
Afghanistan	0.01	754	1,244	252	415
Algeria	0.15	11,306	18,655	3,768	6,218
Argentina	0.66	49,747	82,083	16,582	27,361
Australia	1.57	118,337	195,256	39,445	65,085
Austria	0.74	55,777	92,032	18,592	30,677
Bahamas	0.02	1,507	2,487	502	829
Bangladesh	0.01	754	1,244	252	415
Belgium	1.17	88,188	145,510	29,396	48,503
Belize	0.01	754	1,244	252	415
Benin	0.01	754	1,244	252	415
Bolivia	0.01	754	1,244	252	415
Botswana	0.01	754	1,244	252	415
Brazil	1.45	109,293	180,333	36,431	60,111
Burkina Faso	0.01	754	1,244	252	415
Burundi	0.01	754	1,244	252	415
Cameroon	0.01	754	1,244	252	415
Canada	3.09	232,906	384,295	77,634	128,097
Central African Republic	0.01	754	1,244	252	415
Chad	0.01	754	1,244	252	415
Chile	0.08	6,030	9,950	2,010	3,317
China	0.79	59,546	98,251	19,848	32,750
Colombia	0.14	10,552	17,411	3,517	5,803
Congo	0.01	754	1,244	252	415
Costa Rica	0.02	1,507	2,487	502	829
Cyprus	0.02	1,507	2,487	502	829
Denmark	0.69	52,008	85,813	17,336	28,604
Dominican Republic	0.03	2,261	3,731	754	1,244
Ecuador	0.03	2,261	3,731	754	1,244
Egypt	0.07	5,276	8,705	1,759	2,902
El Salvador	0.01	754	1,244	252	415
Ethiopia	0.01	754	1,244	252	415
Finland	0.51	38,441	63,428	12,814	21,143
France	6.25	471,088	777,295	157,028	259,097

Party	UN Scale %	Total 1990-1992		Annual Contribution	
		US\$	Sfr	US\$	Sfr
Gabon	0.03	2,261	3,731	754	1,244
Gambia	0.01	754	1,244	252	415
German Democratic Republic	1.28	96,479	159,190	32,159	53,063
Germany, Federal Rep. of	8.08	609,022	1,004,886	203,006	334,961
Ghana	0.01	754	1,244	252	415
Guatemala	0.02	1,507	2,487	502	829
Guinea	0.01	754	1,244	252	415
Guyana	0.01	754	1,244	252	415
Honduras	0.01	754	1,244	252	415
Hungary	0.21	15,829	26,118	5,276	8,706
India	0.37	27,888	46,015	9,296	15,338
Indonesia	0.15	11,306	18,655	3,768	6,218
Islamic Republic of Iran	0.69	52,008	85,813	17,336	28,604
Israel	0.21	15,829	26,118	5,276	8,706
Italy	3.99	300,743	496,226	100,247	165,408
Japan	11.38	857,756	1,415,299	285,917	471,764
Jordan	0.01	754	1,244	252	415
Kenya	0.01	754	1,244	252	415
Liberia	0.01	754	1,244	252	415
Liechtenstein	0.01	754	1,244	252	415
Luxembourg	0.06	4,522	7,461	1,507	2,487
Madagascar	0.01	754	1,244	252	415
Malawi	0.01	754	1,244	252	415
Malaysia	0.11	8,291	13,680	2,764	4,560
Malta	0.01	754	1,244	252	415
Mauritius	0.01	754	1,244	252	415
Monaco	0.01	754	1,244	252	415
Morocco	0.04	3,015	4,975	1,005	1,658
Mozambique	0.01	754	1,244	252	415
Nepal	0.01	754	1,244	252	415
Netherlands	1.65	124,367	205,206	41,456	68,402
New Zealand	0.24	18,090	29,849	6,030	9,950
Nicaragua	0.01	754	1,244	252	415

Party	UN Scale %	Total 1990-1992		Annual Contribution	
		US\$	Sfr	US\$	Sfr
Niger	0.01	754	1,244	252	415
Nigeria	0.20	15,075	24,874	5,025	8,291
Norway	0.55	41,456	68,402	13,819	22,801
Pakistan	0.06	4,522	7,461	1,507	2,487
Panama	0.02	1,507	2,487	502	829
Papua New Guinea	0.01	754	1,244	252	415
Paraguay	0.03	2,261	3,731	754	1,244
Peru	0.06	4,522	7,461	1,507	2,487
Philippines	0.09	6,784	11,194	2,261	3,731
Portugal	0.18	13,567	22,386	4,522	7,462
Rwanda	0.01	754	1,244	252	415
Saint Lucia	0.01	754	1,244	252	415
Saint Vincent and the Grenadines	0.01	754	1,244	252	415
Senegal	0.01	754	1,244	252	415
Seychelles	0.01	754	1,244	252	415
Singapore	0.11	8,291	13,680	2,764	4,560
Somalia	0.01	754	1,244	252	415
South Africa	0.45	33,918	55,965	11,306	18,655
Spain	1.95	146,980	242,517	48,993	80,839
Sri Lanka	0.01	754	1,244	252	415
Sudan	0.01	754	1,244	252	415
Suriname	0.01	754	1,244	252	415
Sweden	1.21	91,203	150,485	30,401	50,161
Switzerland	1.08	81,404	134,317	27,135	44,772
Thailand	0.10	7,537	12,436	2,512	4,145
Togo	0.01	754	1,244	252	415
Trinidad and Tobago	0.05	3,769	6,219	1,256	2,073
Tunisia	0.03	2,261	3,731	754	1,244
Union of Soviet Socialist Republics	9.99	752,987	1,242,429	250,994	414,141
United Kingdom of Great Britain and Northern Ireland	4.86	366,318	604,425	122,105	201,474
United Republic of Tanzania	0.01	754	1,244	252	415

Party	UN Scale %	Total 1990-1992		Annual Contribution	
		US\$	Sfr	US\$	Sfr
United States of America	25.00	1,884,355	3,109,184	628,115	1,036,391
Uruguay	0.04	3,015	4,975	1,005	1,658
Vanuatu	0.01	754	1,244	252	415
Venezuela	0.57	42,963	70,889	14,321	23,630
Zaire	0.01	754	1,244	252	415
Zambia	0.01	754	1,244	252	415
Zimbabwe	0.02	1,507	2,487	502	829
TOTAL	93.11	7,018,091	11,579,852	2,339,377	3,859,950

