

**Tenth meeting of the Conference of the Parties
Harare (Zimbabwe), 9-20 June 1997**

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Note from the Secretariat

The Resolutions of the 10th meeting of the Conference of the Parties were prepared after the meeting on the basis of the following documents:

Resolutions	Sources
Conf. 10.1	Document Com. 10.31 adopted after having been amended
Conf. 10.2	Documents Com. 10.18, Com. 10.23, Com. 10.24 and Doc. 10.44 Annex 3 adopted without being amended
Conf. 10.3	Resolution Conf. 8.6, adopted at the eighth meeting (Kyoto, 1992), and document Doc. 10.76 Annex adopted after having been amended
Conf. 10.4	Document Com. 10.25 adopted without being amended
Conf. 10.5	Document Com. 10.28 adopted without being amended
Conf. 10.6	Resolution Conf. 4.12, adopted at the fourth meeting (Gaborone, 1983), and document Com. 10.14 adopted without being amended
Conf. 10.7	Resolution Conf. 9.11, adopted at the ninth meeting (Fort Lauderdale, 1994), and document Doc. 10.54 Annexes 1 to 3 adopted without being amended
Conf. 10.8	Document Com. 10.13 adopted without being amended
Conf. 10.9	Document Doc. 10.45 Annex 4 adopted after having been amended
Conf. 10.10	Documents Doc. 10.44 Annex 2, Doc. 10.44.2 and Doc. 10.44.3 adopted without being amended
Conf. 10.11	Document Doc. 10.92 adopted after having been amended
Conf. 10.12	Document Com. 10.40 adopted without being amended
Conf. 10.13	Document Com. 10.20 adopted without being amended
Conf. 10.14	Resolution Conf. 8.10 (Rev.), adopted at the eighth meeting (Kyoto, 1992) and amended at the ninth meeting (Fort Lauderdale, 1994), and document Doc. 10.42.1 adopted without being amended
Conf. 10.15	Document Doc. 10.84 Annex 4 adopted after having been amended
Conf. 10.16	Document Com. 10.29 (Rev.) adopted without being amended
Conf. 10.17	Document Com. 10.8 (Rev.) adopted without being amended
Conf. 10.18	Resolution Conf. 5.16, adopted at the fifth meeting (Buenos Aires, 1985) and document Doc. 10.24 Annex 2 adopted without being amended
Conf. 10.19	Document Com. 10.37 adopted without being amended
Conf. 10.20	Document Com. 10.39 adopted without being amended
Conf. 10.21	Document Com. 10.1 adopted without being amended
Conf. 10.22	Document Com. 10.15 adopted without being amended

Conf. 10.1

Financing and budgeting of the Secretariat and of meetings of the Conference of the Parties

RECALLING Resolution Conf. 9.2 adopted at the ninth meeting of the Conference of the Parties (Fort Lauderdale, 1994);

HAVING REVIEWED the 1994-1996 actual expenditures submitted by the Secretariat;

HAVING NOTED the revised estimates of expenditure for 1997 presented by the Secretariat;

HAVING REVIEWED the 1998-2000 budget estimates submitted by the Secretariat;

HAVING REVIEWED also the 1998-2002 medium-term budget estimates;

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

ACCEPTS the expenditures for 1994-1996 and TAKES NOTE of the estimates of expenditure for 1997;

APPROVES the 1998-2000 budget (Annex 2);

TAKES NOTE of the 1998-2002 medium-term budget estimates (Annex 3);

DECIDES that, as the average annual budget for the triennium 1998-2000 represents an 8.66% increase vis-à-vis that of the biennium 1996-1997, 5% shall be covered by adjusting the contributions by the Parties, and the Secretariat may draw the remaining 3.66% from the balance in the CITES Trust Fund at the end of each year;

AUTHORIZES the Secretariat, subject to the priorities below, to draw additional funds from the Trust Fund balance at the end of each year, provided that it is not reduced below CHF 2.3 million at the commencement of any year;

NOTES that Parties, in discussion of the priorities for the use of additional funds drawn from the Trust Fund balance, gave strong support for capacity building (especially for new Parties), legislation for CITES implementation and significant trade studies, and NOTES some support from more than one Party for regional coordination, enforcement and technical assistance from WCMC;

DIRECTS the Secretariat, in association with the Standing Committee:

- a) to incorporate such of the above priority tasks into the base operating budget as can effectively be done with the funds available (about CHF 200,000 per year); and
- b) to establish the priorities for funding the unfunded budget items referred to in Annex 4 to this Resolution and the work deriving from Resolutions adopted at the 10th meeting of the Conference of the Parties from any available draw down in the Trust Fund balance, or from savings or adjustments to the items within the base operating budget or from external funding;

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 2002, 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 Annex 1 to this Resolution;

APPROVES the Terms of Reference for the administration of the Trust Fund, attached as Annex 1 to this Resolution, for the financial periods beginning on 1 January 1998 and ending on 31 December 2002;

AGREES that:

- a) 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) 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;
- c) 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 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) 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 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 to the Trust Fund to do so;

URGES all Parties that 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, inter-governmental and non-governmental organizations, and other sources to consider contributing to the Trust Fund;

INVITES all Parties to support, through their representatives in UNEP, UNDP and the World Bank, the requests of the Secretariat for additional funding of CITES projects by the Global Environment Facility;

DECIDES that the standard participation charge for all observer organizations other than the United Nations and its specialized agencies shall be set at a minimum of CHF 600 (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;

DIRECTS the Secretariat to implement the Procedures for Approval of Externally Funded Projects as developed and approved by the Standing Committee at its 23rd meeting, before accepting any external funds from non-governmental sources;

APPROVES the Secretariat reports; and

DECIDES that:

- a) in respect of servicing the three working languages of the Convention:
 - i) the Budget Committee at meetings of the Conference of the Parties shall be provided with simultaneous interpretation for all three languages;
 - ii) the base operating budget shall be reviewed to provide for simultaneous interpretation at the meetings of the Plants and Animals Committees;
 - iii) the Secretariat shall carry out a review of its document translation services with a view to the efficient and effective translation in all three languages; and

- iv) costs associated with these items shall be covered by an adjustment within the base operating budget by a comparable amount;
- b) in respect of the review of the document translation services, and in any work unit, the Secretariat shall have the authority to make staffing decisions as necessary to implement the priorities of the Parties, within the overall budget and in accordance with the UN rules; and
- c) any work for the Secretariat deriving from a new resolution or decision shall only be undertaken if additional funds are approved or if existing work carried out under the Trust Fund is reprioritized, at the time such a resolution or decision is adopted by the Conference of the Parties.

Annex 1

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 five years (1 January 1998–31 December 2002) 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, one of three calendar years and the other of two: the first financial period begins on 1 January 1998 and ends on 31 December 2000; the second financial period begins on 1 January 2001 and ends on 31 December 2002.
4. 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, inter-governmental and non-governmental organizations and other sources; and
 - c) any uncommitted appropriations from any of the financial periods prior to 1 January 1998.
5. The budget estimates covering the income and expenditure for each of the calendar years constituting the financial period to which they relate, prepared in Swiss francs, shall be submitted for approval to the regular meeting of the Conference of the Parties to the Convention. Together with the estimates, prepared in Swiss francs, figures may be provided also in US dollars for ease of reference and these would only be indicative.
6. The estimates for 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.
7. 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. The medium-term plan shall cover the years 1998-2002, inclusive, and shall incorporate the budget for the 1998-2000 financial period.
8. The proposed budget and medium-term plan, including all the necessary information, shall be dispatched by the Secretariat to all Parties at least 90 days before the date fixed for the opening of the regular meeting of the Conference of the Parties.

9. The budget shall be adopted by a 3/4 majority of the Parties present and voting at the regular meeting.
10. In the event that the Executive Director of UNEP expects that there might be a shortfall in resources, over the year as a whole, she shall consult with the Secretary General of the Convention, who shall seek the advice of the Standing Committee as to its priorities for expenditure.
11. 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 that financial period shall not be exceeded unless this is specifically sanctioned in writing by the Standing Committee.
12. Commitments against the resources of the Trust Fund may be made only if they are covered by the necessary income of the Convention.
13. All contributions shall be paid in any convertible currency. The amount of any payment, however, shall be at least equal to the amount payable in Swiss francs on the day the contribution is made. Contributions from States that become Parties after the beginning of the financial period should be made on a pro-rata basis for the balance of the financial period.
14. 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. She shall also submit, as soon as practicable, the audited accounts for the financial period.
15. 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 referred to in the preceding paragraph.
16. 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.
17. These Terms of Reference shall be effective for the financial periods of 1 January 1998 to 31 December 2002 subject to amendments at the 11th 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 1998-2000
(amounts in USD are indicative; 1 USD = 1.43 CHF)

Party	UN Scale %	Total 1998-2000		Annual contribution	
		CHF	USD	CHF	USD
Afghanistan	0.01	1,930	1,350	643	450
Algeria	0.16	30,877	21,592	10,292	7,197
Antigua and Barbuda	0.01	1,930	1,350	643	450
Argentina	0.48	92,630	64,776	30,877	21,592
Australia	1.48	285,609	199,726	95,203	66,575
Austria	0.87	167,891	117,407	55,964	39,136
Bahamas	0.02	3,860	2,699	1,287	900
Bangladesh	0.01	1,930	1,350	643	450
Barbados	0.01	1,930	1,350	643	450
Belarus	0.28	54,034	37,786	18,011	12,595
Belgium	1.01	194,909	136,300	64,970	45,433
Belize	0.01	1,930	1,350	643	450
Benin	0.01	1,930	1,350	643	450
Bolivia	0.01	1,930	1,350	643	450
Botswana	0.01	1,930	1,350	643	450
Brazil	1.62	312,626	218,619	104,209	72,873
Brunei Darussalam	0.02	3,860	2,699	1,287	900
Bulgaria	0.08	15,438	10,796	5,146	3,599
Burkina Faso	0.01	1,930	1,350	643	450
Burundi	0.01	1,930	1,350	643	450
Cambodia	0.01	1,930	1,350	643	450
Cameroon	0.01	1,930	1,350	643	450
Canada	3.11	600,164	419,695	200,055	139,898
Central African Republic	0.01	1,930	1,350	643	450
Chad	0.01	1,930	1,350	643	450
Chile	0.08	15,438	10,796	5,146	3,599
China	0.74	142,804	99,863	47,601	33,288
Colombia	0.10	19,298	13,495	6,433	4,498
Comoros	0.01	1,930	1,350	643	450
Congo	0.01	1,930	1,350	643	450
Costa Rica	0.01	1,930	1,350	643	450
Côte d'Ivoire	0.01	1,930	1,350	643	450
Cuba	0.05	9,649	6,748	3,216	2,249

Party	UN Scale %	Total 1998-2000		Annual contribution	
		CHF	USD	CHF	USD
Cyprus	0.03	5,789	4,049	1,930	1,350
Czech Republic	0.25	48,245	33,738	16,082	11,246
Democratic Republic of the Congo	0.01	1,930	1,350	643	450
Denmark	0.72	138,945	97,164	46,315	32,388
Djibouti	0.01	1,930	1,350	643	450
Dominica	0.01	1,930	1,350	643	450
Dominican Republic	0.01	1,930	1,350	643	450
Ecuador	0.02	3,860	2,699	1,287	900
Egypt	0.08	15,438	10,796	5,146	3,599
El Salvador	0.01	1,930	1,350	643	450
Equatorial Guinea	0.01	1,930	1,350	643	450
Eritrea	0.01	1,930	1,350	643	450
Estonia	0.04	7,719	5,398	2,573	1,799
Ethiopia	0.01	1,930	1,350	643	450
Finland	0.62	119,647	83,669	39,882	27,890
France	6.42	1,238,923	866,380	412,974	288,793
Gabon	0.01	1,930	1,350	643	450
Gambia	0.01	1,930	1,350	643	450
Georgia	0.11	21,228	14,845	7,076	4,948
Germany	9.06	1,748,387	1,222,648	582,796	407,549
Ghana	0.01	1,930	1,350	643	450
Greece	0.38	73,332	51,281	24,444	17,094
Guatemala	0.02	3,860	2,699	1,287	900
Guinea	0.01	1,930	1,350	643	450
Guinea-Bissau	0.01	1,930	1,350	643	450
Guyana	0.01	1,930	1,350	643	450
Honduras	0.01	1,930	1,350	643	450
Hungary	0.14	27,017	18,893	9,006	6,298
India	0.31	59,823	41,835	19,941	13,945
Indonesia	0.14	27,017	18,893	9,006	6,298
Iran (Islamic Republic of)	0.45	86,840	60,728	28,947	20,243
Israel	0.27	52,104	36,437	17,368	12,146

Party	UN Scale %	Total 1998-2000		Annual contribution	
		CHF	USD	CHF	USD
Italy	5.25	1,013,138	708,488	337,713	236,163
Jamaica	0.01	1,930	1,350	643	450
Japan	15.65	3,020,117	2,111,970	1,006,706	703,990
Jordan	0.01	1,930	1,350	643	450
Kenya	0.01	1,930	1,350	643	450
Latvia	0.08	15,438	10,796	5,146	3,599
Liberia	0.01	1,930	1,350	643	450
Liechtenstein	0.01	1,930	1,350	643	450
Luxembourg	0.07	13,509	9,447	4,503	3,149
Madagascar	0.01	1,930	1,350	643	450
Malawi	0.01	1,930	1,350	643	450
Malaysia	0.14	27,017	18,893	9,006	6,298
Mali	0.01	1,930	1,350	643	450
Malta	0.01	1,930	1,350	643	450
Mauritius	0.01	1,930	1,350	643	450
Mexico	0.79	152,453	106,611	50,818	35,537
Monaco	0.01	1,930	1,350	643	450
Mongolia	0.01	1,930	1,350	643	450
Morocco	0.03	5,789	4,049	1,930	1,350
Mozambique	0.01	1,930	1,350	643	450
Myanmar	0.01	1,930	1,350	643	450
Namibia	0.01	1,930	1,350	643	450
Nepal	0.01	1,930	1,350	643	450
Netherlands	1.59	306,836	214,571	102,279	71,524
New Zealand	0.24	46,315	32,388	15,438	10,796
Nicaragua	0.01	1,930	1,350	643	450
Niger	0.01	1,930	1,350	643	450
Nigeria	0.11	21,228	14,845	7,076	4,948
Norway	0.56	108,068	75,572	36,023	25,191
Pakistan	0.06	11,579	8,097	3,860	2,699
Panama	0.01	1,930	1,350	643	450
Papua New Guinea	0.01	1,930	1,350	643	450
Paraguay	0.01	1,930	1,350	643	450

Party	UN Scale %	Total 1998-2000		Annual contribution	
		CHF	USD	CHF	USD
Peru	0.06	11,579	8,097	3,860	2,699
Philippines	0.06	11,579	8,097	3,860	2,699
Poland	0.33	63,683	44,534	21,228	14,845
Portugal	0.28	54,034	37,786	18,011	12,595
Republic of Korea	0.82	158,243	110,659	52,748	36,886
Romania	0.15	28,947	20,243	9,649	6,748
Russian Federation	4.27	824,019	576,237	274,673	192,079
Rwanda	0.01	1,930	1,350	643	450
Saint Kitts and Nevis	0.01	1,930	1,350	643	450
Saint Lucia	0.01	1,930	1,350	643	450
Saint Vincent and the Grenadines	0.01	1,930	1,350	643	450
Saudi Arabia	0.71	137,015	95,815	45,672	31,938
Senegal	0.01	1,930	1,350	643	450
Seychelles	0.01	1,930	1,350	643	450
Sierra Leone	0.01	1,930	1,350	643	450
Singapore	0.14	27,017	18,893	9,006	6,298
Slovakia	0.08	15,438	10,796	5,146	3,599
Somalia	0.01	1,930	1,350	643	450
South Africa	0.32	61,753	43,184	20,584	14,395
Spain	2.38	459,289	321,181	153,096	107,060
Sri Lanka	0.01	1,930	1,350	643	450
Sudan	0.01	1,930	1,350	643	450
Suriname	0.01	1,930	1,350	643	450
Swaziland	0.01	1,930	1,350	643	450
Sweden	1.23	237,364	165,989	79,121	55,330
Switzerland	1.16	223,855	156,542	74,618	52,181
Thailand	0.13	25,087	17,544	8,362	5,848
Togo	0.01	1,930	1,350	643	450
Trinidad and Tobago	0.03	5,789	4,049	1,930	1,350
Tunisia	0.03	5,789	4,049	1,930	1,350
Turkey	0.38	73,332	51,281	24,444	17,094
Uganda	0.01	1,930	1,350	643	450

Party	UN Scale %	Total 1998-2000		Annual contribution	
		CHF	USD	CHF	USD
United Arab Emirates	0.19	36,666	25,641	12,222	8,547
United Kingdom of Great Britain and Northern Ireland	5.32	1,026,647	717,935	342,216	239,312
United Republic of Tanzania	0.01	1,930	1,350	643	450
United States of America	25.00	4,824,468	3,373,754	1,608,156	1,124,585
Uruguay	0.04	7,719	5,398	2,573	1,799
Uzbekistan	0.13	25,087	17,544	8,362	5,848
Vanuatu	0.01	1,930	1,350	643	450
Venezuela	0.33	63,683	44,534	21,228	14,845
Viet Nam	0.01	1,930	1,350	643	450
Yemen	0.01	1,930	1,350	643	450
Zambia	0.01	1,930	1,350	643	450
Zimbabwe	0.01	1,930	1,350	643	450
Total	98.04	18,919,635	13,230,514	6,306,545	4,410,171