Conf. 7.3*

Export/Reexport Permits/Certificates

CONSIDERING that the efficiency of the Convention rests on the presentation of permits or certificates whose validity can be easily verified;

OBSERVING that false documents and invalid documents are used more and more often for fraudulent purposes and that appropriate measures are needed to prevent such documents from being accepted;

PERSUADED that the implementation of certain procedures could help the achievement of the Convention objectives;

CONSCIOUS that the standard permit should be modified as seldom as possible and only after an indepth study;

RECALLING that Resolution Conf. 3.7 adopted at the third meeting of the Conference of the Parties (New Delhi, 1981) recognizes that there are several measures that can be taken to make it difficult to counterfeit documents;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

SUGGESTS that Parties who wish to modify their permit and certificate forms, reprint existing documents or put new documents into use, first ask for the Secretariat's comments;

RECOMMENDS

- a) that Parties refuse permits or certificates if they have been altered (by rubbing out, scratching out, etc.), modified or crossed out, unless the alteration, modification or crossingout has been authenticated by the stamp and the signature of the authority granting the document;
- b) that Parties which do not do this already, affix a security stamp to export/reexport permits/certificates;
- c) that, when a security stamp is affixed to a document, the number of the stamp also be mentioned on the document;
- d) that, when a security stamp is affixed to a document, Parties refuse the document if the security stamp is not cancelled by a signature and a seal, preferably embossed, across its face;
- e) that Parties transmit to the Secretariat immediately, or at the latest within one month, the names of the people authorized to sign permits and certificates, as well as three specimens of their signatures, and, within the same time limit, the name of people added to the authorized signature list, the names of those people whose signature is no longer valid, and the date on which such changes take effect; and
- f) that, on reexport certificates, Parties indicate:
 - i) in Section No. 12 of the standard permit (or in any other appropriate place if the standard permit is not used), the country of origin, the export permit number from the country of origin and its date of issue;
 - ii) in Section No. 5 of the standard permit (or in any other appropriate place if the standard permit is not used), the country of last export, if it is different from the country of origin, the number of the preceding reexport certificate and its date of issue; and
 - iii) the justification for omitting these data if such is the case;

* This document was prepared after the meeting from document Com. 7.3 (Rev.) adopted without amendment. (Note from the Secretariat).

URGES the Parties

- a) to indicate in Section No. 5 of the standard permit (or in any other appropriate place if the standard permit is not used) that the permit or certificate concerning live animals is valid only if the transport conditions conform to the Guidelines for Transport of Live Animals or, in the case of air transport, to the IATA Live Animals Regulations; and
- b) to keep the original document when they refuse a permit or certificate or, if their national laws prevent this, to cancel the document indelibly, preferably by perforation, especially for the security stamp; and

DIRECTS the Secretariat to undertake an indepth study of any necessary changes in the standard permit model contained in Resolution Conf. 3.6, adopted at the third meeting of the Conference of the Parties (New Delhi, 1981), and make recommendations for consideration at the eighth meeting of the Conference of the Parties.

Conf. 7.4*

Control of Transit

ACKNOWLEDGING that Resolution Conf. 4.10, adopted at the fourth meeting of the Conference of the Parties (Gaborone, 1983), on the Definition of "In Transit" recommends "that valid export documentation as required under the Convention or satisfactory proof of its existence be available for inspection by the authorities of the country of transit or transshipment and that it clearly shows the ultimate destination of the shipment";

NOTING that control of transit shipments for valid export documentation is an important way to discover illegal trade in CITES specimens;

RECOGNIZING the need for Parties to take measures to fight illegal trade;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS

- a) that the Parties inspect, to the extent possible under their national legislation, transit shipments including the presence of valid export documentation as required under the Convention or satisfactory proof of its existence; and
- b) that Parties adopt legislation allowing them to seize and confiscate transit shipments without such documentation or proof thereof.

* *This document was prepared after the meeting from document Com. 7.18 (Rev.) adopted after having been amended. (Note from the Secretariat).*

Conf. 7.5*

Enforcement

CONVINCED that enforcement of the Convention must be a constant concern of the Parties if they are to succeed in fulfilling the objectives of the Convention;

INSISTING on the need of close cooperation between the Parties;

RECOGNIZING the important role the Secretariat can play in the enforcement process, and the means provided by Article XIII of the Convention;

CONSCIOUS that the data carried on the permits and certificates must supply maximum information, as much for export as for import, to allow verification of the conformity between the merchandise and the document;

CONSIDERING that Article XIII does not specify a timelimit for a Party to respond to a request for information from the Secretariat, and that such a deadline is necessary in order that the absence of response not be interpreted as a refusal to respond;

CONSIDERING that the use of certain terms to designate the parts and derivatives of wildlife may give rise to certain offences;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS

- a) that in designating the CITES parts and derivatives, Parties use a standardized nomenclature established by the Secretariat;
- b) that when the parts and derivatives are designated in a language other than one of the three working languages of the Convention, the translation into one of these three languages also be given, using the standardized nomenclature established by the Secretariat;
- c) that the Secretariat establish a draft nomenclature and submit it to the Parties, who will have 60 days in which to present their observations; that the Secretariat then establish the definitive nomenclature; and that the same procedure be applied to modify the nomenclature;
- d) that, as far as possible, the Secretariat distribute indexcards specifying the definition of certain terms;
- e) when, in application of Article XIII, the Secretariat requests information on an alleged infraction, Parties reply within a timelimit of one month or, if this is impossible, acknowledge within the month and indicate a date, even an approximate one, by which they consider it will be possible to provide the information requested;
- f) when, within a one year timelimit, the information requested has not been provided, Parties provide the Secretariat with justification of the reasons for which they have not been able to respond;
- g) that, if major problems with implementation of the Convention in particular Parties are brought to the attention of the Secretariat, the Secretariat work together with the Party concerned to try to solve the problem and offer advice or technical assistance as required;
- h) that, if it does not appear a solution can be readily achieved, the Secretariat bring the matter to the attention of the Standing Committee, which may pursue the matter in direct contact with the Party concerned with a view to helping to find a solution; and

* This document was prepared after the meeting from document Com. 7.16 (Rev.) adopted without amendment. (Note from Secretariat).