Note: 98.04 = 100%

Annex 2

Trust Fund for the Convention on International Trade in Endangered Species of Wild Fauna and Flora

BUDGET FOR THE TRIENNium 1998-2000
(amounts in USD are indicative; 1 USD = 1.43 CHF)

Budget line	Description	1998		1999		2000	
		CHF	USD	CHF	USD	CHF	USD
1100	Professionals (does not include JPOs and seconded staff)						
1101-1111	14 posts: 1D1, 2P5, 6P4, 3P3, 2P2	2,213,666	1,548,018	2,277,666	1,592,773	2,343,666	1,638,927
1200	Consultants						
1201	Translation of documents	5,000	3,497	100,000	69,930	5,000	3,497
1202	General	40,000	27,972	40,000	27,972	50,000	34,965
1203	Technical assistance	40,000	27,972	40,000	27,972	50,000	34,965
1299	Sub-total	85,000	59,441	180,000	125,874	105,000	73,427
1300	Administrative support						
1301-1310	10 support staff	1,103,000	771,329	1,130,000	790,210	1,154,000	806,993
1320	Temporary assistance/overtime	100,000	69,930	160,000	111,888	100,000	69,930
1321	Salary/travel of Conf. staff	0	0	416,000	290,909	0	0
1399	Sub-total	1,203,000	841,259	1,706,000	1,193,007	1,254,000	876,923
1600	Travel						
1601	Travel – general	170,000	118,881	175,000	122,378	180,000	125,874
1602	Travel of staff to CoP & SC	10,000	6,993	250,000	174,825	30,000	20,979
1603	Travel of staff to seminars	50,000	34,965	30,000	20,979	50,000	34,965
1699	Sub-total	230,000	160,839	455,000	318,182	260,000	181,818
1999	Component total	3,731,666	2,609,557	4,618,666	3,229,836	3,962,666	2,771,095
2100	Sub-contracts						
2101	Nomenclature studies – animals	10,000	6,993	10,000	6,993	10,000	6,993
	Nomenclature studies – plants	30,000	20,979	25,000	17,483	27,500	19,231
2102	Significant trade – animals	100,000	69,930	100,000	69,930	100,000	69,930
	Significant trade – plants	25,000	17,483	25,000	17,483	25,000	17,483
2103	National legislation	105,000	73,427	105,000	73,427	105,000	73,427
2104	Identification Manual – animals	80,000	55,944	80,000	55,944	80,000	55,944
	Identification Manual – plants	30,000	20,979	30,000	20,979	30,000	20,979
2105	Technical publications	10,000	6,993	15,000	10,490	12,500	8,741
2106	Trade monitoring and technical support WCMC	164,000	114,685	194,000	135,664	179,000	125,175
2999	Component total	554,000	387,413	584,000	408,392	569,000	397,902
3200	Travel of participants to seminars	90,000	62,937	50,000	34,965	90,000	62,937
3300	Meetings/Committees						
3301	Standing Committee	80,000	55,944	85,000	59,441	82,500	57,692
3302	Plants Committee	50,000	34,965	50,000	34,965	50,000	34,965
3303	Animals Committee	50,000	34,965	50,000	34,965	50,000	34,965
3304	African elephant: Panel of Experts	0	0	45,000	31,469	0	0
3305	Co-ordination with other conventions and ECG	0	0	0	0	0	0
3399	Sub-total	180,000	125,874	230,000	160,839	182,500	127,622

Budget line	Description	1998		1999		2000	
		CHF	USD	CHF	USD	CHF	USD
3999	Component total	270,000	188,811	280,000	195,804	272,500	190,559
4100	Expendable equipment						
4101	Office supplies	60,000	41,958	70,000	48,951	80,000	55,944
4102	Training supplies	0	0	0	0	0	0
4200	Non-expendable equipment	90,000	62,937	90,000	62,937	90,000	62,937
4300	Office premises	0	0	0	0	0	0
4999	Component total	150,000	104,895	160,000	111,888	170,000	118,881
5100	Operation and maintenance						
5101	Maintenance of computers	20,000	13,986	30,000	20,979	30,000	20,979
5102	Maintenance of photocopiers	40,000	27,972	40,000	27,972	40,000	27,972
5103	Cleaning, heating, insurance, etc.	115,000	80,420	115,000	80,420	115,000	80,420
5199	Sub-total	175,000	122,378	185,000	129,371	185,000	129,371
5200	Reporting/printing costs						
5201	CoP-related documents	0	0	150,000	104,895	40,000	27,972
5202	Documents not related to CoP	30,000	20,979	10,000	6,993	30,000	20,979
5203	Permits on security paper	11,250	7,867	11,250	7,867	11,250	7,867
5204	Other publications	15,000	10,490	10,000	6,993	15,000	10,490
5299	Sub-total	56,250	39,336	181,250	126,748	96,250	67,308
5300	Sundry						
5301	Communications (tlx, tel., fax, etc.)	300,000	209,790	300,000	209,790	300,000	209,790
5302	Logistics for the CoP	0	0	150,000	104,895	0	0
5303	Logistics for regional seminars	0	0	0	0	0	0
5304	Other (bank charges, etc.)	15,000	10,490	15,000	10,490	15,000	10,490
5399	Sub-total	315,000	220,280	465,000	325,175	315,000	220,280
5400	Hospitality	10,000	6,993	10,000	6,993	10,000	6,993
5999	Component total	556,250	388,986	841,250	588,287	606,250	423,951
	TOTAL	5,261,916	3,679,662	6,483,916	4,534,207	5,580,416	3,902,389
6000	UNEP overhead costs (13%)	684,049	478,356	842,909	589,447	725,454	507,311
9999	GRAND TOTAL	5,945,965	4,158,018	7,326,825	5,123,654	6,305,870	4,409,699

Annex 3

Trust Fund for the Convention on International Trade in Endangered Species of Wild Fauna and Flora

BUDGET ESTIMATES FOR THE MEDIUM-TERM PLAN 19982002

(amounts in USD are indicative; 1 USD = 1.43 CHF)

Budget line	Description	1998		1999		2000		2001		2002	
		CHF	USD	CHF	USD	CHF	USD	CHF	USD	CHF	USD
1100	Professionals	2,213	1,548	2,277	1,592	2,341	1,637	2,460	1,720	2,619	1,831
1200	Consultants	85	59	180	126	10	7	110	77	207	144
1300	Adm. support	1,203	841	1,706	1,193	1,25	87	1,316	92	1,961	1,371
1600	Travel	230	160	455	319	26	18	273	191	523	365
2100	Subcontracts	554	387	584	409	56	39	597	418	671	469
3200	Training	90	62	50	35	9	6	94	66	51	40
3300	Meetings/Comm	180	125	230	161	18	12	191	134	264	184
4000	Premises and ec	150	104	160	112	17	11	178	124	184	128
5100	Maintenance cos	175	122	185	130	18	12	194	136	211	148
5200	Reporting costs	56	39	181	126	9	6	101	71	208	145
5300	Sundry	315	220	465	325	31	22	330	231	534	373
5400	Hospitality	10	6	10	7	1	0	10	7	1	8
	Total allocations	5,261	3,679	6,483	4,530	5,58	3,90	5,859	4,09	7,456	5,214
6000	Administrative co UNEP (13%)	684	478	842	589	72	50	761	532	969	677
9990	GRAND TOTAL	5,945	4,158	7,326	5,12	6,30	4,40	6,621	4,63	8,425	5,892

Annex 4

Trust Fund for the Convention on International Trade in Endangered Species of Wild Fauna and Flora

BUDGET ITEMS NOT FUNDED BY THE BASE OPERATING BUDGET FOR THE TRIENNIUM 1998-2000
(in Swiss francs)

New budget lines

Budget line	Description	Average cost per year
1112	English documentation	163,000
1113	Permit confirmation officer	139,667
1114	Regional co-ordination	139,667
1204	Annual reports	41,333
1205	Evaluation of captive-breeding/ranching operations	50,000
1310	Permit confirmation assistant	122,000
2107	CITES Checklist, and Annotated Appendices and Reservations	72,000
2108	CITES Web Site	32,800
2109	CITES Listserver	7,200
2110	Counterpart contributions for projects	60,000
2111	Development of standardized indicators – rhinoceros conservation	42,000
4102	Training materials	16,667
5303	Logistics for regional seminars	21,667
	TOTAL	908,001

Significantly increased budget lines

Budget line	Description	Average increase per year
1201	Translation of documents	11,667
2101	Nomenclature studies – plants	32,500
2102	Significant trade – animals	70,000
2102	Significant trade – plants	224,333
2104	Identification Manual – plants	20,000
3301	Standing Committee	17,500
3302	Plants Committee	50,000
3303	Animals Committee	50,000
3304	African elephant – Panel of Experts	5,000
4200	Non-expendable equipment	15,000
	TOTAL	496,000

Conf. 10.2

Permits and certificates

RECALLING Resolution Conf. 9.3, adopted by the Conference of the Parties at its ninth meeting (Fort Lauderdale, 1994);

RECALLING the provisions of Article VI of the Convention regarding permits and certificates;

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

CONSIDERING the need to improve the standardization of export permits and re-export certificates;

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

RECOGNIZING that the Convention is not clear about the acceptability of an export permit whose period of validity expires after the specimens have been exported but before the permit has been presented for import purposes;

CONSIDERING that no provision exists to establish the maximum time validity of import permits, and that it is necessary to establish a time validity appropriate to guarantee compliance with the provisions of Article III, paragraph 3, of the Convention;

RECALLING that Articles III, IV and V of the Convention provide that trade in any specimen of a species included in its appendices requires the prior grant and presentation of the relevant document;

RECALLING that Parties are obliged, under Article VIII, paragraph 1(b), of the Convention, to provide for the confiscation or return to the State of export of specimens traded in violation of the Convention;

NOTING that the efforts of importing countries to fulfil their obligations under Article VIII, paragraph 1(b), of the Convention may be seriously obstructed by the retrospective issuance of export permits or re-export certificates for specimens having left the exporting or re-exporting country without such documents, and that declarations about the validity of documents that do not meet the requirements of the Convention are likely to have a similar effect;

CONSIDERING that the retrospective issuance of permits and certificates has an increasingly negative impact on the possibilities for properly enforcing the Convention and leads to the creation of loopholes for illegal trade;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

ESTABLISHES the following sections in this Resolution:

- I. Regarding standardization of CITES permits and certificates
- II. Regarding export permits and re-export certificates
- III. Regarding import permits
- IV. Regarding pre-Convention certificates
- V. Regarding certificates of origin
- VI. Regarding phytosanitary certificates
- VII. Regarding the change of destination on export permits and re-export certificates issued for timber species included in Appendices II and III with the annotation #5
- VIII. Regarding retrospective issue of permits and certificates

IX. Regarding acceptance and clearance of documents and security measures

Annex 1 Information that should be included in CITES permits and certificates

Annex 2 Standard CITES form; instructions and explanations

I. Regarding standardization of CITES permits and certificates

AGREES that:

- a) to fulfil the requirements of Article VI of the Convention and relevant Resolutions, export and import permits, re-export and pre-Convention certificates, and certificates of captive breeding and artificial propagation should include all the information specified in Annex 1 of the present Resolution;
- b) every form should be printed in one or more of the working languages of the Convention (English, Spanish, French) and in the national language if it is not one of the working languages;
- c) every form should indicate which type of document it is (import or export permit, re-export or pre-Convention certificate, certificate of captive breeding or artificial propagation);
- d) if a permit or certificate form includes a place for the signature of the applicant, the absence of the signature should render the permit or certificate invalid; and
- e) if an annex is attached to a permit or certificate as an integral part of it, this and the number of pages should be clearly indicated on the permit or certificate, and each page of the annex should include the following:
 - i) the number of the permit or certificate and its date of issue; and
 - ii) the signature and the stamp or seal, preferably embossed, of the authority issuing the document; and

RECOMMENDS that:

- a) Parties wishing to modify their permit and certificate forms, to reprint existing documents or to introduce new documents, first ask the Secretariat for advice;
- b) Parties adapt the contents and, to the extent practicable, the format of their export permits and re-export certificates to the standard form attached to the present Resolution as Annex 2;
- c) for tracking and annual reporting purposes, permit and certificate numbers be limited, if possible, to 14 characters in the format:

WWxxYYYYYY/zz

where WW represents the last two digits of the year of issuance; xx represents the two-letter ISO code of the country; YYYYYY represents a six-digit serial number; and zz represents two digits or letters, or a combination of a digit and a letter, that a Party may use for national informational purposes;

- d) the Parties state, on each of their permits and certificates, the purpose of the transaction using the following codes:

T Commercial
Z Zoos
G Botanical gardens
Q Circuses and travelling exhibitions
S Scientific
H Hunting trophies
P Personal
M Biomedical research

- E** Educational
- N** Reintroduction or introduction into the wild
- B** Breeding in captivity or artificial propagation;

e) the following codes be used to indicate the source of the specimens:

- W** Specimens taken from the wild
- R** Specimens originating from a ranching operation
- D** Appendix-I animals bred in captivity for commercial purposes and AppendixI plants artificially propagated for commercial purposes, as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 4, of the Convention
- A** Plants that are artificially propagated in accordance with Resolution Conf. 9.18 (Rev.), paragraph a), as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5, of the Convention (specimens of species included in Appendix I that have been propagated artificially for non-commercial purposes and specimens of species included in Appendices II and III)
- C** Animals bred in captivity in accordance with Resolution Conf. 10.16, as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5, of the Convention (specimens of species included in Appendix I that have been bred in captivity for non-commercial purposes and specimens of species included in Appendices II and III)
- F** Animals born in captivity (F1 or subsequent generations) that do not fulfil the definition of 'bred in captivity' in Resolution Conf. 10.16, as well as parts and derivatives thereof
- U** Source unknown (**must be justified**)
- I** Confiscated or seized specimens;

- f) when a security stamp is affixed to a permit or certificate, the number of the stamp also be recorded on the document;
- g) for wildlife specimens of exceptional value, in addition to affixing a security stamp, all Parties consider issuing permits and certificates printed on security paper;
- h) when issuing permits and certificates, the Parties follow the standard nomenclatures adopted by the Conference of the Parties to indicate the names of species (see Resolution Conf. 10.22);
- i) the Parties indicate on their permits and certificates the number of specimens concerned and/or the unit of measurement used, in particular the weight (in kilograms), and avoid general descriptions such as "one case" or "one batch";
- j) the Parties that do not already do so affix a security stamp to each export permit and re-export certificate;
- k) when a security stamp is affixed to a permit or certificate, it be cancelled by a signature and a stamp or seal, preferably embossed;
- l) the Parties that have not yet done so communicate to the Secretariat the names of the persons empowered to sign permits and certificates, as well as three specimens of their signatures, and that all the Parties communicate, within one month of any change thereto, the names of persons who have been added to the list of those already empowered to sign, the names of persons whose signatures are no longer valid and the dates the changes took effect;
- m) when the means of transport used requires a bill of lading or an air way-bill, the number of such document be stated on the permit or certificate;
- n) each Party inform the other Parties, direct or through the Secretariat, of any stricter internal measures it has taken under Article XIV, paragraph 1(a), of the Convention, and that, when a Party is informed of this, it refrain from issuing permits and certificates that run counter to these measures;
- o) when an export permit or a re-export certificate has been cancelled, lost, stolen or destroyed, the issuing Management Authority immediately inform the Management Authority of the country of destination, as well as the Secretariat regarding commercial shipments; and

- p) when a permit or certificate is issued to replace a document that has been cancelled, lost, stolen or destroyed, or that has expired, it indicate the number of the replaced document and the reason for the replacement;

II. Regarding export permits and re-export certificates

AGREES that a re-export certificate should also specify:

- a) the country of origin, the number of the export permit of the country of origin and its date of issue; and
- b) the country of last re-export, the number of the reexport certificate of that country and its date of issue;

or if the case arises:

- c) justification for the omission of any of the afore-mentioned information; and

RECOMMENDS that:

- a) exported specimens and re-exported specimens not appear on the same document, unless it is clearly indicated which specimens are being exported and which re-exported;
- b) when re-export certificates are issued for specimens whose form has not changed since being imported, the unit of measure used be the same as that used on the permit or certificate accepted when they were imported;
- c) the provisions of Article III, paragraph 3, Article IV, paragraph 4, and Article V, paragraph 3, of the Convention be understood to mean that an export permit or re-export certificate shall be valid for import purposes only if presented within a period of six months from the date on which it was granted;
- d) the words "used for export within a period of six months", in Article VI, paragraph 2, of the Convention, be interpreted to mean that all export activities, including, but not limited to, transport, presentation for import, etc. shall be concluded before the expiry of the said six-month period from the date of granting the permit or certificate;
- e) after the expiry of the said six-month period, an export permit or re-export certificate be considered as void and of no legal value whatsoever;
- f) however, for the purpose of trade in timber species included in Appendices II and III with the annotation #5, the validity of the export permit or re-export certificate may be extended beyond the normal maximum of six months after the date of issue, on the condition that:
 - i) the shipment has arrived in the port of final destination before the date of expiration indicated on the permit or certificate and is being held in Customs bond (i.e. is not considered as imported);
 - ii) the time extension does not exceed six months from the date of expiration of the permit or certificate and no previous extension has been granted;
 - iii) the appropriate enforcement personnel has included the date of arrival and the new date of expiration in the box relating to special conditions, or an equivalent place, on the export permit or re-export certificate, certifying the modification with an official stamp or seal and signature;
 - iv) the shipment is imported for consumption from the port where it was located when the extension was approved and before the new date of expiration; and
 - v) a copy of the export permit or re-export certificate as amended in accordance with sub-paragraph iii) above is sent to the country of export or re-export, allowing it to amend its annual report, and to the CITES Secretariat;

- g) no export permit or re-export certificate be issued for a specimen known to have been acquired illegally, even if it has been imported in accordance with the national legislation, unless the specimen has previously been confiscated;
- h) Parties not authorize the import of any specimen if they have reason to believe that it was not legally acquired in the country of origin;
- i) when a country has voluntarily fixed national export quotas for specimens of species included in Appendix I, for non-commercial purposes, and/or in Appendices II and III, it inform the Secretariat of the quotas before issuing export permits and of any changes thereto as soon as they are made and it state on each export permit the total number of specimens already exported in the current year (including those covered by the permit in question) and the quota for the species concerned; and
- j) when a country has export quotas allocated by the Conference of the Parties for specimens of species included in Appendices I and II, it state on each export permit the total number of specimens already exported in the current year (including those covered by the permit in question) and the quota for the species concerned; the exporting and importing countries involved in trade in specimens of species for which there are such quotas should send copies of the original export permits, issued or received as appropriate, to the Secretariat to ensure that the quotas are not exceeded;

III. Regarding import permits

AGREES that an import permit for specimens of species included in Appendix I may carry, among other things, certification that the specimens will not be used for primarily commercial purposes and, in the case of live specimens, that the recipient has suitable facilities to house and care for them;

RECOMMENDS that:

- a) the provisions of Article III, paragraphs 2 and 4, of the Convention be understood to mean that an import permit should be recognized as valid by a Management Authority of a State of export or re-export only if presented within a period of twelve months from the date on which it was granted; and
- b) after the expiry of the said twelve-month period of validity, an import permit granted by the State of import in order that it can be presented to a Management Authority of a State of export or re-export in accordance with the provisions of Article III, be considered as void and of no legal value whatsoever;

IV. Regarding pre-Convention certificates

AGREES that a pre-Convention certificate should also specify:

- a) that the specimen covered by the certificate is pre-Convention; and
- b) the date of acquisition of the specimen as defined in Resolution Conf. 5.11 adopted at the fifth meeting of the Conference of the Parties (Buenos Aires, 1985);

V. Regarding certificates of origin

RECOMMENDS that:

- a) certificates of origin for export of specimens of species listed in Appendix III only be issued by a Management Authority competent to grant Convention permits or certificates or by the competent authority if trade is from a State not a Party to the Convention, and that Parties not accept certificates of origin unless they are issued by such authorities;
- b) a certificate of origin contain, as a minimum, the following information:
 - i) the full name of the Convention and, if possible, its logo;
 - ii) the complete name and address of the issuing Management Authority, as included in the CITES Directory, its stamp and the signature of an authorized person;

- iii) a unique control number;
 - iv) the names and addresses of the exporter and importer;
 - v) the country of destination;
 - vi) the scientific name of the species to which the specimens belong;
 - vii) a description of the specimens in one of the three working languages of the Convention, using the nomenclature of specimens distributed by the Secretariat;
 - viii) the number or quantity of the specimens and, if appropriate, the unit of measure used;
 - ix) the date of issue;
 - x) the date of expiry; and
 - xi) a statement that the specimens originate in the country that issued the certificate of origin; and
- c) a certificate of origin is recognized as valid only if presented for import within a period of 12 months from the date on which it was granted.

VI. Regarding phytosanitary certificates

RECOMMENDS that:

- a) any Party having considered the practices governing the issue of its phytosanitary certificates for export of Appendix-II specimens, and having determined that such practices provide adequate assurance that the specimens are artificially propagated [as defined in Resolution Conf. 9.18 (Rev.)], may consider these documents as certificates of artificial propagation in accordance with Article VII, paragraph 5, of the Convention. Such certificates must include the scientific name of the species and the type and quantity of the specimens and bear a stamp, seal or other specific indication stating that the specimens are artificially propagated as defined by CITES; and
- b) any Party using phytosanitary certificates as certificates of artificial propagation inform the Secretariat and provide copies of the certificates, stamps, seals, etc. that are used;

VII. Regarding the change of destination on export permits and re-export certificates issued for timber species included in Appendices II and III with the annotation #5

RECOMMENDS that an export permit or a re-export certificate that indicates the complete names and addresses of the (re-)exporter and importer, in conformity with Annex 1, paragraph d), to this Resolution, not be accepted for import into a country other than the one for which it was issued, except under the following conditions:

- a) the actual quantity of specimens exported or reexported is included in the designated box on the export permit or re-export certificate, certified by the stamp or seal and signature of the authority that carried out the inspection at the time of export or reexport;
- b) the exact quantity referred to under a) is imported;
- c) the number of the bill of lading of the shipment is included on the permit or certificate;
- d) the bill of lading of the shipment is presented to the Management Authority together with the original of the export permit or re-export certificate at the time of import;
- e) the import takes place within six months after the issue of the export permit or re-export certificate;
- f) the period of validity of the export permit or reexport certificate has not already been extended;

- g) the Management Authority of the importing country includes on the permit or certificate, in the box relating to special conditions, or an equivalent place, the following text, certified by its stamp or seal and signature:

“import into [name of country] permitted in accordance with Resolution Conf. 10.2 (section VII.) on [date]”; and

- h) a copy of the export permit or re-export certificate as amended in accordance with sub-paragraph g) above is sent to the country of export or reexport, allowing it to amend its annual report, and to the CITES Secretariat;

VIII. Regarding retrospective issue of permits and certificates

RECOMMENDS that:

- a) a Management Authority of an exporting or reexporting country:
 - i) not issue CITES documents retrospectively;
 - ii) not provide exporters, re-exporters and/or consignees in importing countries with declarations about the legality of exports or reexports of specimens having left its country without the required CITES documents; and
 - iii) not provide exporters, re-exporters and/or consignees in importing countries with declarations about the legality of export or reexport documents which at the time of export, re-export or import did not meet the requirements of the Convention;
- b) a Management Authority of an importing country, or of a country of transit or transshipment, not accept export or re-export documents that were issued retrospectively;
- c) exceptions from the recommendations under a) and b) above not be made with regard to Appendix I specimens, and be made with regard to Appendix-II and -III specimens only where the Management Authorities of both the exporting (or re-exporting) and the importing countries are, after a prompt and thorough investigation in both countries and in close consultation with each other, satisfied:
 - i) that the irregularities that have occurred are not attributable to the exporter (or re-exporter) or the importer; and
 - ii) that the export (or re-export) and import of the specimens concerned are otherwise in compliance with the Convention and with the relevant legislation of the countries of export (or re-export) and import; and
- d) whenever exceptions are made:
 - i) the export permit or re-export certificate clearly indicate that it is issued retrospectively; and
 - ii) the reasons for the relaxation, which should come within the purview of paragraph c), sub-paragraphs i) and ii) above, are specified on the permit or certificate and a copy sent to the Secretariat; and

IX. Regarding acceptance and clearance of documents and security measures

RECOMMENDS that:

- a) the Parties refuse to accept permits and certificates if they have been altered (by rubbing out, scratching out, etc.), modified or crossed out, unless the alteration, modification or crossing-out has been authenticated by the stamp and signature of the authority issuing the document;
- b) whenever irregularities are suspected, the Parties exchange issued and/or accepted permits or certificates to verify their authenticity;

- c) when a security stamp is affixed to a permit or certificate, the Parties refuse the document if the security stamp is not cancelled by a signature and a stamp or seal;
- d) the Parties refuse to accept any re-export certificate that refers to an export permit that does not exist or that is invalid;
- e) the Parties refuse to accept permits and certificates that do not indicate the name of the species concerned (including subspecies when appropriate), except in the case where:
 - i) the Conference of the Parties has agreed that the use of higher-taxon names is acceptable;
 - ii) the issuing Party can show it is well justified and has communicated the justification to the Secretariat; or
 - iii) certain manufactured products contain pre-Convention specimens that can not be identified to the species level;
- f) when a Party refuses to accept a permit or certificate, it keep the original or, if this is against its national laws, it cancel the document indelibly, preferably by perforation, particularly the security stamp;
- g) when a Party refuses to accept a permit or certificate issued for export or re-export, it immediately inform the exporting or re-exporting country;
- h) when a Party is informed that a permit or certificate it has issued for export or re-export has been refused, it take measures to ensure that the specimens in question do not enter into illegal trade; and
- i) Parties ensure that, when the original of an export permit or re-export certificate is not used by the permittee for the trade authorized, it is returned by the permittee to the issuing Management Authority in order to prevent the illegal use of the document; and

REPEALS Resolution Conf. 9.3 (Fort Lauderdale, 1994) – Permits and Certificates.

Annex 1

Information that should be included in CITES permits and certificates

- * a) The full name and the logo of the Convention
- * b) The complete name and address of the Management Authority issuing the permit
- c) A control number
- d) The complete names and addresses of the exporter and importer
- e) The scientific name of the species to which the specimens belong (or the subspecies when it is relevant in order to determine in which appendix the taxon concerned is included)
- f) The description of the specimens, in one of the Convention's three working languages, using the nomenclature of specimens distributed by the Secretariat
- g) The numbers of the marks appearing on the specimens if they are marked or if a Resolution of the Conference of the Parties prescribes marking (specimens from ranches, subject to quotas approved by the Conference of the Parties, originating from operations which breed animals included in Appendix I in captivity for commercial purposes, etc.)
- h) The appendix in which the species or subspecies or population is listed

* THIS INFORMATION SHOULD ALREADY BE PRINTED ON THE FORM

- i) The source of the specimens
- j) The quantity of specimens and, if appropriate, the unit of measure used
- k) The date of issue and the date of expiry
- l) The name of the signatory and his/her handwritten signature
- m) The embossed seal or ink stamp of the Management Authority
- n) A statement that the permit, if it covers live animals, is only valid if the transport conditions comply with the CITES Guidelines for Transport of Live Animals or, in case of air transport, with the IATA Live Animals Regulations
- o) The registration number of the operation, attributed by the Secretariat, when the permit involves specimens of a species included in Appendix I that originate from an operation practising breeding in captivity or artificial propagation for commercial purposes (Article VII, paragraph 4, of the Convention), and the name of the operation when it is not the exporter
- p) The actual quantity of specimens exported, certified by the stamp or seal and signature of the authority that carried out the inspection at the time of the exportation

Annex 2


**CONVENTION ON
INTERNATIONAL TRADE IN
ENDANGERED SPECIES OF
WILD FAUNA AND FLORA**

PERMIT / CERTIFICATE No.

☐ EXPORT☐ RE-EXPORT☐ IMPORT☐ OTHER:

Original

2. Valid until

3. Importer (name and address)				4. Exporter / Re-exporter (name and address, country)			
3a. Country of import				Signature of the applicant			
5. Special conditions For live animals, this permit or certificate is only valid 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.				6. Name, address, national seal/stamp and country of Management Authority			
5a. Purpose of the transaction (see reverse)		5b. Security stamp N°					
7/8. SCIENTIFIC NAME (genus and species) AND COMMON NAME OF ANIMAL OR PLANT		9. Description of specimens, including identifying marks or numbers (age/sex if live)		10. Appendix No. and source (see reverse)	11. Quantity (including unit)	11a. Total exported/Quota	
7/8.		9.		10.	11.	11a.	
12. Country of origin * Permit No. Date		12a. Country of last re-export Certificate No. Date		12b. No. of the operation ** or date of acquisition ***			
12.		12a.		12b.			
12. Country of origin * Permit No. Date		12a. Country of last re-export Certificate No. Date		12b. No. of the operation ** or date of acquisition ***			
12.		12a.		12b.			
12. Country of origin * Permit No. Date		12a. Country of last re-export Certificate No. Date		12b. No. of the operation ** or date of acquisition ***			
12.		12a.		12b.			
12. Country of origin * Permit No. Date		12a. Country of last re-export Certificate No. Date		12b. No. of the operation ** or date of acquisition ***			
12.		12a.		12b.			

* Country in which the specimens were taken from the wild, bred in captivity or artificially propagated (only in case of re-export)
 ** Only for specimens of Appendix-I species bred in captivity or artificially propagated for commercial purposes
 *** For pre-Convention specimens

13. THIS PERMIT IS ISSUED BY:

Place

Date

Security stamp, signature and official seal

14. EXPORT ENDORSEMENT:

Block	Quantity
A	
B	
C	
D	

15. Bill of Lading/Air Way-bill Number:

Port of Export / Re-export

Date

Signature

Official stamp and title

CITES PERMIT / CERTIFICATE N°

Instructions and explanations

(These correspond to block numbers on the form)

1. Tick the square which corresponds to the type of document issued (export permit, re-export certificate, import permit or other). If the box "other" has been ticked, the type of document must be indicated. The original number is a unique number allocated to each document by the Management Authority.
2. For export permits and re-export certificates, the date of expiry of the document may not be more than six months after the date of issuance (one year for import permits).
3. **Complete** name and address of the importer.
- 3a. The name of the country must be written in full.
4. **Complete** name and address of the exporter/re-exporter. The name of the country must be stated. The absence of the signature of the applicant renders the permit or certificate invalid.
5. Special conditions may refer to national legislation or special conditions placed on the shipment by the issuing Management Authority. This block can also be used to justify the omission of certain information.
- 5a. The following codes should be used: **T** for commercial, **Z** for zoos, **G** for botanical gardens, **Q** for circuses and travelling exhibitions, **S** for scientific purposes, **H** for hunting trophies, **P** for personal, **M** for biomedical research, **E** for education, **N** for reintroduction or introduction into the wild, and **B** for breeding in captivity or artificial propagation.
- 5b. Indicate the number (including the country's ISO code) of the security stamp affixed in block 13.
6. The name, address and country of the issuing Management Authority should already be printed on the form.
- 7-8. Indicate the scientific name (genus and species, where appropriate subspecies) of the animal or plant as it appears in the Convention appendices or the reference lists approved by the Conference of the Parties, and the common name of the animal or plant as known in the country issuing the permit.
9. Describe, as precisely as possible, the specimens entering trade (live animals, skins, flanks, wallets, shoes, etc.). If a specimen is marked (tags, identifying marks, rings, etc.), whether or not this is required by a Resolution of the Conference of the Parties (specimens originating in a ranching operation, specimens subject to quotas approved by the Conference of the Parties, specimens of Appendix-I species bred in captivity for commercial purposes, etc.), indicate the number and type of mark. The sex and age of the live animals should be recorded, if possible.
10. Enter the number of the appendix of the Convention (I, II or III) in which the species is listed.
Use the following codes to indicate the source:
 - W** Specimens taken from the wild
 - R** Specimens originating from a ranching operation
 - D** Appendix-I animals bred in captivity for commercial purposes and Appendix-I plants artificially propagated for commercial purposes, as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 4, of the Convention
 - A** Plants that are artificially propagated in accordance with Resolution Conf. 9.18 (Rev.), paragraph a), as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5, of the Convention (specimens of species included in Appendix I that have been propagated artificially for non-commercial purposes and specimens of species included in Appendices II and III)
 - C** Animals bred in captivity in accordance with Resolution Conf. 10.16, as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5, of the Convention (specimens of species included in Appendix I that have been bred in captivity for non-commercial purposes and specimens of species included in Appendices II and III)
 - F** Animals born in captivity (F1 or subsequent generations) that do not fulfil the definition of 'bred in captivity' in Resolution Conf. 10.16, as well as parts and derivatives thereof
 - U** Source unknown (**must be justified**)
 - I** Confiscated or seized specimens.
11. Indicate the total number of specimens or, if this is not possible, the quantity, and specify the unit of measurement used (for example the weight in kilograms). Do not use general terms such as "one case" or "one batch".
- 11a. Indicate the total number of specimens exported in the current calendar year (including those covered by the present permit) and the current annual quota for the species concerned (for example 500/1000). This should be done for the national quotas as well as for those determined by the Conference of the Parties.
12. The country of origin is the country in which the specimens were taken from the wild, bred in captivity or artificially propagated. Indicate the number of the export permit of the country and the date of issuance. If all or part of the information is not known, this should be justified in block 5. This block must only be completed in case of re-exports.
- 12a. The country of last re-export is the country from which the specimens were re-exported before entering the country in which the present document is issued. Enter the number of the re-export certificate of the country of last re-export and its date of issuance. If all or part of the information is not known, this should be justified in block 5. This block must only be completed in case of re-export of specimens previously re-exported.
13. To be completed by the official who issues the permit. The name of the official (and his title) must be written in full. The security stamp must be affixed in this block and must be cancelled by the signature of the issuing official and a stamp or seal. The seal, signature and security-stamp number should be clearly legible.
14. To be completed by the official who inspects the shipment at the time of export or re-export. Enter the quantities of specimens actually exported or re-exported. Strike out the unused blocks.
15. Enter the number of the bill of lading or air way-bill if the method of transport used requires the use of such a document.

The document must be written in one of the three working languages of the Convention (English, French and Spanish) or must include a full translation into one of these three languages. Exported and re-exported specimens should not appear on the same document unless it is clearly indicated which specimens are being exported and which re-exported.

AFTER USE THIS DOCUMENT MUST BE RETURNED TO A MANAGEMENT AUTHORITY OF THE IMPORTING COUNTRY.