- i) that the Secretariat keep the Parties informed as fully as possible, through Notifications, of such implementation problems and of actions taken to solve them, and include such problems in its report of alleged infractions; and

URGES the Parties to assist the Secretariat with provision of the necessary funding to carry out these activities.

Return of Live Animals of Appendix II or III Species

NOTING that Article VIII, paragraph 1(b), of the Convention provides that the Parties shall take appropriate measures to enforce the provisions of the Convention including to provide for the confiscation or return to the state of (re)export of specimens traded in violation of the Convention;

NOTING that Article VIII, paragraph 4(b), allows a Management Authority of an importing country, after consultation with the state of (re)export, to return confiscated specimens to that state at the expense of that state;

NOTING, however, that Article VIII does not preclude that the Management Authority allows the importer to refuse acceptance of a shipment, thus forcing the transporter to carry the shipment back to the (re)exporter;

RECALLING Resolution Conf. 4.10 adopted at the fourth meeting of the Conference of the Parties (Gaborone, 1983) on the Definition of "In Transit";

RECALLING Resolution Conf. 4.17 adopted at the fourth meeting of the Conference of the Parties (Gaborone, 1983) concerning the Reexport of Confiscated Specimens;

RECALLING Resolution Conf. 6.6 adopted at the sixth meeting of the Conference of the Parties (Ottawa, 1987) on the Retrospective Issuance of Permits and Certificates;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS

- a) that live animals of species listed in Appendices II and III arriving in an importing country without a proper (re)export permit be seized and confiscated or, if possible and if appropriate, be sent to the Management Authority of the (re)exporting country or if the Management Authority of the (re)exporting country is not interested to the Management Authority of the country of origin;
- b) that the Management Authority of an importing country may accept that, in other cases, specimens of species listed in Appendix II or III be returned immediately and directly to the (re)exporter at the expense of the transporter and eventually the (re)exporter if the importer refuses to acknowledge the shipment;
- c) that the Management Authority of the importing country, however, not adopt the procedure outlined in b) when:
 - i) it considers that the specimens are in such a condition that they cannot be returned immediately without detriment to their health; or
 - ii) it establishes or suspects that a proper (re)export permit could not have been obtained, for example because the specimens were acquired in contravention of the laws of the state from where they originate or were (re)exported; or
 - iii) for any other reason, it is not convinced that the specimens were legally in the possession of the (re)exporter; or
 - iv) it is not convinced that the specimens will be returned to the (re)exporter in the (re)exporting country, but will be redirected to another country; or
 - v) it suspects that the improper state of the (re)export permit is caused by the importer or is due to his negligence; and

* This document was prepared after the meeting from document Com. 7.5 (Rev.) adopted without amendment. (Note from the Secretariat).

- d) that the Management Authority of the importing country inform, as soon as possible, the Management Authority of the (re)exporting country of any shipment being returned to the (re)exporter.

Conf. 7.7*

Quotas for Leopard Hunting Trophies and Skins for Personal Use

RECALLING that with the exception of the rare cases of exemptions granted under Article VII of the Convention, trade in Appendix I species is prohibited;

RECALLING that the leopard *Panthera pardus* is listed in Appendix I;

RECOGNIZING that in some subSaharan countries the population of the leopard is not endangered;

RECOGNIZING also that the killing of specimens of leopard may be sanctioned by countries of export in defense of life and property and to enhance the survival of the species;

RECOGNIZING further that these countries of export may trade in such dead specimens in accordance with Resolution Conf. 2.11, adopted at the second meeting of the Conference of the Parties (San José, 1979), and may grant export permits in accordance with paragraph 2 of Article III of the Convention;

RECALLING that paragraph 3(c) of Article III of the Convention provides that import permits shall be granted only when a Management Authority of the state of import is satisfied that the specimen is not to be used for primarily commercial purposes, and that paragraph 2(a) of Article III of the Convention provides that export permits shall be granted only when a Scientific Authority of the state of export has advised that such export will not be detrimental to the survival of that species;

RECOGNIZING the desire of the Parties that the commercial market for leopard skins should not be reopened;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS

- a) that, in reviewing applications for permits to import whole skins or nearly whole skins of leopard, in accordance with paragraph 3(a) of Article III of the Convention, the Scientific Authority of the state of import approve permits if it is satisfied that the skins being considered are from one of the following states, which may not export more of the said skins in any one calendar year than the number shown under "quota" opposite the name of the state:

State	Quota
Botswana	100
Central African Republic	40
Ethiopia	500
Kenya	80
Malawi	20
Mozambique	60
South Africa	50
United Republic of Tanzania	250
Zambia	300
Zimbabwe	500

* This document was prepared after the meeting from document Com. 7.20 adopted after having been amended. (Note from the Secretariat).

- b) that, in reviewing applications for permits to import whole skins or nearly whole skins of *Panthera pardus* (including hunting trophies), in terms of paragraph 3(c) of Article III of the Convention, the Management Authority of the state of import may be satisfied that the said skins are not to be used for primarily commercial purposes if:
 - i) the skins are acquired by the owner in the country of export and are being imported as personal items that will not be sold in the country of import; and
 - ii) the owner imports no more than two skins in any calendar year if this is authorized by the legislation of the country of export;
- c) that the Management Authority of a state of import permit the import of leopard skins in accordance with this Resolution only if the skins have a selflocking tag attached which indicates the state of export, the number of the specimen in relation to the annual quota and the calendar year to which the quota applies – for example ZW 6/500 1989 indicating that Zimbabwe is the state of export and that the specimen is the sixth specimen exported by Zimbabwe out of its quota of 500 for 1989 – and if the same information as is on the tag is given on the export document;
- d) that, in the case of whole or nearly whole leopard skins traded according to the terms of this Resolution, the words "has been granted" in paragraph 2(d) of Article III of the Convention be deemed to have been satisfied upon the written assurance of the Management Authority of the state of import that an import permit will be granted;
- e) that each state that exports leopard skins in terms of this Resolution report the number of skins so exported annually to the Secretariat and that the Secretariat submit a report to each regular meeting of the Conference of the Parties; and
- f) that the system adopted in this Resolution be continued, with any increase in a quota or any new quota (i.e., for a state not previously having one) requiring the consent of the Conference of the Parties.

Conf. 7.8*

Trade in Ivory from African Elephants

RECOGNIZING that in the last ten years the population of the African elephant (*Loxodonta africana*) has declined by about 45%;

RECOGNIZING that the species is now seriously endangered;

RECOGNIZING that controls of trade in ivory agreed at previous meetings of the Conference of the Parties, in particular those in Resolution Conf. 5.12 adopted at the fifth meeting (Buenos Aires, 1985), have not been sufficient to halt the decline in the African elephant;

NOTING that the transfer of the African elephant from Appendix II to Appendix I has been approved;

RECOGNIZING the authority of Parties to apply stricter domestic measures under Article XIV, paragraph 1, of the Convention;

THE CONFERENCE OF THE PARTIES OF THE CONVENTION

URGES all Parties to support the uplisting of the African elephant to Appendix I by implementing strictly the controls applied by virtue of that listing; and

RECOMMENDS

- a) that all Parties implement stricter domestic controls on trade in African ivory under the Appendix I listing with immediate effect, in anticipation of the formal entry into force of the amendment to the appendices; and
- b) that all Parties review their publicity of CITES controls to ensure that members of the public are aware of them and in particular of controls on ivory.

* This document was prepared after the meeting from document Com. 7.14 adopted without amendment. (Note from the Secretariat).

**Terms of Reference for the Panel of Experts on the African Elephant
and Criteria for the Transfer of Certain African Elephant Populations
from Appendix I to Appendix II**

RECOGNIZING that the Parties did not adopt the six unamended proposals submitted by Austria, the Gambia, Hungary, Kenya, the United Republic of Tanzania and the United States of America to transfer the African elephant to Appendix I;

RECOGNIZING further that the Parties adopted the amended proposal submitted by Somalia (document Doc. 7.43.8) with the intent of providing a special mechanism for the transfer of African elephant populations from Appendix I to Appendix II;

AWARE that, thereby, populations of elephants in certain African states which may not meet the criteria provided for in Resolution Conf. 1.1, adopted at the first meeting of the Conference of the Parties (Berne, 1976), were transferred to Appendix I;

NOTING that the Parties have agreed that transfer to Appendix II shall be considered on the basis of a report to the Parties that addresses, *inter alia*, the status of elephant populations, the effectiveness of elephant conservation measures, and the degree of control of the movement of ivory within and through the Parties including those that may have entered a reservation with respect to the listing of *Loxodonta africana* in Appendix I of the Convention;

NOTING further that the Parties have called upon UNEP, IUCN and TRAFFIC to provide nominees to serve on a Panel of Experts to advise the Conference of the Parties on requests for transferring particular elephant populations back to Appendix II;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RESOLVES

- a) to establish a Panel of Experts on the African Elephant for the purpose of reviewing certain populations whose transfer to Appendix II has been requested, with respect to:
 - i) the scientific evidence regarding their numbers and trends;
 - ii) the practices of conservation and management of these populations, and threat to their status; and
 - iii) the adequacy of ivory trade controls;
- b) that the Panel of Experts shall include expertise from the following areas:
 - i) elephant ecology and population biology;
 - ii) field conservation and management;
 - iii) monitoring of trade in elephant products;
 - iv) establishment and operation of trade regimes; and
 - v) security aspects of elephant products and/or wildlife law enforcement;
- c) that the Standing Committee, after consultation as appropriate with UNEP, IUCN, TRAFFIC International, the affected range state and the region concerned, shall nominate the members of the Panel of Experts, which should not exceed six in number;

* This document was prepared after the meeting from document Com. 7.17 (Rev.2) adopted without amendment. (Note from the Secretariat).

- d) that the selection should take into account the need for appropriate geographical representation and should include a representative to be nominated by the affected range state;
- e) that the Standing Committee shall direct the CITES Secretariat to notify and convene the Panel of Experts;
- f) that the Panel of Experts shall:
 - i) meet at its earliest convenience but no later than two months following the receipt of an application (submitted to the CITES Secretariat), and as frequently thereafter as is necessary;
 - ii) evaluate an applicant's proposal to transfer a population to Appendix II with the intent to complete such evaluation within forty-five days after its first meeting;
 - iii) elect its Chairman from within its own membership;
 - iv) be provided with technical assistance and support as required;
 - v) assign particular tasks to individual members and may appoint consultants to carry out studies on its behalf; and
 - vi) be financed from the regular budget of the CITES Secretariat or from funds assigned for this purpose by Parties;
- g) that the applicants shall undertake to give the Panel or its accredited consultants free and unrestricted access to all data in their possession regarding elephant populations, elephant management, trade in elephant products and, as appropriate, law enforcement procedures;
- h) that in evaluating the status and management of an elephant population the Panel of Experts shall take into account:
 - i) the viability and sustainability of the population, and potential risks;
 - ii) the affected range state's demonstrated ability to monitor the subject population; and
 - iii) the effectiveness of current antipoaching measures;
- i) that in evaluating the affected range state's ability to control trade in ivory from African elephants, the Panel of Experts shall take into account:
 - i) whether total levels of offtake from both legal and illegal killing are sustainable;
 - ii) whether control of ivory stocks is adequate to prevent the mixing of legal and illegal ivory;
 - iii) whether law enforcement is effective; and
 - iv) whether enforcement and controls are sufficient to ensure that no significant amounts of ivory taken or traded illegally from other countries are traded within or through the territory of the affected range state;
- j) that, for the purpose of deciding on the transfer of a population of the African elephant from Appendix I to Appendix II and the necessary conditions to be attached to such a transfer, the Parties should take into account the report of the Panel of Experts and in particular:
 - i) the status of the elephant population in the affected range state;
 - ii) the affected range state's ability to manage and conserve its population effectively; and
 - iii) the affected range state's ability to control trade in elephant ivory;

- k) that, for the purposes of this Resolution, the term "applicant" shall mean any Party to the Convention, including any Party that may have entered a reservation with regard to the listing of *Loxodonta africana* in Appendix I of the Convention; and
- l) that the above process is deemed to be in compliance with the obligations of the Conference of the Parties regarding the establishment of the Panel of Experts under document Doc. 7.43.8, as adopted.