Conf. 10.3

Designation and role of the Scientific Authorities

RECALLING Resolution Conf. 8.6 (Rev.), adopted at the eighth meeting of the Conference of the Parties (Kyoto, 1992) and amended at the ninth meeting (Fort Lauderdale, 1994);

ACKNOWLEDGING that each Party is required, in accordance with Article IX of the Convention, to designate one or more Scientific Authorities;

RECOGNIZING that the responsibilities of the Scientific Authority are described in Article III, paragraphs 2(a), 3(a) and (b) and 5(a), and Article IV, paragraphs 2(a), 3 and 6(a), of the Convention and that responsibilities described in other Articles are not assigned to a specific office but require scientific considerations;

RECOGNIZING further that these responsibilities are elaborated upon in Resolutions Conf. 1.4, Conf. 2.14, Conf. 8.15, Conf. 8.21, Conf. 9.19, Conf. 9.21, Conf. 10.7 and Conf. 10.22, adopted at the first, second, eighth, ninth and 10th meetings of the Conference of the Parties (Berne, 1976; San José, 1979; Kyoto, 1992; Fort Lauderdale, 1994; Harare, 1997), and in Resolutions Conf. 2.11 (Rev.), adopted at the second meeting (San José, 1979) and amended at the ninth meeting (Fort Lauderdale, 1994) and Conf. 9.10 (Rev.) and Conf. 9.18 (Rev.), adopted at the ninth meeting and amended at the 10th meeting (Harare, 1997);

NOTING the concerns of the Parties indicated in the responses to the Secretariat's questionnaire on the functioning of Scientific Authorities, as reported to the Animals Committee at its 13th meeting (Pruhonice, 1996);

RECALLING that Resolution Conf. 8.4, adopted at the eighth meeting of the Conference of the Parties (Kyoto, 1992), directs the Secretariat to identify those Parties whose domestic measures do not provide them with the authority to designate at least one Scientific Authority;

NOTING that the Secretariat's reports on alleged infractions have identified several Parties that have not designated Scientific Authorities;

NOTING that issuance of permits by a Management Authority without appropriate Scientific Authority findings constitutes a lack of compliance with the provisions of the Convention and seriously undermines species conservation;

RECALLING that Resolution Conf. 9.5, adopted at the ninth meeting of the Conference of the Parties (Fort Lauderdale, 1994), recommends that Parties accept documentation from States not party to the Convention only if details of the competent authorities and scientific institutions of such States are included in the most recent updated list of the Secretariat or after consultation with the Secretariat;

ACKNOWLEDGING the necessity for the Secretariat, members of the Animals and Plants Committees, and Scientific Authorities to be in contact with the appropriate Scientific Authorities of each Party;

WHEREAS Article XIV, paragraph 1, permits any Party to adopt stricter domestic measures;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

DIRECTS the Secretariat:

- a) to continue its efforts to identify the Scientific Authorities in each country;
- b) to continue to identify in its reports on alleged infractions those countries that have not informed the Secretariat of their Scientific Authorities; and
- c) to continue to provide to all Parties information on the Scientific Authorities or comparable entities of States not party;

RECOMMENDS that:

- a) all Parties designate Scientific Authorities independent from Management Authorities;
- b) Parties not accept export permits from countries that have not informed the Secretariat of their Scientific Authorities for more than one interval between regular meetings of the Conference of the Parties;
- c) Management Authorities not issue any export or import permit, or certificate of introduction from the sea, for species listed in the appendices without first obtaining the appropriate Scientific Authority findings or advice;
- d) Parties enlist the assistance of Scientific Authorities of other Parties, as appropriate;
- e) neighbouring Parties consider sharing their resources by supporting common scientific institutions to provide the scientific findings required under the Convention;
- f) the Parties consult with the Secretariat when there is reason for concern as to whether the proper Scientific Authority findings are being made;
- g) the appropriate Scientific Authority advise on the issuance of export permits or of certificates for introduction from the sea for Appendix-I or -II species, stating whether or not the proposed trade would be detrimental to the survival of the species in question, and that every export permit or certificate of introduction from the sea be covered by Scientific Authority advice;
- h) the findings and advice of the Scientific Authority of the country of export be based on the scientific review of available information on the population status, distribution, population trend, harvest and other biological and ecological factors, as appropriate, and trade information relating to the species concerned;
- i) the appropriate Scientific Authority of the importing country advise on the issuance of permits for the import of specimens of Appendix-I species, stating whether the import will be for purposes not detrimental to the survival of the species;
- j) the appropriate Scientific Authority monitor the status of native Appendix-II species and export data, and recommend, if necessary, suitable remedial measures to limit the export of specimens in order to maintain each species throughout its range at a level consistent with its role in the ecosystem and well above the level at which the species might become eligible for inclusion in Appendix I;
- k) the appropriate Scientific Authority either make the findings required on the suitability of the recipient to house and care for live specimens of Appendix-I species being imported or introduced from the sea, or make its recommendations to the Management Authority prior to the latter making such findings and the issuance of permits or certificates;
- l) the appropriate Scientific Authority provide advice to its Management Authority as to whether or not scientific institutions seeking registration for the purpose of being issued labels for scientific exchange meet the criteria established in Resolution Conf. 2.14, and other standards or any stricter national requirements;
- m) the appropriate Scientific Authority review all applications submitted for consideration under Article VII, paragraph 4 or 5, and advise its Management Authority as to whether the facility concerned meets the criteria for producing specimens considered to be bred in captivity or artificially propagated in accordance with the Convention and relevant Resolutions;
- n) the appropriate Scientific Authority gather and analyse information on the biological status of species affected by trade to assist in the preparation of proposals necessary to amend the appendices; and
- o) the appropriate Scientific Authority review proposals to amend the appendices submitted by other Parties and make recommendations as to how the delegation of its own country should address each proposal;

ENCOURAGES the Parties, the Secretariat and interested non-governmental organizations to develop and support workshops/seminars designed specifically to improve the implementation of CITES by Scientific Authorities; and

REPEALS Resolution Conf. 8.6 (Rev.) (Kyoto, 1992, as amended in Fort Lauderdale, 1994) – Role of the Scientific Authority.

Conf. 10.4

Co-operation and synergy with the Convention on Biological Diversity

WELCOMING decision III/21 of the Conference of the Parties to the Convention on Biological Diversity, which endorsed the Memorandum of Understanding between the CITES Secretariat and the Secretariat of the Convention on Biological Diversity;

EXPRESSING appreciation for the co-operation and cordial relationship that has been developed between the two Secretariats;

AWARE that decision III/21 of the Conference of the Parties to the Convention on Biological Diversity invites "the governing bodies of biological-diversity-related conventions to consider the possible contributions of those conventions to the implementation of the objectives of the Convention on Biological Diversity, and to share experience with the Conference of the Parties on, inter alia, successful management practices";

RECALLING that the Conference of the Parties to the Convention on Biological Diversity has invited "contracting Parties to relevant biological-diversity-related conventions to explore opportunities for accessing funding through the Global Environment Facility for relevant projects involving a number of countries, which fulfil the eligibility criteria and guidance provided by the Conference of the Parties to the Convention on Biological Diversity to the Global Environment Facility";

RECALLING also Chapter 38 of Agenda 21 and welcoming decision 19/9c of the Governing Council of UNEP which "recognizes the importance of the Programme's role in promoting and supporting co-operation and co-ordination with and amongst environmental agreements and their secretariats" and "requests the Conference of the Parties of the relevant conventions to encourage their respective convention secretariats to engage and continue to participate actively in the co-ordination process";

NOTING the proposal to explore the revival of the Ecosystem Conservation Group, which would meet within the context of UNEP's meetings on co-ordination of Secretariats of environmental conventions;

RECOGNIZING that UNEP should undertake such tasks in full co-operation with the Conference of the Parties;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

CALLS upon the CITES Secretariat and the Secretariat of the Convention on Biological Diversity to co-ordinate their programme activities particularly through the UNEP co-ordination meetings;

SUGGESTS that Parties, as appropriate to their national circumstances and to encourage synergy, take measures to achieve co-ordination and reduce duplication of activities between their national authorities for each Convention;

CALLS upon Parties to explore opportunities for obtaining funding through the Global Environment Facility for relevant projects, including multilateral projects, which fulfil the eligibility criteria and guidance provided by the Conference of the Parties to the Convention on Biological Diversity to the Global Environment Facility;

RECOMMENDS that the Secretariat investigate opportunities whereby CITES can become a partner in the implementation of appropriate provisions of the Convention on Biological Diversity;

INVITES the Conference of the Parties to the Convention on Biological Diversity, at its fourth meeting, to consider further modalities for enhancing co-operation and synergy between the two Conventions, to be considered at the 11th meeting of the Conference of the Parties to CITES; and

DIRECTS the Chairman of the Standing Committee to transmit to the Conference of the Parties to the Convention on Biological Diversity this and other relevant Resolutions and Decisions adopted at the 10th and all future meetings of the Conference of the Parties.

Conf. 10.5

Shipments covered by ATA and TIR carnets

RECOGNIZING that Articles III, IV and V of the Convention lay out the need for permits and certificates for shipments of specimens of species included in Appendices I, II and III;

AWARE that shipments not covered by the exemptions specified in Article VII of the Convention and travelling on an ATA or TIR carnet still require appropriate CITES documentation;

CONSCIOUS that many shipments of specimens of CITES species travelling on an ATA or TIR carnet without appropriate CITES documentation have been refused entry into either the importing country or the country of (re-)export upon return;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS that all Parties ensure that their Management Authorities issue the appropriate documents for shipments travelling on ATA and TIR carnets; and

URGES all Parties to communicate with their Customs and other CITES enforcement officials to ensure that all CITES shipments travelling on these carnets comply with the applicable provisions of CITES.

Conf. 10.6

Control of trade in tourist souvenir specimens

RECALLING Resolution Conf. 4.12 (Rev.), adopted at the fourth meeting of the Conference of the Parties (Gaborone, 1983) and amended at the ninth meeting (Fort Lauderdale, 1994);

OBSERVING that Article III, paragraph 3(c), of the Convention requires that specimens of Appendix-I species are not to be used for primarily commercial purposes in the importing country;

CONSIDERING that the exemption in Article VII, paragraph 3, of the Convention does not apply to specimens of Appendix-I species that are souvenirs being imported by a person returning to his State of usual residence;

CONSIDERING further that the exemption in Article VII, paragraph 3, of the Convention does not apply to specimens of Appendix-II species that are souvenirs being imported by a person returning to his State of usual residence if the specimens were taken from the wild in a State requiring the prior grant of export permits before the export of such specimens;

RECOGNIZING however that export permits are frequently not required by exporting countries;

NOTING that for Parties other than the exporting and importing Parties such specimens of Appendix-II species are, under Article VII, exempt from CITES provisions;

RECOGNIZING that parts and derivatives of species listed in Appendices I and II continue to be widely sold as tourist souvenir specimens and that specimens of Appendix-I species continue, in some countries, to be offered for sale at gift shops at international airports and other places (including duty-free areas) catering largely to international travellers;

RECALLING paragraph h) of Resolution Conf. 9.7, adopted at the ninth meeting of the Conference of the Parties (Fort Lauderdale, 1994), which notes that the Convention does not make special provision for airport lounges (including duty-free shops), free ports or non-Customs zones;

RECOGNIZING that the sale of specimens of Appendix-I species in places of international departure may encourage, either intentionally or unintentionally, the illegal export of such items, and that such export is an issue of concern with respect to the conservation of such species;

ACKNOWLEDGING that sale of tourist souvenir specimens of Appendix-I species can in some cases form a substantial part of a trade which could threaten the survival of such species;

RECOGNIZING that there is still widespread public ignorance of the purpose and requirements of the Convention and of domestic legislation relating to trade in endangered species;

RECOGNIZING further that international airports, seaports and border crossings provide an excellent opportunity for educational displays informing travellers about the requirements of the Convention, and that sales of tourist souvenir specimens in such places may seriously detract from that educational message;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

URGES that:

- a) all Parties comply fully with the requirements of Article III of the Convention with respect to tourist souvenir specimens of Appendix-I species;
- b) Parties take all necessary steps to prohibit the sale of tourist souvenir specimens of Appendix-I species in places of international departure, such as international airports, seaports and border crossings and particularly in duty-free areas beyond Customs control points;
- c) such steps include inspection and provision of information to merchants;

- d) all Parties make their best efforts to comply fully with the purpose of the Convention with respect to tourist souvenir specimens of Appendix-II species and in particular control export and import of specimens of those species which are likely to be adversely affected by heavy trade; and
- e) importing countries experiencing problems with imports of tourist souvenir specimens notify the relevant exporting countries and the CITES Secretariat accordingly;

RECOMMENDS that:

- a) all Parties provide information through displays and by other means, in all relevant languages, in places of international departure and arrival, informing travellers about the purpose and requirements of the Convention, and of their responsibilities with respect to international and domestic laws relating to the export and import of wildlife specimens;
- b) Parties, in collaboration with national and international tourist agencies, carriers and other relevant bodies, take all possible steps to ensure that tourists travelling abroad are made aware of the import and export controls that are or may be in force;
- c) a person in possession of tourist souvenir specimens of Appendix-II species covered by an export permit be afforded the exemption for personal effects given by Article VII when entering States other than the State of usual residence or when leaving States other than the State of export; and
- d) the term 'tourist souvenir specimen' apply only to personal and household effects acquired outside the owner's State of usual residence and not be applied to live specimens;

DIRECTS the Standing Committee to consider ways of assisting any Party which informs the Committee of difficulties in the application of this Resolution; and

REPEALS Resolution Conf. 4.12 (Rev.) (Gaborone, 1983 as amended in Fort Lauderdale, 1994) – Control of Tourist Souvenir Specimens.

Conf. 10.7

Disposal of confiscated live specimens of species included in the appendices

RECALLING Resolution Conf. 9.11, adopted at the ninth meeting of the Conference of the Parties (Fort Lauderdale, 1994);

RECALLING that according to Article VIII, paragraph 4(b), of the Convention, confiscated live specimens shall, after consultation with the State of export, be returned to that State at the expense of that State, or to a rescue centre or such other place as the Management Authority deems appropriate and consistent with the purposes of the Convention;

RECALLING that Article VIII, paragraph 4(c), of the Convention, leaves open the possibility for the Management Authority to obtain the advice of a Scientific Authority or of the Secretariat;

RECALLING Resolution Conf. 9.10 (Rev.), adopted at the ninth meeting of the Conference of the Parties (Fort Lauderdale, 1994) and amended at the 10th meeting (Harare, 1997), on the Disposal of Illegally Traded Confiscated and Accumulated Specimens, which recommends to the Parties not having done so yet, to adopt legislation in order to charge to the guilty importer and/or carrier the costs of returning confiscated live specimens to the country of origin or re-export;

NOTING that shipments of Appendix-II or -III live specimens often include large quantities of specimens for which no adequate housing can be made available, and that in general there are no detailed data about country of origin and site of capture for these specimens;

CONSIDERING that the successful recovery of the costs of confiscation and disposal from the guilty party may be a disincentive for illegal trade;

CONSIDERING that specimens once in trade no longer form part of the reproducing wild population of the species concerned;

CONCERNED about the risks of releasing confiscated specimens into the wild, such as the introduction of pathogens and parasites, genetic pollution and negative effects on the local fauna and flora;

CONSIDERING that release to the wild may not always be in the best interest of the conservation of a species, especially one not in danger of extinction;

RECALLING that IUCN has developed Guidelines for the Disposal of Confiscated Animals and Guidelines for Reintroductions;

CONVINCED that the ultimate objective of the Convention is the continued existence of wild populations in their natural habitat;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS that:

- a) a Management Authority before making a decision on the disposal of confiscated live specimens of species in the appendices consult with and obtain the advice of its own Scientific Authority and, if possible, of that of the State of export of the confiscated specimens, and other relevant experts such as IUCN/SSC Specialist Groups;
- b) each Scientific Authority in preparing its advice take note of the guidelines in Annexes 1 and 2;
- c) the Secretariat be informed about any decision taken on the disposal of confiscated live specimens of species that are either in Appendix I or, if in Appendix II or III, involve commercial quantities; and
- d) in the case where live specimens arrive in an importing country without the proper export permits or re-export certificates, and where an importer refuses to accept a shipment of live specimens, the shipment be confiscated and the specimens disposed of in accordance with the guidelines set out in Annex 1 or 2;

URGES Management Authorities, in consultation with Scientific Authorities and other bodies concerned, to develop action plans to deal with seized and confiscated live specimens consistent with the guidelines set out in Annex 3; and

REPEALS Resolution Conf. 9.11 (Fort Lauderdale, 1994) – Disposal of Confiscated Animals of Species Included in the Appendices.

Annex 1

CITES guidelines for the disposal of confiscated live animals

Statement of principle

When live animals are confiscated by government authorities, these authorities have a responsibility to dispose of them appropriately. Within the confines of the law, the ultimate decision on disposal of confiscated animals must achieve three goals: 1) to maximize conservation value of the specimens without in any way endangering the health, behavioural repertoire, or conservation status of wild or captive populations of the species¹; 2) to discourage further illegal or irregular trade in the species; and 3) to provide a humane solution, whether this involves maintaining the animals in captivity, returning them to the wild, or employing euthanasia to destroy them.

Statement of need

Increased regulation of trade in wild plants and animals and enforcement of these regulations has resulted in an increase in the number of wildlife shipments intercepted by government authorities as a result of non-compliance with these regulations. In some instances, the interception is a result of patently illegal trade; in others, it is in response to other irregularities, such as insufficient or incomplete paperwork from the exporting country or poor packing that has compromised the welfare of the live animals in the shipment. While in some cases the number of animals in a confiscated shipment is small, in many others the number is in the hundreds. Although, in many countries, confiscated animals have usually been donated to zoos or aquaria, this option is proving less viable with large numbers of animals and, increasingly, common species. The international zoo community has recognized that placing animals of low conservation priority in limited cage space may benefit those individuals but may also detract from conservation efforts as a whole. They are, therefore, setting conservation priorities for cage space.