**Format and Criteria for Proposals to Register the First Commercial
Captive Breeding Operation for an Appendix I Animal Species**

RECOGNIZING that Article VII, paragraph 4, of the Convention provides that specimens of Appendix I animal species bred in captivity for commercial purposes shall be deemed to be specimens of species included in Appendix II;

NOTING that import of wildcaught Appendix I specimens for purposes of establishing a commercial captivebreeding operation is precluded by Article III, paragraph 3(c), of the Convention, as explained further in Resolution Conf. 5.10 adopted at the fifth meeting of the Conference of the Parties (Buenos Aires, 1985);

RECALLING that Resolution Conf. 2.12, adopted at the second meeting of the Conference of the Parties (San José, 1979), establishes the definition of "bred in captivity" and specifies that the parental breeding stock must be 1) established in a manner not detrimental to the survival of the species in the wild; 2) maintained without augmentation from the wild, except for the occasional addition of animals, eggs or gametes from wild populations to prevent deleterious inbreeding; and 3) managed in a manner designed to maintain the breeding stock indefinitely;

RECALLING that Resolution Conf. 4.15, adopted at the fourth meeting of the Conference of the Parties (Gaborone, 1983), requests the Secretariat to compile and update a Register of Operations which Breed Specimens of Species Included in Appendix I in Captivity for Commercial Purposes and recommends to the Parties with such operations to provide the Secretariat with "any appropriate information" on these operations;

RECOGNIZING that Resolution Conf. 6.21, adopted at the sixth meeting of the Conference of the Parties (Ottawa, 1987), recommends that the first commercial captivebreeding operation for an Appendix I species be included in the Secretariat's Register only by a twothirds majority vote of the Parties;

RECOGNIZING further that Resolution Conf. 6.21 recommends that the first commercial captivebreeding operation for an Appendix I species be in compliance with Resolutions Conf. 2.12, Conf. 4.15 and Conf. 5.16 adopted at the fifth meeting of the Conference of the Parties (Buenos Aires, 1985) before it can be included in the Secretariat's Register;

CONCERNED that Resolution Conf. 6.21 offers no specific additional procedural or scientific standards for approval by the Parties of the first commercial captivebreeding operation for an Appendix I species;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS

- a) i) that if an Appendix I species is so numerous in the wild that its survival does not depend on a captivebreeding programme, the specimens used to start and maintain the first registered commercial captivebreeding operation should have been obtained without detriment to the wild population; but
 - ii) for species that are so critically endangered that their survival does depend on a captivebreeding programme, then commercial captivebreeding operations should not normally be considered, unless they make use of specimens that are surplus to those needed for the preservation of the species in the wild and in captivity;
- b) that, in order to demonstrate that the species can be bred reliably in captivity, the proposal document that the species has been bred reliably to at least the second generation (F2) in captivity;
- c) that, in order to demonstrate that the operation's breeding stock will be maintained indefinitely without the addition of specimens from the wild, except where necessary to avoid deleterious inbreeding, the operator describe the measures that will be taken to recognize and avoid deleterious inbreeding;

* This document was prepared after the meeting from document Com. 7.10 (Rev.) adopted after having been amended. (Note from the Secretariat).

- d) that 1) captivebred specimens, and 2) gametes or embryos collected without detriment to the wild population may be authorized by the Management Authority for addition to the breeding operation at any time;
- e) that the marking and inspection of specimens in the operation be undertaken in such a manner that the unauthorized addition of wild specimens is not likely to occur without detection;
- f) that the text of a proposal to register the first commercial captive breeding operation for an Appendix I species be transmitted to the Secretariat at least 150 days prior to a meeting of the Conference of the Parties, or transmitted and approved through the postal procedures described in Article XV, paragraph 2, of the Convention;
- g) that proposals submitted by a Party to register the first commercial captivebreeding operation for an Appendix I species specifically address the following points:

- i) Parental Breeding Stock

Description of the number of males and females used as founder stock, their origins, and their known or likely genetic relationship with one another.

- ii) Husbandry and Breeding Methods

- A) Review of the species' breeding performance in captivity.
- B) Documentation showing that the species has been bred reliably to the second generation (F2).
- C) If the operation itself has bred the species to the second generation, a description of the methods used; and if the operation has not bred the species to the second generation, a description of the methods that have been used to do so successfully elsewhere.
- D) Description of the operation's strategy to avoid deleterious inbreeding and to identify and correct it should it occur.
- E) Description of the facilities being used to house and care for the parental breeding stock and its offspring.

- iii) Operating Strategy

- A) Description of the management of breeding stock and offspring, specifically:
 - 1) anticipated future production of offspring;
 - 2) description of anticipated strategy to add offspring to the captivebreeding population as future replacement stock and/or to expand the breeding population; and
 - 3) description of breeding performance of each generation produced in captivity, including records that describe the percentage of the breedingage portion of the operation's specimens that have bred and produced viable offspring.
- B) Assessment of any perceived need for augmentation of breeding stock with specimens from captivebred or wild sources.

- iv) Marking and Inspection

- A) Description of the marking methods to be used for breeding stock and offspring, and for specimens furnished for export (noting the direction of Resolution Conf. 6.21 to comply with the provisions of Resolution Conf. 5.16 and Resolution Conf. 7.12 adopted at the seventh meeting of the Conference of the Parties).

- B) Description of the inspection procedures to be used by the CITES Management Authority to confirm the identity of breeding stock and offspring and to detect the presence of unauthorized specimens held at the operation or provided for export; and
- h) that this Resolution be reviewed comprehensively at the eighth meeting of the Conference of the Parties, with any proposals submitted in the interim to follow the format in the Annex.

Annex

FORMAT FOR REGISTRATION PROPOSALS TO BE SUBMITTED BY THE MANAGEMENT AUTHORITY¹

A. PROPOSAL

Species to be registered as bred in captivity for commercial purposes

B. PROPONENT

1. Party
2. Name and address of captivebreeding operation to be registered

C. SUPPORTING STATEMENT

1. Taxonomy

11. Class
12. Order
13. Family
14. Genus, species and subspecies, when applicable, including author and year
15. Common name(s), when applicable
16. Code numbers (e.g. ISIS), when applicable

2. Biological Data

21. Status in the Wild

211. Distribution (current and historical)
212. Population size, trend and degree of endangerment

22. Status in Captivity

221. Description of founder stock (including source and likely genetic relationship)
222. General breeding performance in captivity
223. Methods to achieve second generation stock
224. Description of breeding performance of population at operation to be registered

23. Management of Breeding Stock and Offspring

¹ Presumably proposals will be developed jointly by the Management Authority and the operator.