In light of these trends, there is an increasing demand – and urgent need – for information and advice to guide confiscating authorities in the disposal of live animals. Although specific guidelines have been formulated for certain groups of organisms, such as parrots and primates, no general guidelines exist.

When disposing of confiscated animals, authorities must adhere to national, regional and international law. The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) requires that confiscated individuals of species listed in the treaty's appendices be returned to the "State of export... or to a rescue centre or such other place as the Management Authority deems appropriate and consistent with the purpose of the Convention" (Article VIII). However, the treaty does not elaborate on this requirement, and CITES Management Authorities must act according to their own interpretation, not only with respect to repatriation but also as regards what constitutes disposal that is "appropriate and consistent" with the treaty. Although the present guidelines are intended to assist CITES Management Authorities in making this assessment, they are designed to be of general applicability to all confiscated live animals.

The lack of specific guidelines has resulted in confiscated animals being disposed of in a variety of ways, many inconsistent with conservation objectives. In some cases, release of confiscated animals into existing wild populations has been done after careful evaluation and with due regard for existing guidelines. In other cases, such releases have not been well planned. Poorly planned releases of confiscated animals may doom these animals to a slow, painful death. Such releases may also have strong negative conservation value by threatening existing wild populations. Threats to existing populations can take several forms: 1) diseases and parasites acquired by the released animals while held in captivity may spread into existing wild populations; 2) individuals released into existing populations, or in areas near to existing populations, may not be of the same race or subspecies as those in the wild population, resulting in mixing of distinct genetic lineages; 3) animals held in

¹ Although this document refers to species, in the case of species with well-defined subspecies and races, the issues addressed will apply to lower taxonomic units.

captivity, particularly juveniles and immatures, may acquire an inappropriate behavioural repertoire from individuals of other related species. Release of these animals could result in inter-specific hybridization.

Disposal of confiscated animals is not a simple process. Only on rare occasions will such disposal be straightforward or result in an action with conservation value. Options for disposal of confiscated animals have thus far been influenced by the perception that returning animals to the wild is the optimal solution in terms of both animal welfare and conservation. A growing body of scientific study of reintroduction of captive animals suggests that such actions may be among the least appropriate options for many reasons. This recognition requires that the options available to confiscating authorities for disposal of the animals be carefully reviewed.

Management options

In deciding on the disposal of confiscated animals, managers must ensure both the humane treatment of the animals and the conservation and welfare of existing wild populations of the species involved. Options for disposal fall into three principal categories: 1) maintenance of the individuals in captivity; 2) returning the individuals in question to some form of life in the wild; and 3) euthanasia. The last option may often prove the most appropriate and most humane.

Within a conservation perspective, by far the most important consideration in reviewing the options for disposal is the conservation status of the species concerned. For confiscated animals of endangered or threatened species, particular effort should be directed towards evaluating whether and how these animals might contribute to a conservation programme for the species. The decision as to which option to employ in the disposal of confiscated animals will depend on various legal, social, economic and biological factors. The "Decision Tree" provided in the present guidelines is intended to facilitate consideration of these options. The tree has been written so that it may be used for both threatened and common species, although it is recognized that the conservation status of the species will be the primary consideration affecting whether or not confiscated animals might be valuable to an active conservation breeding/reintroduction programme, and whether or not local or international agencies will be willing to make an investment in expensive and difficult tasks such as genetic determination of country of origin and site of capture or the establishment of reintroduction, benign introductions, or reinforcement of extant wild populations. International networks of experts, such as the IUCN-Species Survival Commission Specialist Groups, should be able to assist confiscating authorities, and CITES Scientific and Management Authorities, in their deliberations as to the appropriate disposal of confiscated specimens.

OPTION 1 – CAPTIVITY

Confiscated animals are already in captivity; there are numerous options for maintaining them in captivity. Depending on the circumstances, animals can be donated, loaned or sold. Placement may be in zoos or other facilities, or with private individuals. Finally, placement may be in the country of origin, the country of export (if different), the country of confiscation, or a country with adequate and/or specialized facilities for the species in question. If animals are maintained in captivity, in preference to either being returned to the wild or destroyed, they must be afforded humane conditions and ensured proper care for their natural lives.

Zoological gardens, aquaria and safari parks are the captive facilities most commonly considered for disposal of animals, but a variety of other captive situations exist. These include the following:

- a) Rescue centres, established specifically to treat injured or confiscated animals, are sponsored by a number of humane organizations in many countries.
- b) Lifetime-care facilities devoted to the care of confiscated animals have been built in a few countries.
- c) Specialist societies or clubs devoted to the study and care of single taxa or species (e.g. reptiles, amphibians, birds) have, in some instances, provided an avenue for the disposal of confiscated animals without involving sale through intermediaries.
- d) Humane societies may be willing to ensure placement of confiscated specimens with private individuals who can provide humane lifetime care.
- e) Universities and research laboratories maintain collections of exotic animals for many kinds of research (e.g. behavioural, ecological, physiological, psychological, medical). Attitudes towards vivisection, or even towards the non-invasive use of animals in research laboratories as captive study populations, vary widely from

country to country. Whether transfer of confiscated animals to research institutions is appropriate will therefore engender some debate, although transfer to an establishment that conducts research under humane conditions may offer an alternative, and one which may eventually contribute information relevant to the species' conservation. In many cases, the lack of known provenance, and the potential that the animal in question has been exposed to unknown pathogens will make transfer to a research institution an option unlikely to be exercised or desired.

- f) Sale of confiscated specimens to traders, commercial captive breeders, or others involved in commercial activities can provide a means of disposal that helps offset the costs of confiscation. However, sale should only be considered in certain circumstances, such as where the animals in question are not threatened and not subject to a legal prohibition on trade (e.g. CITES Appendix II) and there is no risk of stimulating further illegal or irregular trade. Sale to commercial captive breeders may contribute to reducing the demand for wild-caught individuals. At the same time, however, it may prove to be a poor option owing to the risk of creating a public perception of the State's perpetuating or benefiting from illegal or irregular trade. Finally, confiscating authorities should be aware that, unless specific legal provisions apply, it is impossible to assure the welfare of the animals following placement.

Where animals are transferred by the confiscating authority but not sold, ownership should be specified as one of the terms and conditions of the transfer. Where the country of origin desires return of the animals, this desire should be respected. The custodian (zoo, welfare organization) of confiscated animals should only move the animals to another facility for legitimate humane and propagation purposes with the authorization of the administrative authority.

Captivity – Benefits and disadvantages

The *benefits* of placing confiscated animals in a facility that will provide lifetime care under humane conditions include:

- a) educational value;
- b) potential for captive breeding for eventual reintroduction; and
- c) possibility for the confiscating authority to recover, from sale, the costs of confiscation.

The *disadvantages* of placing animals in a facility not involved in an established programme for captive breeding and reintroduction include the following:

- a) Potential to encourage undesired trade. Some authors have maintained that any transfer – whether commercial or non-commercial – of confiscated animals risks promoting a market for these species and creating a perception of the State's being involved in illegal or irregular trade.

BirdLife International suggests that in certain circumstances sale of confiscated animals does not necessarily promote undesired trade. They offer the following requirements that must be met in order for sale by the confiscating authority to be permitted: 1) the species to be sold is already available in the confiscating country in commercial quantities; and 2) wildlife traders under indictment for, or convicted of, crimes related to import of wildlife are prevented from purchasing the animals in question. Experience in selling confiscated animals in the United States suggests that it is virtually impossible to ensure that commercial dealers implicated or suspected of being implicated in illegal or irregular trade are not involved, directly or indirectly, in purchasing confiscated animals. This suggests that confiscation results in increased costs but is not necessarily a disincentive as regards the practices or problems that gave rise to confiscation.

Placing threatened species into commercial trade should not be considered because of the risks of stimulating unwanted trade. Appendix-I species may be sold to a registered commercial breeding facility for Appendix-I species, but these specimens should not be resold or enter commercial trade. As captive-bred offspring of Appendix-I species are deemed to be specimens of species included in Appendix II, there is the potential for commercial breeders to breed animals in captivity to replace wild-caught animals as a source for trade. Hence sale, in certain circumstances (e.g. to commercial captive breeders), may have a clearer potential for the conservation of the species than non-commercial disposal or euthanasia. Such breeding programmes must be carefully assessed and approached with caution. It may be difficult to

monitor these programmes and such programmes may unintentionally, or intentionally, stimulate trade in wild animals.

It is essential that confiscating authorities recognize that there are many threatened species that are not included in the CITES appendices but may require the same treatment as CITES Appendix-I species.

- b) Cost of placement. While any payment will place a value on an animal, there is no evidence that trade would be encouraged if the institution receiving a donation of confiscated animals were to reimburse the confiscating authority for costs of care and transport. However, payments should be kept to a minimum and, where possible, the facility receiving the animals should bear all costs directly.
- c) Disease. Confiscated animals may serve as vectors for disease and, therefore, must be subject to extremely stringent quarantine. The potential consequences of the introduction of alien disease to a captive facility are as serious as those of introducing disease to wild populations.
- d) Captive animals can escape from captivity and become pests. Accidental introduction of exotic species can cause tremendous damage and in certain cases, such as the escape of mink *Mustela vison* from fur farms in the United Kingdom, the introduction of exotics can result from importation of animals for captive breeding.

OPTION 2 – RETURN TO THE WILD

Although CITES requires that repatriation of confiscated CITES-listed animals to the country of export be considered as an option for disposal by a confiscating authority, the treaty in no way requires that animals be returned to the wild in that country. These guidelines suggest that return to the wild would be a desirable option in a very small number of instances and under very specific circumstances. Repatriation to avoid addressing the question of disposal of confiscated animals is irresponsible. When considering repatriation, the confiscating authority must ensure that the recipients of the animals are fully cognizant of the ramifications of repatriation and the options for disposal, as set forth in these guidelines. Furthermore, the country returning an animal to its country of origin for release must ensure that the Management Authority in the country of origin is aware of the return.

The rationale behind many of the decision options in this section is discussed in greater detail in the IUCN Guidelines for Reintroduction. It is important to note that these Guidelines make a clear distinction between the different options for returning animals to the wild. These are elaborated on the next page.

- a) Reintroduction: an attempt to establish a population in an area that was once part of the range of the species but where it has become extinct.

Some of the best known reintroductions have been of species that were extinct in the wild. Examples include: Père David's deer *Elaphurus davidianus* and the Arabian oryx *Oryx leucoryx*. Other reintroduction programmes have involved species that existed in some parts of their historical range but that had been eliminated from other areas; the aim of these programmes is to re-establish a population in an area, or region, from which the species has disappeared. An example of this type of reintroduction is the recent reintroduction of the swift fox *Vulpes velox* in Canada.

- b) Reinforcement of an existing population: the addition of individuals to an existing population of the same taxon.

Reinforcement can be a powerful conservation tool when natural populations are diminished by a process which, at least in theory, can be reversed. An example of a successful reinforcement project is that involving the golden lion tamarin *Leontopithecus rosalia* in Brazil. Habitat loss, coupled with capture of live animals for pets, resulted in a rapid decline of the golden lion tamarin. When reserves were expanded, and capture for the pet trade curbed, captive golden lion tamarins were then used to supplement depleted wild populations.

Reinforcement has been most commonly pursued when individual animals injured by human activity have been provided with veterinary care and released. Such activities are common in many western countries, and specific programmes exist for species as diverse as hedgehogs, Erinaceinae, and birds of prey.

However common an activity, reinforcement carries with it the very grave risk that individuals held in captivity, even temporarily, are potential vectors for disease back into a wild population.

Because of inherent disease risks, reinforcement should only be employed in instances where there is a direct and measurable conservation benefit (demographically or genetically), as when reinforcement is critical for the viability of the wild population into which an individual is being placed.

“Return to the wild” – Concerns and benefits

Before “Return to the wild” of confiscated animals is considered, several issues of concern must be considered in general terms: welfare, conservation value, cost and disease.

- a) Welfare. While return to the wild may appear to be humane, it may be nothing more than a sentence to a slow death. Humane considerations require that each effort to return confiscated animals to nature be thoroughly researched and carefully planned. Such returns also require long-term commitment in terms of monitoring the fate of released individuals. Some authors have advocated that the survival prospects for released animals must at least approximate those for wild animals of the same sex and age class in order for return to the wild to be seriously considered. While such demographic data on wild populations are, unfortunately, rarely available, the spirit of this suggestion should be respected; there must be humane treatment of confiscated animals when attempting to return them to the wild.
- b) Conservation value and cost. In cases where returning confiscated animals to the wild appears to be the most humane option, such action can only be undertaken if it does not threaten existing populations of wild plants and animals or the ecological integrity of the area in which they live. The conservation of the species as a whole, and of other animals already living free, must take precedence over the welfare of individual animals that are already in captivity.

Before animals are used in programmes in which existing populations are reinforced, or new populations are established, it must be determined that returning these individuals to the wild will make a significant contribution to the conservation of the species. Larger populations are less likely to become extinct, hence reinforcing existing very small wild populations may reduce the probability of extinction. In very small populations a lack of males or females may result in reduced population growth or in population decline. Reinforcing a very small population lacking animals of a particular sex may also improve prospects for survival of that population.

It should be noted that where confiscated individuals are used for reintroduction (as defined above) they will form the nucleus of a new population. If such a programme is to be successful, a relatively large number of individuals will be required. Hence, small groups of confiscated animals may be inappropriate for reintroduction programmes.

The cost of returning animals to the wild in an appropriate manner can be prohibitive for all but the most endangered species. The species for which the conservation benefits clearly outweigh these costs represent a tiny proportion of the species listed in the CITES appendices, although it includes numerous species not regulated under CITES. In the majority of cases, the costs of appropriate, responsible reintroduction will preclude return to the wild. Poorly planned or executed reintroduction programmes are the equivalent of dumping animals in the wild and should be vigorously opposed on both conservation and humane grounds.

- c) Source of individuals. If the country of origin and site of capture of the animals is not known, or if there is any question of the source of the animals, supplementation may lead to inadvertent pollution of distinct genetic races or subspecies. If particular local races or subspecies show specific adaptation to the local environment, mixing in animals from other races or subspecies may be damaging to the local population. Introducing an animal into the wrong habitat type may also doom it to death.
- d) Disease. Animals held in captivity and/or transported, even for a very short time, may be exposed to a variety of pathogens. Release of these animals into the wild may result in introduction of disease to conspecifics or unrelated species with potentially catastrophic effects. Even if there is a very small risk that confiscated animals have been infected by exotic pathogens, the potential effects of introduced diseases on wild populations are so great that this will often preclude returning confiscated animals to the wild.

Where confiscated animals are found to be unsuitable for return to the wild, disease screening and appropriate quarantine are, nevertheless, essential in order to ensure that they are free of disease, or that diseases and parasites harboured by these animals are found in the captive population to which the animals may be transferred. Introduced diseases can be dangerous to captive facilities, particularly in zoos where infection across different species in a collection is a serious threat. Where such quarantine can not ensure that an individual is healthy, isolation for an indefinite period or euthanasia must be carried out.

There are clearly instances where return to the wild of confiscated animals must be considered an option for disposal. First and foremost, the question to be addressed is: will returning the animals to the wild make a significant contribution to the conservation of the species in question? Release into the wild of any animal that has been held in captivity is risky. While some diseases can be tested for, tests do not exist for many animal diseases. Furthermore, animals held in captivity are frequently exposed to diseases not usually encountered in their natural habitat. Veterinarians and quarantine officers, thinking that the species in question is only susceptible to certain diseases, may not test for these diseases picked up in captivity.

Given that any release incurs some risk, we must adopt the following 'precautionary principle': if there is no conservation value in releasing confiscated specimens, the possibility of accidentally introducing into the environment a disease that is not already present, however unlikely, will rule out returning confiscated specimens to the wild.

There are several *benefits* of returning animals to the wild, either through reintroduction or reinforcement of an existing population.

- a) In situations where the existing population is severely threatened, such an action might improve the long-term conservation potential of the species as a whole, or of a local population of the species (e.g. golden lion tamarins).
- b) Returning animals to the wild makes a strong political/educational statement concerning the fate of the animals (e.g. orangutans *Pongo pygmaeus* and chimpanzees *Pan troglodytes*) and may serve to promote local conservation values. However, as part of any education or public awareness programme, the costs and difficulties associated with return to the wild must be emphasized.

OPTION 3 – EUTHANASIA

Euthanasia – the killing of animals carried out according to humane guidelines – is unlikely to be a popular option amongst confiscating authorities for disposal of confiscated animals. However, it can not be overstressed that euthanasia may frequently be the simplest and most humane option available. In many cases, authorities confiscating live animals will encounter the following situations.

- a) return to the wild in some manner is either unnecessary (e.g. in the case of a very common species), impossible, or prohibitively expensive as a result of the need to conform to biological and animal welfare guidelines.
- b) Placement in a captive facility is impossible, or there are serious concerns that sale will be problematic or controversial.
- c) During transport, or while held in captivity, the animals have contracted a chronic disease that is incurable and, therefore, a risk to any captive or wild population.

Euthanasia has several clear advantages.

- a) From the point of view of conservation of the species involved, and of protection of existing captive and wild populations of animals, euthanasia carries far fewer risks when compared to returning animals to the wild.
- b) Euthanasia will also act to discourage the activities that gave rise to confiscation, be it smuggling or other patently illegal trade, inadequate paperwork, poor packing, or other problems, as the animals in question are removed entirely from trade.

- c) Euthanasia may be in the best interest of the welfare of the confiscated animals. Unless adequate finances are available for reinforcement of existing populations or reintroduction, release to the wild will carry enormous risks for existing wild populations and severely jeopardize the survival prospects of the individual animals, which may, as a result, die of starvation, disease or predation.
- d) When animals are destroyed, or when they die a natural death while in captivity, the dead specimens should be placed in the collection of a natural history museum, or another reference collection in a university or research institute. Such reference collections are of great importance for studies of biodiversity. If such placement is impossible, carcasses should be incinerated to avoid illegal trade in animal parts or derivatives.

DECISION TREE ANALYSIS

For decision trees dealing with "Return to the wild" and "Captive" options, the confiscating Party must first ask the question:

Question 1: Will returning the animal to the wild make a significant contribution to the conservation of the species, including through education and other means?

The most important consideration in deciding on disposal of confiscated specimens is the conservation of the species in question. Because there can never be absolute certainty that a confiscated animal is free of diseases and parasites, returning to the wild an individual that has been held in captivity will always involve some level of risk to existing populations of the same or other species in the ecosystem to which the animal is returned.

Where releasing confiscated animals to the wild appears to be the most humane action, it must improve the prospects for survival of the existing wild population. Humanitarian and conservation interests are best served by ensuring the survival of as many individuals as possible, not just the short-term comfort of a few individuals. The benefits of the return in terms of conservation value must clearly outweigh the potential risks.

In most instances, the benefits of return to the wild will be outweighed by the costs and risks of such an action. If returning animals to the wild is not of conservation value, "Captive" options pose fewer risks and may offer more humane alternatives.

Answer: Yes: Investigate "Return to the wild" options.

No: Investigate "Captive" options.

DECISION TREE ANALYSIS – CAPTIVITY

The decision to maintain confiscated animals in captivity involves a simpler set of considerations than does the decision to return them to the wild. It should be noted that the order in which options are placed in the present decision tree is not necessarily the most appropriate for all authorities in all countries: it is expected that each confiscating authority will determine which option is most appropriate based on the particular case and its particular situation.

Question 2: Have animals been found to be disease-free by comprehensive veterinary screening and quarantine?

Because of the risk of introducing disease to captive populations, animals that may be transferred to certified captive facilities must have a clean bill of health. If confiscated animals are not found to be healthy they must be placed in quarantine before being transferred or the facility to which they are transferred must have adequate quarantine facilities. If, during quarantine, the animals are found to harbour diseases that can not be cured, they must be destroyed to prevent infection of other animals.

Answer: Yes: Proceed to Question 3.

No: Quarantine; re-assess question 2 after quarantine.

If chronic and incurable infection, first offer animals to research institutions. If impossible to place in such institutions, destroy.

Question 3: Is space available in non-commercial captive facility (e.g. lifetime-care facility, zoo or rescue centre)?

Transfer of animals to either zoological gardens or lifetime-care facilities should generally provide a safe and acceptable means of disposal of confiscated animals. When a choice must be made between several such institutions, the paramount consideration should be which facility can provide the most consistent care and ensure the welfare of the animals. The terms and conditions of the transfer should be agreed between the confiscating authority and the recipient institution. Terms and conditions for such agreements should include:

- a) a clear commitment to ensure lifetime care or, in the event that this becomes impossible, transfer to another facility that can ensure lifetime care, or euthanasia;
- b) exclusion from resale of the animals involved; and
- c) clear specification of ownership of the specimens concerned and, where breeding may occur, the offspring. Depending on the circumstances, ownership may be vested with the confiscating authority, the country of origin, or the recipient facility.

In the majority of instances, there will be no facilities or zoo or aquarium space available in the country in which animals are confiscated. Where this is the case: 1) other captive options should be investigated; 2) transfer to a captive facility outside the country of confiscation should be explored; or 3) the animals should be destroyed.

Answer: Yes: Execute agreement and transfer.

No: Proceed to Question 4.

Question 4: Are private individuals able and willing to provide humane lifetime care on a non-commercial basis?

In many countries, there are active specialist societies or clubs of individuals with considerable expertise in the husbandry and breeding of individual species or groups of species. Such societies can assist in finding homes for confiscated animals without involving sale through intermediaries. In this case, individuals receiving confiscated animals must have demonstrated expertise in the husbandry of the species concerned and must be provided with adequate information and advice by the club or society concerned. Transfer to specialist societies or individual members must be made according to terms and conditions agreed with the confiscating authority. Such agreements may be the same or similar to those executed with lifetime-care facilities or zoos.

Answer: Yes: Execute agreement and transfer.

No: Proceed to Question 5.

Question 5: Are institutions interested in animals for research conducted under humane conditions?

Many universities and research laboratories maintain collections of exotic animals for research conducted under humane conditions. If these animals are kept in conditions that ensure their welfare, transfer to such institutions may provide an acceptable alternative to other options, such as sale or euthanasia. As in the preceding instances, such transfer should be subject to terms and conditions agreed with the confiscating authority; in addition to those already suggested, it may be advisable to include terms that stipulate the types of research the authority considers permissible.

Answer: Yes: Execute agreement and transfer.

No: Proceed to Question 6.

Question 6: Is the species listed in Appendix I or regarded as endangered or critical?

Commercial sale of specimens of Appendix-I species should not be permitted as it is undesirable to stimulate trade in these species. Species not listed in any CITES appendix, but which are nonetheless seriously threatened with extinction, should be afforded the same caution.

Answer: Yes: Proceed to Question 7.

No: Proceed to Question 8.

Question 7: Is there a commercial facility breeding this Appendix-I species and is that facility interested in the specimens?

As discussed above, captive-bred offspring of Appendix-I species offer the potential for commercial breeders to breed animals in captivity to replace wild-caught animals as a source for trade. These breeding programmes must be carefully assessed and approached with caution. It may be difficult to monitor such programmes and they may unintentionally, or intentionally, stimulate trade in wild animals. The conservation potential of this transfer, or breeding loan, must be carefully weighed against even the smallest risk in stimulating trade which would further endanger the wild population of the species.

Answer: Yes: Execute agreement and transfer.

No: Destroy, and dispose of carcass as described above.

Question 8: Are there grounds for concern that sale will stimulate further illegal or irregular trade?

Sale of confiscated animals, where legally permitted, is a difficult option to consider. While the benefits of sale – income and quick disposal – are clear, there are many problems that may arise as a result of further commercial transactions in the specimens involved. Equally, it should be noted that there may be circumstances where such problems arise as a result of a non-commercial transaction and that, conversely, sale to commercial captive breeders may contribute to production offsetting capture from the wild.

More often than not, sale should be considered only for species that are neither threatened with extinction nor legally protected from commercial trade (i.e. CITES Appendix-II species). There may be rare cases where a commercial captive-breeding operation may receive individuals for breeding, which may reduce pressure on wild populations subject to trade. In all circumstances, the confiscating authority should be satisfied that: 1) those involved in the illegal or irregular transaction that gave rise to confiscation can not obtain the animals; 2) the sale does not compromise the objective of confiscation; and, finally, 3) the sale will not increase illegal, irregular or otherwise undesired trade in the species. Previous experience with sale in some countries (e.g. the United States) has indicated that selling confiscated animals is rife with both logistical and political problems and that, in addition to being controversial, it may also be counter-productive.

Answer: Yes: Destroy, and dispose of carcass as described above.

No: Sell to qualified buyers.

DECISION TREE ANALYSIS – RETURN TO THE WILD

Question 2: Have animals been found to be disease-free by comprehensive veterinary screening and quarantine?

Because of the risk of introducing disease to wild populations, animals that may be released must have a clean bill of health. If such animals are not found to be healthy they must be placed in quarantine before being considered for return to the wild. If, during quarantine, the animals are found to harbour diseases that can not be cured, they must be destroyed to prevent infection of other animals.

Answer: Yes: Proceed to Question 3.

No: Quarantine; re-assess question 2 after quarantine.

If chronic and incurable infection, first offer animals to research institutions. If impossible to place in such institutions, destroy.

Question 3: Can country of origin and site of capture be determined?

The geographical location from which confiscated individuals have been removed from the wild must be determined if they are to be reintroduced or used to supplement existing populations. In most cases, animals should only be returned to populations that are of a similar genetic constitution to those from which they were taken.

If the country of origin and site of capture of the animals are not known, release for reinforcement may lead to inadvertent hybridization of distinct genetic races or subspecies resulting in outbreeding depression. Related species of animals that may live in sympatry in the wild and never hybridize have been known to hybridize when held in captivity or shipped in multi-species groups. This type of 'mis-imprinting' can result in behavioural problems compromising the success of any future release and can also pose a threat to wild populations by artificially destroying reproductive isolation that is behaviourally controlled.

Answer: Yes: Proceed to Question 4.

No: Pursue "Captive" options.

Question 4: Can animals be expeditiously replaced to origin and do benefits of such action outweigh the risks?

Answer: Yes: Repatriate and reinforce at origin (specific location) following IUCN Guidelines.

No: Proceed to Question 5.

Question 5: Does a generally recognized captive-breeding or reintroduction programme exist for the species in question?

If the species in question is part of a co-ordinated captive-breeding and/or reintroduction programme, the animals should be offered to this programme.

Answer: Yes: Proceed to Question 6.

No: Proceed to Question 7.

Question 6: Are the animals from an appropriate population for an existing breeding/ reintroduction programme?

In the case of species for which active captive-breeding and/or reintroduction programmes exist, and for which further breeding stock/founders are required, confiscated animals should be transferred to such programmes after consultation with the appropriate scientific authorities. If the species in question is part of a captive-breeding programme, but the animals are of a subspecies or race that is not part of this programme, other methods of disposal must be considered. Particular attention should be paid to genetic screening to avoid jeopardizing captive-breeding programmes through inadvertent hybridization.

Answer: Yes: Transfer to existing programme.

No: Proceed to Question 7.

Question 7: Is there a commitment to establish a new reintroduction programme following IUCN guidelines?

In cases where the animals can not be transferred to existing programmes, their return to the wild, following appropriate guidelines, will only be possible under the following circumstances: 1) appropriate habitat exists for such an operation; 2) sufficient funds are available, or can be made available, to support a programme over the many years that reintroduction will require; and 3) either sufficient numbers of animals are available so that reintroduction efforts are potentially viable, or only reinforcement of existing populations is considered. In the majority of cases, at least one, if not all, of these requirements will fail to be met. In such cases, other options for disposal of the animals must be considered.

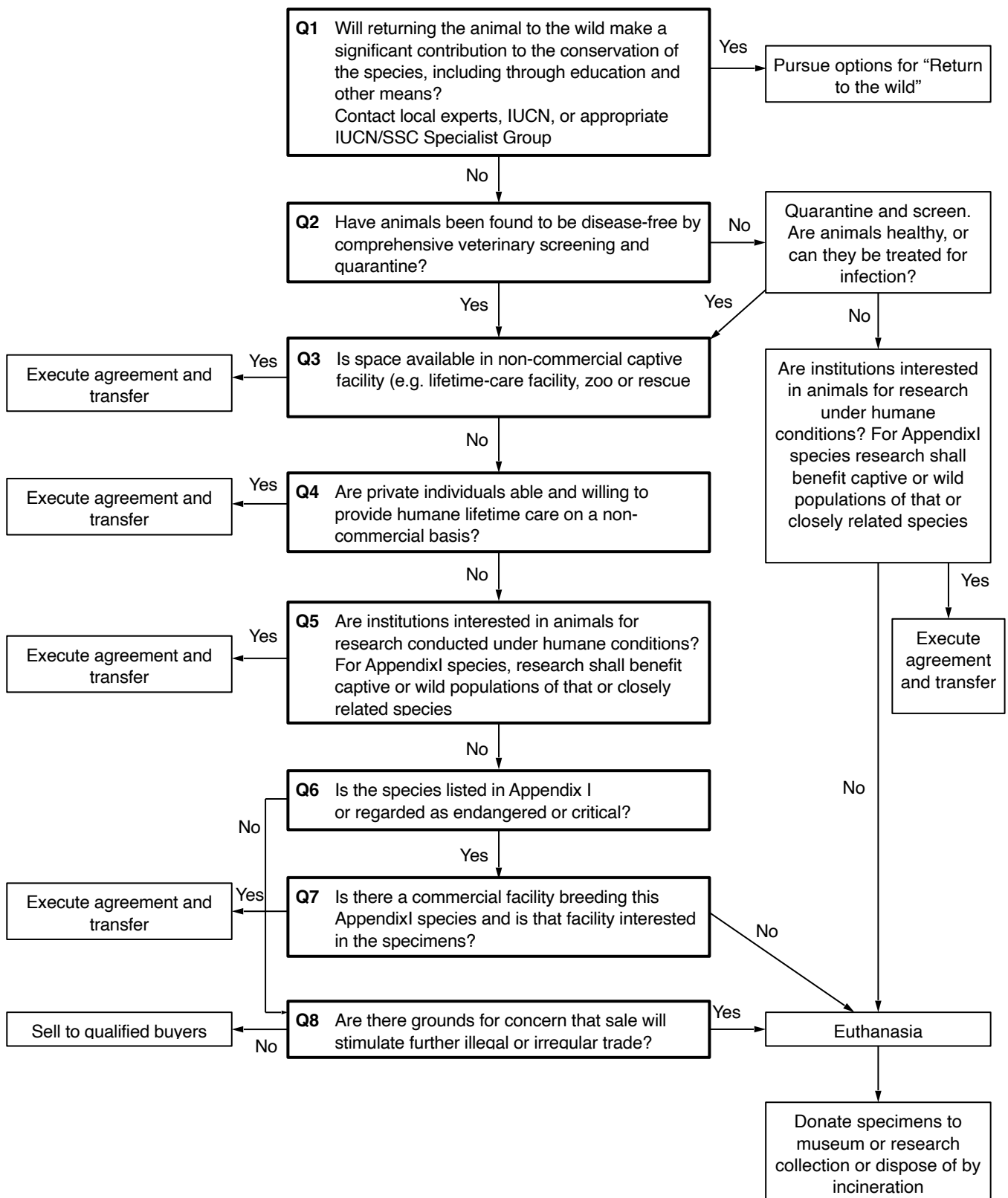
It should be emphasized that, if animals of a particular species or taxon are confiscated with some frequency, consideration should be given to whether to establish a reintroduction or reinforcement programme. Animals

should not be held by the confiscating authority indefinitely while such programmes are planned, but should be transferred to a holding facility after consultation with the organization that is **establishing the new programme**.

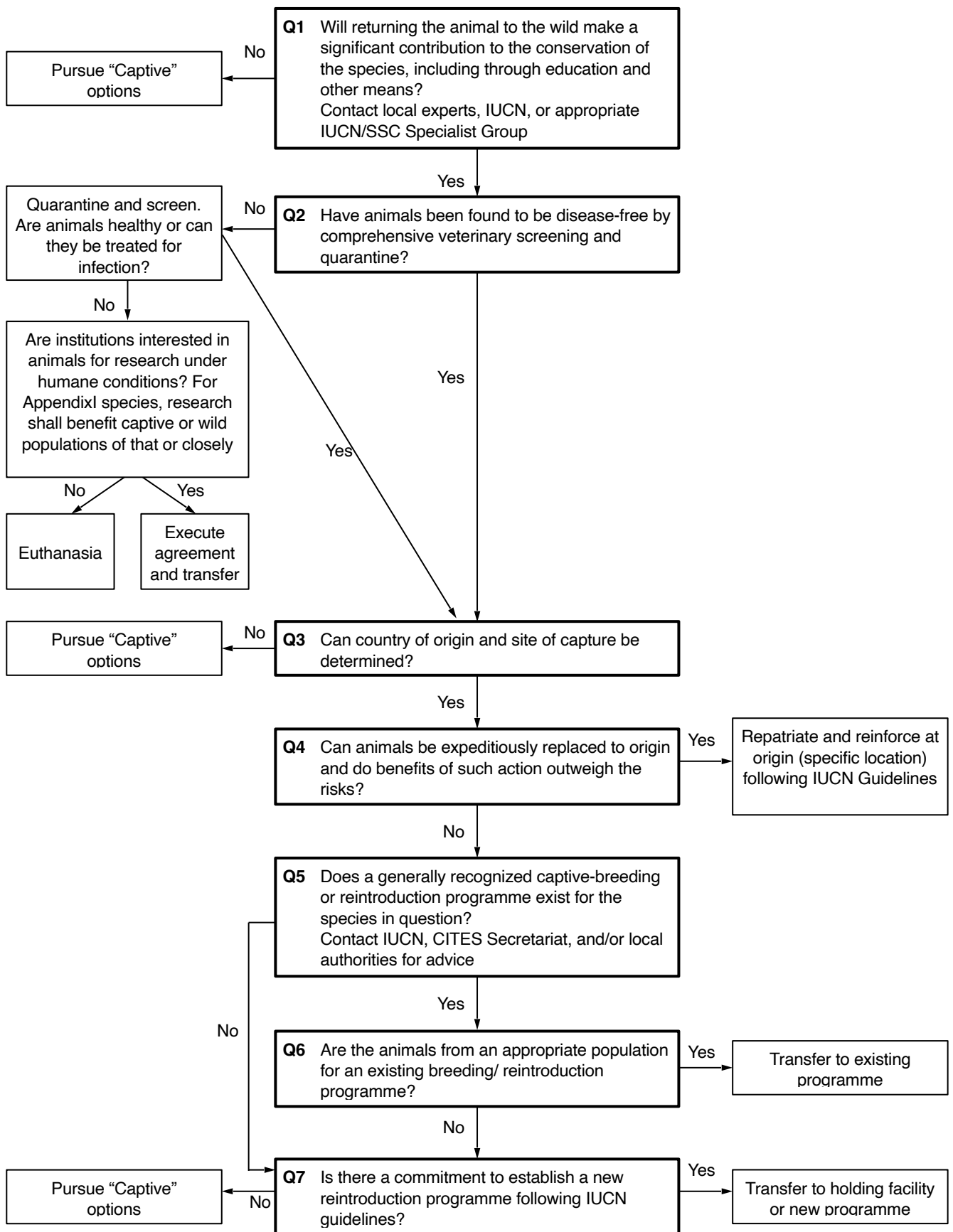
Answer: Yes: Transfer to holding facility or new programme.