231. Anticipated production

232. Augmentation strategy

233. Strategy to minimize inbreeding

234. Marking methods for breeding stock and offspring

235. Inspection procedures to detect unauthorized specimens

236. Description of breeding facility

3. Trade Data

31. Potential benefits of bred in captivity registration for the species covered by the proposal

32. Potential trade threats (including the possibility that trade in captivebred specimens will promote illegal trade in wild specimens)

4. Protection Status

41. National

42. International

5. Additional Information

Trade in Ranched Specimens between Parties, NonParties and Reserving Parties

ACKNOWLEDGING that Resolution Conf. 3.15, adopted at the third meeting of the Conference of the Parties (New Delhi, 1981), established that any proposal to transfer a population to Appendix II in order to conduct a ranching operation must be primarily beneficial to the conservation of the local population and that products of the operation must be adequately identified and documented to ensure that they can be readily distinguished from products of Appendix I populations;

RECALLING the provisions of Article X of the Convention, which make the acceptance of comparable documentation issued by a state not Party to the Convention conditional upon its issuance by the competent authorities in that state and upon substantial conformity with the requirements of the Convention for permits and certificates;

RECALLING that the provisions of Article XXIII, paragraph 3), of the Convention provide for a reserving Party to be treated as a state not Party to the Convention with respect to trade in the particular species; that the provisions of Article XIV, paragraph 1, allow the Parties to take stricter domestic measures regarding the conditions for trade; and that the Parties are the ultimate interpreters of the Convention;

ACKNOWLEDGING that Resolution Conf. 3.8, adopted at the third meeting of the Conference of the Parties (New Delhi, 1981), addresses the criteria which may be accepted in relation to documents issued by a state not Party to the Convention;

RECOGNIZING that Resolution Conf. 4.25, adopted at the fourth meeting of the Conference of the Parties (Gaborone, 1983), called on Parties having entered reservations to maintain and communicate statistical records on trade in the species concerned in their annual reports;

ACKNOWLEDGING that Resolution Conf. 5.16, adopted at the fifth meeting of the Conference of the Parties (Buenos Aires, 1985), attempted to address and achieve strict regulation of international trade in products derived from approved ranching operations;

RECOGNIZING that for some species ranching is beneficial and provides a valuable tool for conserving habitat;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

REQUESTS

- a) that the Secretariat seek legal advice from IUCN Environmental Law Centre on the requirements of Resolution Conf. 5.16, paragraph j), as they relate to the provisions of the Convention; and
- b) that the Secretariat transmit a copy of the text of such advice, for the information of Parties, and the further consideration of the Standing Committee; and

RECOMMENDS that the matter of marking ranched specimens be referred to the Animals Committee for further detailed consideration as part of the broader problem of specimen identification for parts and derivatives of lookalike taxa.

* This document was prepared after the meeting from document Com. 7.13 adopted without amendment. (Note from the Secretariat).

**Marking Requirements for Trade in Specimens of Taxa
with Populations in Both Appendix I and Appendix II**

RECOGNIZING that Article VII, paragraph 4, of the Convention specifically provides for regulated international trade in specimens of species included in Appendix I that have been bred in captivity for commercial purposes;

RECOGNIZING also that the Conference of the Parties has established the right of a Party to trade commercially in specimens derived from an approved ranching operation Resolution Conf. 3.15 adopted at the third meeting of the Conference of the Parties (New Delhi, 1981) or an annual export quota Resolution Conf. 4.13 adopted at the fourth meeting of the Conference of the Parties (Gaborone, 1983) and Resolution Conf. 5.21 adopted at the fifth meeting of the Conference of the Parties (Buenos Aires, 1985);

AWARE that specimens of taxa included in Appendix I subject to ranching, captivebreeding operations or export by annual quotas must be deemed to be specimens of lookalike species and must be tagged or otherwise marked to facilitate the application of differential regulatory controls;

CONSCIOUS that in order to achieve the desired objectives, any system of marking specimens derived from ranching, captivebreeding operations or taken under an annual export quota must be practical and able to be implemented readily by all Parties;

NOTING that previous meetings of the Conference of the Parties have addressed separately the issues of regulating trade derived from ranching, captive breeding or wildharvesting under annual export quotas;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS with respect to the identification of live specimens:

- a) that any marking system that requires the attachment of a tag, band or other uniquely marked label, or the marking of a part of the animal's anatomy be undertaken only with due regard for the humane care, wellbeing and natural behaviour of the specimen concerned;
- b) that the use of coded microchip implants be adopted on a trial basis on a sample range of high value captivebred Appendix I taxa that are subject to international trade, to be determined by the Animals Committee and Parties involved; and
- c) that the overall effectiveness and efficiency of identifying animals and regulating trade in such specimens by the use of microchip technology be reviewed by the Conference of the Parties; and

RECOMMENDS further, with regard to parts and derivatives:

- a) that, in relation to ranched or captivebred species, where requested by individual Parties, the Secretariat purchase and disseminate appropriately coded tags, or stamps and that these costs be recovered from participating Parties; and
- b) that the Animals Committee address further the issue of marking requirements for the identification of specimens of lookalike species for the purpose of developing practical marking strategies and systems, and report progress to the next meeting of the Conference of the Parties.

* This document was prepared after the meeting from document Com. 7.12 (Rev.) adopted after having been amended. (Note from the Secretariat).

Shipment of Live Animals

NOTING that the Conference of the Parties, by way of Resolution Conf. 5.18 adopted at its fifth meeting (Buenos Aires, 1985), resolved that the Live Animals Regulations of the International Air Transport Association (IATA) are deemed to meet the CITES Guidelines for Transport and Preparation for Shipment of Live Animals and Plants for the transportation of animals by air;

NOTING further that Resolution Conf. 5.18 directed the Technical Committee (now abolished) to prepare recommendations for the sixth meeting of the Conference of the Parties on any further measures which may be required to improve the conditions in which live specimens are transported;

CONSCIOUS that very few, if any, of the Parties to the Convention have adopted and applied the recommendations of Resolution Conf. 4.21 adopted at the fourth meeting of the Conference of the Parties (Gaborone, 1983) or Conf. 6.24 adopted at the sixth meeting of the Conference of the Parties (Ottawa, 1987); that mortalities in transport remain of significant concern and that additional data are required; and that mortality in transport undermines the concept of sustainable trade;

RECALLING that Resolution Conf. 6.24 has not been accepted in its present form by the IATA Live Animals Board because of specific recommendations and some clauses in the checklist which were considered outside the authority of CITES;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS

- a) that the dialogue between the CITES Secretariat, through the Standing Committee, and the Live Animals Board of the International Air Transport Association and the Animal Air Transport Association be continued;
- b) that applicants for export permits or reexport certificates be notified that, as a condition of issuance, they are required to prepare and ship live specimens in accordance with the IATA Live Animals Regulations for the transport by air and the CITES Guidelines for Transport of Live Specimens for marine or terrestrial shipments;
- c) that to assist enforcement officers and to facilitate and monitor transport, CITES export permits or reexport certificates be accompanied by a container checklist (Annex) to be signed immediately prior to shipment and, on arrival at the port of destination, by a person designated by the Management Authority, the person so designated being familiar with the IATA Live Animals Regulations;
- d) that, to the extent possible, live animal shipments be examined and necessary action taken to determine the wellbeing of the animals by CITESdesignated persons or airline personnel during extended holding periods at transfer points;
- e) that, where Parties to the Convention have designated ports of entry and exit, animal holding facilities be provided;
- f) that Parties gather information on mortality occurring during transport, note obvious causes of such mortality and transmit such information to the Chairman of the Working Group on Transport of Live Specimens;
- g) that, to the extent possible, Parties ensure that animal holding facilities be open for inspection of shipments, with the concurrence of the transport company, by CITESdesignated enforcement personnel or designated observers; and that any documented information be made available to the appropriate authorities and transport companies;

* This document was prepared after the meeting from document Com. 7.8 (Rev.) adopted without amendment. (Note from the Secretariat).

- h) that Parties not clear for export shipments that either are unaccompanied by a completed shipment checklist or are accompanied by a checklist that contains any "No" answers, unless there is a satisfactory explanation; and
- i) that, for as long as the CITES Secretariat and the Standing Committee agree, the IATA Live Animals Regulations be deemed to meet the CITES Guidelines in respect of air transport; and

DECIDES

- a) that the Working Group on Transport of Live Specimens be a permanent working group reporting to the Standing Committee; and
- b) that the Resolutions listed hereunder be repealed:
 - i) Resolution Conf. 4.21 (Gaborone, 1983) International Reporting System for Specimens Stressed During Transport; and
 - ii) Resolution Conf. 6.24 (Ottawa, 1987) Shipment of Live Animals.

Annex

CHECKLIST

This checklist is to be completed by a CITES-designated person and is to be attached to the CITES document accompanying shipments of live specimens.

Port and Country of Export _____

Port and Country of Import _____

CITES Export/Re-export Permit No. _____ Valid until _____

CITES Import Permit No. _____ Valid until _____

This Section to be completed before export (See Note 1)
and on import (See Note 2)

	<u>On Export</u>		<u>On Import</u>		<u>Comments</u> If you cannot answer yes or no, please explain If "no", please explain
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	
1. Are all CITES documents required for export/import complete?					
2. Are the numbers and species being shipped apparently in accordance with the accompanying CITES documents and IATA Shippers Certification for Live Animals?					
3. Has the shipper/agent made adequate interline advance arrangements, including feeding, where more than one carrier is involved?					
4. Does the design and construction of the container(s) appear to comply with the IATA Live Animals Regulations Container requirements?					
5. Is(are) the container(s) of adequate size to avoid overcrowding of the species and specimens being shipped?					
6. Is(are) the container(s) undamaged?					
7. Is the consignee's name, address and telephone number clearly shown on each container?					
8. Are there "Live Animals" and "This way up" labels on each container indicating the contents and upright position?					
9. Are all specimens apparently alive and uninjured?					

Signature/Stamp of Designated
Person at Port of Export

Signature/Stamp of Designated
Person at Port of Import

Date and time

Date and time

Note 1 After completion of the form on export of the shipment, a copy of the checklist should be provided to the shipper/agent.

Note 2 After completion of the form on import of the shipment, a copy of the checklist should be returned to the Management Authority of the country of export.

Special Criteria for the Transfer of Taxa from Appendix I to Appendix II

ACKNOWLEDGING that Resolution Conf. 5.21, adopted at the fifth meeting of the Conference of the Parties (Buenos Aires, 1985), has proved useful and that its principles should be kept as an interim mechanism for the transfer of taxa from Appendix I to Appendix II;

ACCEPTING the Berne criteria for the addition and deletion of species and other taxa (Resolutions Conf. 1.1 and Conf. 1.2, adopted at the first meeting of the Conference of the Parties in Berne, 1976) as the ordinary basis for amendments of the Appendices I and II;

NOTING that the Berne criteria for the addition of species and other taxa to Appendices I and II (Resolution Conf. 1.1) have not been applied to those species which were listed by the Plenipotentiary Conference (Washington, D.C., 1973), or, in some cases, by the Conference of the Parties at its first (Berne, 1976) or second meeting (San José, 1979);

ACKNOWLEDGING that the Berne criteria for the deletion of species and other taxa from Appendices I and II (Resolution Conf. 1.2) are very difficult to fulfil in the case of some of these species because they require positive scientific evidence of changing biological status, showing recovery sufficient to justify deletion;

RECOGNIZING that there are obviously some taxa listed in Appendix I that either never met the Berne criteria for inclusion or have recovered since their inclusion, although this cannot be demonstrated today, because their population status was not determined when they were included in the appendix;

NOTING that the establishment of quotas for the management and exploitation of wildlife is a conservation procedure used in many cases at the national level;

RECOGNIZING also that the Parties may wish to reevaluate the placement of certain taxa in Appendix I;

DESIRING to maintain scientific integrity in the procedure for the amendment of the appendices;

NOTING also that many producer countries were not represented at the meetings in Washington, D.C. (1973) and Berne (1976) and that, therefore, there was a lack of adequate knowledge as to the conservation status of certain taxa at the time of their inclusion in Appendix I;

RECOGNIZING that so far the special criteria have been applied only to crocodiles and that for these species ranching on the basis of controlled egg collection is potentially a valuable, positive conservation force, whereas hunting of wild crocodiles requires more careful control;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RESOLVES that Resolution Conf. 5.21, adopted at the fifth meeting of the Conference of the Parties (Buenos Aires, 1985), is hereby repealed;

RECOMMENDS that in the case where Resolution Conf. 1.1 has not been applied to the inclusion of a species in Appendix I to the Convention and where it is virtually impossible to supply the data required by Resolution Conf. 1.2 within reasonable time or with reasonable effort, but where the populations of such species can be demonstrated to be capable of withstanding a certain level of exploitation for commercial trade, the criteria of Resolution Conf. 1.2 not be applied to the transfer from Appendix I to Appendix II, if the country or countries of origin agree to introduce a quota system that is deemed by the Conference of the Parties to be sufficiently safe so as not to endanger the survival of the species in the wild;

* This document was prepared after the meeting from document Com. 7.11 adopted after having been amended. (Note from the Secretariat).