No: Pursue "Captive" options.

Decision tree for “Captive” options



Decision tree for “Return to the wild” options



CITES guidelines for the disposal of confiscated live plants

These Guidelines are addressed to authorities in countries of origin and countries of import. When government authorities seize and subsequently confiscate live plants, these authorities have a responsibility to dispose of them appropriately. In the case of importing countries, the country of origin and/or export of the plants will normally first be contacted and notified of the seizure. Within the confines of the law, the ultimate decision on disposal of confiscated plants must achieve three goals:

- a) to maximize conservation value of the specimens without in any way endangering the genetic integrity or conservation status of wild or cultivated populations of the taxon (species, subspecies, etc.);
- b) to discourage further illegal or irregular trade in the taxon; and
- c) to avoid the resources used by organizations involved in their care or disposal being diverted away from other equally important conservation activities.

Statement of need

Increased regulation of trade in wild plants and animals and enforcement of these regulations have resulted in an increase in the number of wildlife shipments intercepted by government authorities as a result of non-compliance with these regulations. In some instances, the interception is a result of patently illegal trade; in others, it is in response to other irregularities, such as insufficient or incomplete paperwork from the exporting country or poor packing of the shipment. Whilst in some cases the number of plants in a seized shipment is small, in many others the number is in the hundreds or thousands. Although, in many countries, confiscated plants have been donated to botanic gardens or other publicly managed living plant collections, this option is proving less viable with large numbers of poorly documented plants and common species of artificially propagated horticultural origin.

In light of these trends, there is an increasing demand – and urgent need – for information and advice to guide CITES authorities in the disposal of live plants. Although the options available have been discussed for certain groups of plants, such as cycads, no general guidelines exist.

When disposing of confiscated plants, authorities must adhere to national, regional and international law. The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) requires that confiscated live specimens of taxa listed in the treaty's appendices be returned to the "State of export ... or to a rescue centre or such other place as the Management Authority deems appropriate and consistent with the purpose of the Convention" (Article VIII). However, the treaty does not elaborate on this requirement, and CITES Management Authorities must act according to their own interpretation, not only with respect to repatriation but also as regards what constitutes disposal that is 'appropriate and consistent' with the treaty. Although the present guidelines are intended to assist CITES Management Authorities in making this assessment, they are designed to be of general applicability to all confiscated live plants.

The lack of specific guidelines has resulted in confiscated plants being disposed of in a variety of ways, many inconsistent with conservation objectives. While, in some cases, replanting of confiscated plants into existing wild populations has been done after careful evaluation and with due regard for existing guidelines, in others, such releases have not been well planned. Such releases may have a strong negative conservation value by threatening existing wild populations. Threats to existing populations can take different forms:

- a) diseases and parasites acquired by the released plants while held on horticultural premises may spread into existing wild populations; and
- b) specimens planted amongst existing populations, or in areas near to existing populations, may not be of the same race or subspecies as those in the wild population, resulting in mixing of distinct genetic lineages.

Until recently disposal of confiscated plants has meant either long term care in a botanic garden or transfer to a secure nursery for the purpose of artificial propagation in an attempt to lessen the demand for the species from wild sources.

Management options

Within a conservation perspective, by far the most important consideration in reviewing the options for disposal is the conservation status of the species concerned. For confiscated plants of endangered or threatened taxa, particular effort should be directed towards evaluating whether and how these plants might contribute to a conservation programme for the taxon concerned. The decision as to which option to employ in the disposal of confiscated plants will depend on various legal, economic and biological factors. The 'Decision Tree Analysis' provided in the present guidelines is intended to facilitate consideration of these options. The tree has been written so that it may be used for both threatened and common taxa, although it is recognized that the conservation status of the taxa will be the primary consideration affecting whether or not confiscated plants might be of value to an active conservation propagation/reintroduction programme, and whether or not local or international agencies will be willing to make an investment in expensive and difficult tasks such as genetic determination of country of origin and site of collection, the establishment of reintroduction programmes, or reinforcement of extant wild populations. International networks of experts, such as the IUCN/Species Survival Commission's Specialist Groups, Botanic Gardens Conservation International (BGCI) and the International Association of Botanic Gardens (IABG), should be able to assist confiscating authorities and CITES Scientific and Management Authorities in their deliberations as to the appropriate disposal of confiscated specimens. Confiscated plants, whether destined for long term maintenance at horticultural premises or eventual reintroduction into the wild, should first be made available to propagation centres in the country of origin, if these exist and are willing to accept the consignment.

OPTION 1 – MAINTENANCE IN CULTIVATION

Seized plants are usually maintained in publicly managed horticultural establishments pending a decision on confiscation; subsequently there are numerous options for their maintenance. Placement may be in the country of origin, the country of export (if different), the country of confiscation, or a country with adequate and/or specialized facilities for the taxa in question. Depending on the circumstances and national laws, plants can be donated, loaned or sold. Final placement may be in botanic gardens or other publicly managed facilities, or with private organizations/individuals.

Placement options include:

- a) Botanic gardens and other publicly managed facilities, which are those that have mostly been used to date (and which in some cases are reaching the limit of capacity, placing in jeopardy their ability to carry out other *ex situ* conservation activities).
- b) Universities and research laboratories, which maintain living botanical collections for many kinds of research and teaching purposes (e.g. molecular systematics, anatomy, cytogenetics, reproductive biology, etc). Whether transfer of confiscated plants to research institutions is appropriate will depend on the likelihood that research carried out may eventually contribute information relevant to the species' conservation. In some cases, the lack of known provenance will make transfer to a research institution an option unlikely to be exercised or desired. Depending on the nature of the research being carried out it may also be important to establish written agreements protecting the rights of the country of origin of the plants concerned in line with the Convention on Biological Diversity.
- c) Specialist societies or clubs devoted to the study and care of particular plant groups (e.g. succulent plants), which could, in some instances, provide an avenue for the disposal of confiscated plants without involving sale through intermediaries. However, care must be taken to ensure that such organizations do not include persons trading in wild-collected specimens.
- d) Sale of confiscated specimens to traders, commercial propagators or others involved in commercial activities, which can provide a means of disposal that helps offset the costs of confiscation, especially in the case of large consignments of artificially propagated material. However, sale should not be considered unless the plants in question have been legally collected in the country of origin, are not going to be exploited in contravention of the Convention on Biological Diversity, are not subject to a legal prohibition on trade and there is no risk of stimulating further illegal or irregular trade. Sale to commercial propagators may contribute to reducing the demand for wild-collected specimens. At the same time, however, it may prove to be a poor option owing to the risk of creating a public perception of the State's perpetuating or benefiting from illegal (unlicensed) or irregular trade.

Where plants are transferred by the confiscating authority but not sold, ownership by the Management Authority should be specified as one of the terms and conditions of the transfer. Where the country of origin may desire return of the plants, this desire should be respected, so long as the condition of the plants is such that they will survive the return voyage. The custodian (botanic garden or other organization) of confiscated plants should only move confiscated stocks to another facility for legitimate propagation purposes with the authorization of the administrative authority.

“Maintain in cultivation” – Benefits and disadvantages

The *benefits* of placing confiscated plants in a facility that will provide a satisfactory standard of horticultural care include:

- a) educational value;
- b) potential for propagation for eventual reintroduction and/or to satisfy consumer demand for artificially propagated specimens; and
- c) potential to carry out genetic fingerprinting and other molecular studies contributing to a better understanding of the population genetics and therefore conservation status of the taxa concerned.

The *disadvantages* of placing plants in a facility not involved in an established programme for artificial propagation and reintroduction include the following:

- a) The risk of encouraging illegal trade unless:
 - i) the species to be sold is already available in the confiscating country in commercial quantities or as legally traded wild-collected specimens; and
 - ii) wildlife traders under indictment for, or convicted of, crimes related to import of wildlife are prevented from obtaining the specimens in question.

Placing threatened taxa into commercial trade should not be considered because of the risks of stimulating unwanted trade. Appendix-I taxa may be sold to a nursery registered under CITES for the propagation of Appendix-I taxa, but the confiscated specimens themselves should not be resold or enter commercial trade. Since artificially propagated offspring of Appendix-I taxa are deemed to be specimens of species included in Appendix II, there is the potential for commercial growers to propagate specimens to replace wild-collected plants as a source for trade. Hence the loan or sale, in certain circumstances (e.g. to commercial nurseries) may have a higher potential for the conservation of the species than non-commercial disposal or destruction. Such propagation activities must be carefully assessed and approached with caution, since they may be difficult to monitor.

It is essential that confiscating authorities recognize that there may be threatened plant taxa that are not currently included in CITES Appendix I but may, nevertheless, warrant the same treatment.

- b) Cost of placement. While seized plants are being maintained pending a decision on confiscation, the facility providing care for the plants may have its expenses reimbursed by the importer, airline carrier and/or the confiscating authority. Upon confiscation, if the plants are sold to a commercial organization, any payment received by the CITES authorities will place a value on such specimens. However, there is no evidence that trade would be encouraged if a commercial trader were to reimburse costs of care and transport.
- c) Disease. Confiscated plants may serve as vectors for disease and, therefore, must be subject to proper quarantine inspection. The potential consequences of the introduction of alien disease to a horticultural establishment are as serious as those of introducing disease to wild populations.
- d) Risk of escape. Plants can escape from horticultural control and become deleterious weeds. Accidental introduction of exotic species can cause tremendous damage and certain countries have strict legislation aimed at limiting the risks of this happening.

OPTION 2 – RETURN TO THE WILD

Although CITES requires that repatriation of confiscated CITES-listed plants to the country of export be considered as an option for disposal by a confiscating authority, the treaty in no way requires that plants be returned to the wild in that country. These guidelines suggest that return to the wild would be a desirable option only in certain circumstances. Repatriation to avoid addressing the question of disposal of confiscated plants is irresponsible. When considering repatriation, the confiscating authority must ensure that the recipients of the plants are fully cognizant of the ramifications of repatriation and the options for disposal, as set forth in these Guidelines. Furthermore, the country returning a plant to its country of origin must ensure that the Management Authority in the country of origin is aware of the return and welcomes it.

The rationale behind many of the decision options in this section is discussed in greater detail in the IUCN Guidelines for Reintroduction (IUCN/SSC Reintroduction Specialist Group, IUCN, 1995). It is important to note that these Guidelines make a clear distinction between the different options for returning organisms to the wild. These are elaborated below.

- a) Reintroduction: an attempt to establish a population in an area that was once part of the range of the species but where it has become extinct.

Some of the best known reintroductions involving plants have been of taxa that were extinct in the wild. Other reintroduction programmes have involved taxa that existed in some parts of their historical range but that had been eliminated from other areas; the aim of such programmes being to re-establish a population in an area, or region, from which the species has disappeared.

- b) Reinforcement of an existing population: the addition of specimens to an existing population of the same taxon.

Reinforcement can be a powerful conservation tool when natural populations are diminished by a process which, at least in theory, can be reversed.

Because of inherent disease risks, reinforcement should only be employed in instances where there is a direct and measurable conservation benefit (demographically or genetically), as when reinforcement is critical for the viability of the wild population into which a specimen is being placed.

“Return to the wild” – Concerns and benefits

Before “Return to the wild” of confiscated plants is contemplated, several issues of concern must be considered in general terms: conservation value, cost, source of specimens and disease.

- a) Conservation value and cost. In cases where returning confiscated plants to the wild appears to be feasible, such action can only be undertaken if it does not threaten existing populations of wild plants and animals or the ecological integrity of the area in which they live. The conservation of the taxon as a whole, and of other organisms already living free, must take precedence over the welfare of specimens that are already in cultivation.
- b) Source of specimens. If the country of origin and site of collection of plants is not known, or if there is any question of their source, supplementation may lead to inadvertent pollution of distinct genetic races or subspecies.
- c) Disease. Plants maintained in cultivation and/or transported, even for a very short time, may be exposed to a variety of pathogens. Release of these plants into the wild may result in introduction of disease to conspecific or unrelated species with potentially catastrophic effects. Even if there is a very small risk that confiscated plants have been infected by exotic or common horticultural pathogens, the potential effects of introduced diseases on wild populations are so great that this will often preclude returning confiscated plants to the wild.

Where confiscated plants are judged unsuitable for return to the wild, disease screening and appropriate quarantine are, nevertheless, essential (and are frequently a legal requirement) in order to ensure that they are free of disease, or that diseases and parasites harboured by these plants are already present in the cultivated population to which the specimens may be transferred. Introduced diseases can be a serious threat to horticultural establishments. Where such quarantine can not provide a reasonable level of

certainty that a specimen is healthy, isolation for an indefinite period or destruction of the confiscated specimens must be carried out.

Clearly, there are instances where return to the wild of confiscated plants must be considered an option for disposal. First and foremost, the question to be addressed is: will returning the plants to the wild make a significant contribution to the conservation of the taxon in question? Release into the wild of any plant that has been held in horticultural premises is risky. While some diseases can be tested for, tests do not exist for all plant diseases. Furthermore, plants held in horticultural premises are frequently exposed to diseases not usually encountered in their natural habitat.

Given that any release incurs some risk, we must adopt the following 'precautionary principle': if there is no conservation value in releasing confiscated specimens, the possibility of accidentally introducing into the environment a disease that is not already present, however unlikely, will rule out returning confiscated specimens to the wild.

There are certain benefits of returning plants to the wild, either through reintroduction or reinforcement of an existing population.

- a) In situations where the existing population is severely threatened, such an action might improve the long-term conservation potential of the taxon as a whole, or of a local population of the taxon.
- b) Returning plants to the wild makes a strong political/educational statement concerning their fate and may serve to promote local conservation values. However, as part of any education or public awareness programme, the costs and difficulties associated with return to the wild must be emphasized.

OPTION 3 – DESTRUCTION

Destruction of plant material of common taxa, poorly documented specimens and/or those of horticultural origin, or of diseased material that will require expensive techniques to rid it of the diseases or pests involved, is clearly a justifiable action, especially when to keep the material in horticultural premises will cause the use of resources better directed to other conservation activities. Destruction of such material, if publicized, will also act to discourage the activities that led to confiscation, e.g. illegal collection (although the plants may be needed in the country of origin as evidence), failure to obtain correct import/export documents, poor packing, etc. In some cases, while it may be impractical to maintain plants in a living state in cultivation, their preservation as herbarium specimens may be desirable, especially if their country and site of origin is adequately documented and technical help for their preparation is available from the recipient herbarium or museum. This applies both to the country where the confiscation took place and to the country of origin, whose institutions may have been denied the right to receive material through illegal collecting. Destruction of material that is well-documented as to its wild provenance should be done only as a last resort when all other options for its disposal have been exhausted.

DECISION TREE ANALYSIS

For decision trees dealing with "Return to the wild" and "Maintain in cultivation" options, the confiscating Party, in discussion with the CITES authorities in the country of origin (if appropriate), must first ask the question:

Question 1: Will returning the plant to the wild make a significant contribution to the conservation of the taxon, including through education and other means?

The most important consideration in deciding on disposal of confiscated specimens is the conservation of the taxon in question. Because there can never be absolute certainty that a confiscated plant is free of pests and diseases, returning to the wild a specimen that has been held on horticultural premises will always involve some level of risk to existing populations of the same or other taxa in the ecosystem to which the plant is returned.

Where returning confiscated plants, or their propagations, to the wild appears to be an achievable action, it must improve the prospects for survival of the existing wild population(s). Conservation interests are best served by ensuring the survival of as many specimens as possible, not just the short-term survival of a few specimens. The benefits of the reintroduction in terms of conservation value must clearly outweigh the potential risks.

In most instances, the benefits of return to the wild will be outweighed by the costs and risks of such an action. If returning plants to the wild is not of conservation value, maintenance in cultivation in a propagation centre may pose fewer risks and may offer more conservation benefits.

Answer: Yes: Investigate "Return to the wild" options.

No: Investigate "Maintain in cultivation" options.

DECISION TREE ANALYSIS — MAINTAIN IN CULTIVATION

The decision to maintain confiscated plants in cultivation, whether in the country of origin or elsewhere, involves a simpler set of considerations than does the decision to return them to the wild.

Question 2: Have plants been subjected to comprehensive plant health screening and quarantine?

Plants that may be transferred to horticultural premises must have a clean bill of health because of the risk of introducing disease to cultivated populations.

These plants must be placed in quarantine to determine if they are disease-free before being transferred to a propagation centre.

Answer: Yes: Proceed to Question 3.

No: Quarantine and screen and move to Question 3.

Question 3: Have plants been found to be disease-free by comprehensive plant health screening and quarantine or can they be treated for any pests and diseases discovered?

If, during quarantine, the plants are found to harbour pests that can not be eliminated or diseases that can not reasonably be expected to be cured, they must be destroyed to prevent infection of other plants. If the plants are suspected to have come into contact with diseases for which screening is impossible, extended quarantine, donation to a research facility or destruction must be considered.

Answer: Yes: Proceed to Question 4.

No: If with chronic and incurable infection, first offer plants to research institutions or to herbaria/ museums for preservation. If impossible to place in or not required by such institutions, destroy.

Question 4: Are there grounds for concern that sale or donation will stimulate further illegal or irregular trade?