RECOMMENDS further that this approach be taken only when:

- a) there is sufficient evidence from a welldocumented scientific report on population size and geographical range of the species based on at least a single survey to establish that the species should be included in Appendix II rather than Appendix I, according to the criteria of Resolution Conf. 1.1;
- b) the species is nonmigratory and therefore can be adequately managed by a single Party;
- c) the Party concerned has a scientificallybased and welldocumented management programme for the species in question;
- d) there is assurance from the Party concerned that the entry into trade of specimens of the species in question will be so controlled as not to lead to a reduction in CITES controls on trade in other species;
- e) the products of the quota are adequately marked – in accordance with Resolution Conf. 5.16, adopted at the fifth meeting of the Conference of the Parties (Buenos Aires, 1985) and subsequent Resolutions on marking – and documented to ensure they can be readily distinguished from products of Appendix I populations;
- f) it is established that a range state seeking to export specimens of the species is capable of fulfilling its obligations under Article IV, paragraphs 2(b) and 3, of the Convention;
- g) the Party that is a range state of the species has met and continues to meet its annual reporting requirements under Article VIII, paragraph 7, in a timely fashion; and
- h) the Party seeking approval of a quota either has not entered a reservation for the species in question, or agrees to remove the reservation within six months of receiving an annual quota by the Parties;

RECOMMENDS also that the following general rules apply to a population of those species already approved under the provisions of Resolution Conf. 5.21, as well as to a new species transferred from Appendix I to Appendix II under the terms of this Resolution with the introduction of a quota system:

- a) for those species for which an export quota under Resolution Conf. 5.21 was approved prior to the seventh meeting, such transfer should be for a maximum period of two intervals between regular meetings of the Conference of the Parties or one interval, should the usual interval become three years, and for those species added at or after the seventh meeting the transfer should be for a maximum of two intervals between regular meetings, after which the population should be transferred to Appendix I if it is not retained in Appendix II under the provisions of either Resolution Conf. 1.2, where applicable, or Resolution Conf. 3.15 adopted at the third meeting of the Conference of the Parties (New Delhi, 1981);
- b) quotas should be established, confirmed, or changed only by the Conference of the Parties, and any Party seeking approval of a quota or a confirmation or a change in its quota, should submit a proposal with information on the status of the species and its management programme to the Secretariat in accordance with the procedures in Article XV;
- c) where crocodilians are involved, quota proposals submitted for the first time, and proposals that are amended within the normal maximum period and which include a cropping component ("cropping" here is used to describe the regulated hunting of wild animals for skins) should be examined more stringently than those referring solely to specimens reared in captivity from wild eggs or hatchlings;
- d) if a Party with a quota approved at a regular meeting of the Conference of the Parties intends to keep its quota unchanged for the interval between the next two regular meetings this should be agreed to by the Conference of the Parties, but no supporting statement is required if the Party has fulfilled its reporting requirements in terms of this Resolution;
- e) the wild harvest normally should not greatly exceed the export quota, and the supporting statement should indicate:
 - i) the proposed total annual wild harvest, including but not limited to the offtake from cropping and for trophy hunting and ranching;

- ii) the proposed number and type of wildcollected specimens to be exported (e.g., live animals, skins, other parts, derivatives);
 - iii) the proposed number and type of specimens reared in captivity from wild eggs or hatchlings; and
 - iv) the proposed number and type of captiveborn specimens; and
- f) the Management Authority shall include in its reports to the Secretariat detailed information on:
 - i) the total annual harvest, including its forms;
 - ii) the number and type of wildcollected specimens that have been exported;
 - iii) the number and type specimens reared in captivity from wild eggs or hatchlings that have been exported; and
 - iv) the number and type of captiveborn specimens that have been exported;

DIRECTS the Animals Committee to develop recommendations for marking and other suitable methods of controlling trade in specimens of species subject to quotas, so as to ensure that such trade is effectively regulated; and

REQUESTS

- a) the Secretariat to compile data on trade in specimens of species subject to quotas and to report such data along with information on timely submission of annual reports, together with the Secretariat's recommendations on proposals to the Conference of the Parties for such action as the Parties may deem appropriate; and
- b) that where another Party becomes aware of problems in implementing this Resolution with regard to trade from a particular Party, the Secretariat be informed, and where the Secretariat fails to resolve the matter satisfactorily, it shall inform the Standing Committee, which may, after full consultation with the Party concerned, request the Depositary Government to prepare a proposal to transfer the population back to Appendix I.

Amendments to Appendix III

RECALLING that Article II of the Convention states in its paragraph 3 that "Appendix III shall include all species which any Party identifies as being subject to regulation within its jurisdiction for the purpose of preventing or restricting exploitation, and as needing the cooperation of other Parties in the control of trade";

RECALLING that Article XVI of the Convention establishes the modalities for implementation of and amendment to Appendix III;

CONSIDERING that it is the role of each Party and of it alone, to decide which of those species occurring in its territory are to be included in Appendix III;

NOTING that Appendix III is changed all through the year and that, therefore, the Convention appendices are subject to frequent updating;

RECALLING that Appendices I and II are changed only at meetings of the Conference of the Parties, except when, rather exceptionally, use is made of the postal procedures set forth in Article XV, paragraph 2, of the Convention;

CONSIDERING the administrative simplification which would result for all Parties from a regrouping in time of amendments to all appendices;

CONSIDERING that such a simplification would facilitate the implementation of the Convention;

CONSIDERING, however, that urgent circumstances may make necessary the quick listing of one or more species in Appendix III;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

ENCOURAGES each Party that intends to include one or more species in Appendix III, or to withdraw one or more species of this appendix, to declare these inclusions or withdrawals at meetings of the Conference of the Parties; and

DIRECTS the Secretariat to publish the changed Appendices I, II and III together after each meeting of the Conference of the Parties.

* *This document was prepared after the meeting from document Doc. 7.49 Annex adopted after having been amended. (Note from the Secretariat).*