Commercial sale of Appendix-I taxa might stimulate trade in these species. Taxa that are not listed in any CITES appendix but that are nonetheless seriously threatened with extinction should be afforded the same caution.

Sale or donation of confiscated plants, where legally permitted, is a difficult option to consider. While the benefits of sale – income and quick disposal – are clear, there are many problems that may arise as a result of further commercial transactions of the specimens involved. Equally, it should be noted that there may be circumstances where problems arise as a result of non-commercial transactions. It should also be noted that sale or donation to commercial nurseries may increase the availability of propagated material, thereby reducing the threats from wild-collection.

More often than not, sale of threatened taxa should not take place. Sale of or trade in threatened species may be legally proscribed in some countries, or by CITES. There may be instances where a commercial nursery may purchase or receive specimens for propagation, which may reduce pressure on wild populations subject to trade. In all circumstances, the confiscating authority should be satisfied that:

- a) those involved in the illegal or irregular transaction that gave rise to confiscation can not obtain the plants;

- b) the sale or donation does not compromise the objective of confiscation; and
- c) the sale or donation will not increase illegal, irregular or otherwise undesired trade in the taxon.

Answer: Yes: Proceed to Question 5a.

No: Proceed to Question 5b.

Question 5a: Is space available in a botanic garden/ non-commercial propagation centre, whether publicly managed or privately owned?

Question 5b: Is space available in a botanic garden/ non-commercial propagation centre, whether publicly managed or privately owned, or is there a commercial facility propagating this taxon, and is it interested in the plants?

Transfer of plants to non-commercial propagation facilities, if their sale, donation or loan may stimulate further illegal or irregular trade, or to commercial propagation facilities, an option only if sale/donation/loan will not stimulate further illegal or irregular trade, should generally provide a safe and acceptable means of disposal of confiscated plants. When a choice must be made between several such institutions, the paramount consideration should be which facility can:

- a) offer the opportunity for the plants to be used in a programme of propagation; and
- b) provide the most consistent care without compromising the resources available for other equally valuable conservation activities in which it is engaged.

The terms and conditions of the transfer should be agreed between the confiscating authority and the recipient institution. Terms and conditions for such agreements should include:

- a) a clear commitment to ensure indefinite care to an acceptable standard or, in the event that this becomes impossible, transfer to another facility that can ensure such care;
- b) a clear specification of ownership of the specimens concerned (as determined by national law) and, where propagation may occur, the offspring. Depending on the circumstances, ownership may be vested with the confiscating authority, the country of origin or export, or with the recipient facility; and
- c) a clear specification of conditions under which the plants, or any plants propagated from them, may be sold.

In the majority of instances, there will be limited facilities available in the country in which plants are confiscated. Where this is the case other horticultural options should be investigated. This could include transfer to a propagation centre outside the country of confiscation and ideally in the country of origin, or, if it will not stimulate further illegal trade, placement in a commercial propagation facility. However, such propagation programmes must be carefully assessed and approached with caution, bearing in mind the restraints implied by the Convention on Biological Diversity. It may be difficult to monitor these programmes and such programmes may unintentionally stimulate trade in wild-collected plants. The conservation potential of transfer to a commercial propagation facility, or loan for propagation, must be carefully weighed against even the smallest risk of stimulating trade that would further endanger the wild population of the taxon.

In many countries, there are active specialist societies or clubs of individuals with considerable expertise in the care and propagation of particular plant groups in trade. Such organizations can assist in finding homes for confiscated plants without involving sale through intermediaries. In this case, individuals receiving confiscated plants must have demonstrated expertise in the cultivation of the taxa concerned and must be provided with adequate information and advice by the relevant club or society. Transfer to specialist societies or individual members must be made according to terms and conditions agreed with the confiscating authority. Placement with these societies or members is an option if sale or donation of the confiscated plants may or may not stimulate trade.

Answer: Yes: Execute agreement and sell/donate/loan.

No: Proceed to Question 6.

Question 6: Are institutions interested in plants for research as museums specimens?

Answer: Yes: Execute agreement and transfer.

No: Destroy.

DECISION TREE ANALYSIS – RETURN TO THE WILD

Question 2: Have plants been subjected to comprehensive plant health screening and quarantine?

Because of the risk of introducing disease to wild populations, plants that may be reintroduced must have a clean bill of health. These plants must be placed in quarantine to determine if they are disease-free before being considered for return.

Answer: Yes: Proceed to Question 3.

No: Quarantine and screen and move to Question 3.

Question 3: Have plants been found to be disease-free by comprehensive plant health screening and quarantine or can they be treated for any pests and diseases discovered?

If, during quarantine, the plants are found to harbour pests that can not be eliminated or diseases that can not be expected reasonably to be cured, unless any institutions are interested in the plants, whether alive or preserved, they must be destroyed to prevent spread of disease. If the plants are suspected to have come into contact with diseases for which screening is impossible, extended quarantine, donation to a research facility or destruction must be considered.

Answer: Yes: Proceed to Question 4.

No: If with chronic and incurable infection, first offer plants to research institutions or to herbaria/ museums for preservation. If impossible to place in such institutions, destroy.

Question 4: Can country of origin and site of collection be confirmed?

The geographical location from which confiscated specimens have been removed from the wild must be determined if these specimens are to be reintroduced or used to supplement existing populations. In most cases, plants should only be returned to the population from which they were taken or to populations that are known to have gene exchange with this population.

If the provenance of the plants is not precisely known, their use for reinforcement may lead to inadvertent hybridization of distinct genetic races or subspecies. Related plant taxa that live in sympatry in the wild and never hybridize may do so when held in cultivation and this problem is in no way restricted either to naturally sympatric taxa or even to closely related taxa in the plant kingdom.

Answer: Yes: Proceed to Question 5.

No: Pursue "Maintain in cultivation" options.

Question 5: Can specimens be returned expeditiously to origin (specific location), and will benefits to conservation of the taxon outweigh any risks of such action?

Reintroduction of the specimens and reinforcement of the population will only be options under certain conditions and following the IUCN/SSC Reintroduction Specialist Group's 1995 Guidelines. An appropriate habitat for such an operation should still exist in the specific location from which the specimens were removed.

Answer: Yes: Repatriate and reinforce at origin (specific location) following IUCN Guidelines.

No: Proceed to Question 6.

Question 6: For the taxon/taxa in question, does a generally recognized programme exist whose aim is conservation of that/those taxon/taxa and eventual return to the wild of confiscated specimens and/or their progeny? (Contact relevant IUCN/SSC Specialist Group, BGCI and/or IABG).

In the case of species for which active propagation and/or reintroduction programmes exist, and for which further propagation material / mother plants are required, confiscated plants should be transferred to such programmes after consultation with the appropriate scientific authorities. If there is such a programme for the taxon in question, but the actual subspecies or race confiscated is not part of this programme, other methods of disposal must be considered. Particular attention should be paid to genetic **screening to avoid jeopardizing reintroduction programmes through inadvertent hybridization.**

Answer: Yes: Execute agreement and transfer to existing programme.

No: Proceed to Question 7.

Question 7: Is there a need and is it feasible to establish a new reintroduction programme following IUCN Guidelines?

In cases where specimens can not be transferred to existing reintroduction programmes, return to the wild, following appropriate guidelines, will only be possible under the following circumstances:

- a) appropriate habitat exists for such an operation;
- b) sufficient funds are available, or can be made available, to support a programme over the many years that (re)introduction will require; and
- c) either sufficient numbers of specimens are available so that reintroduction efforts are potentially viable or only reinforcement of existing populations is considered.

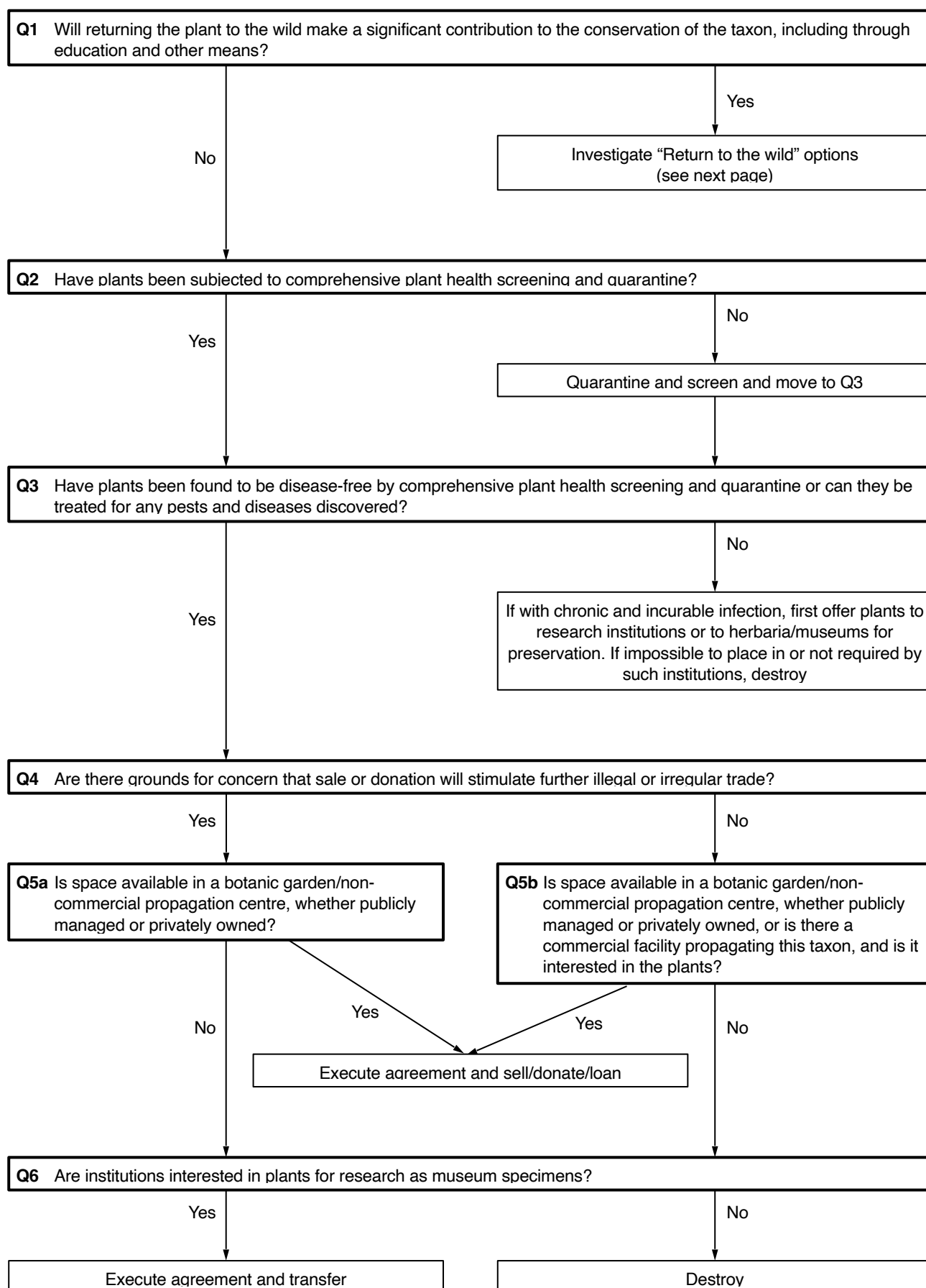
In the majority of cases, at least one, if not all, of these requirements will fail to be met. In this instance, either conservation introductions outside the historical range of these species or other options for disposal of the plants must be considered.

It should be emphasized that, if a particular taxon is confiscated with some frequency, consideration should be given as to whether to establish a reintroduction, reinforcement or introduction programme. Plants should not be held by the confiscating authority indefinitely while such programmes are planned, but should be transferred to a holding facility after consultation with the organization that is establishing the new programme.

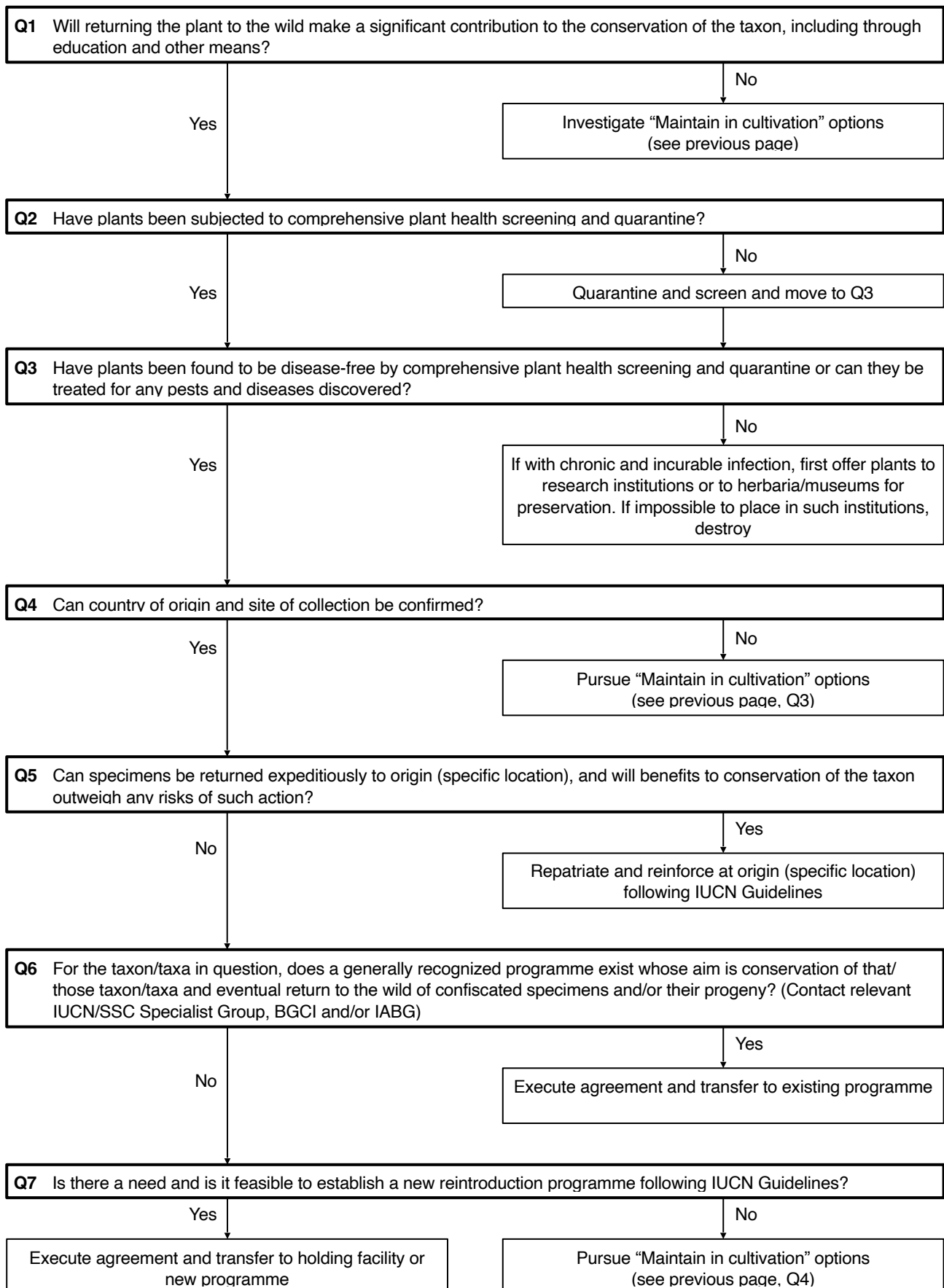
Answer: Yes: Execute agreement and transfer to holding facility or new programme.

No: Pursue "Maintain in cultivation" options.

Decision tree for “Maintain in cultivation” options



Decision tree for “Return to the wild” options



Annex 3

Guidelines to develop an action plan on seized and/or confiscated live specimens

Each Party should develop a plan of action that can be executed without delay in the event that live specimens are seized. This action plan should be developed in accordance with the CITES Guidelines for the Disposal of Confiscated Live Animals in Annex 1 and the CITES Guidelines for the Disposal of Confiscated Live Plants in Annex 2. The plan should:

1. identify means for procuring funds to provide care, quarantine, and transport and other costs incurred for seized and confiscated live specimens. Funding might be secured through levying of fines, obtaining reimbursement from importers, licensing and bonding importers and exporters, requiring import duties or permit fees, seeking donations from private or government sources, obtaining government allocations, or selling confiscated live specimens, where appropriate;
2. establish a procedure for implementing the Guidelines in accordance with the Party's domestic law and policy;
3. identify government agencies and personnel with authority to make decisions regarding the seizure and disposal of live specimens and clarify their roles and jurisdiction in this process. Such agencies and personnel may include Customs, agricultural inspection services, law enforcement agencies, veterinary agencies, public health services, and the Management and Scientific Authorities;
4. identify which authority in the country of origin listed in the CITES Directory should be contacted in the event that live specimens are seized. This authority should be annotated in the CITES Directory;
5. provide for training of personnel involved in the seizure and disposal of live specimens to ensure both the immediate and long-term welfare of the specimens;
6. include a list of experts who or institutions which can assist in species identification, care and/or other technical aspects of the seizure, confiscation and disposal process;
7. identify and/or develop facilities to provide for the care of live specimens immediately after seizure;
8. identify temporary holding facilities that have agreed to provide adequate care for seized live specimens of particular taxa until the confiscation process is completed;
9. identify approved facilities and programmes located within the country that have agreed to provide adequate care, including veterinary or phytosanitary care, and that are willing to accept confiscated live specimens of particular taxa. Parties should prepare a list of such facilities and programmes, which should be submitted to the Secretariat which will make it available to the Parties on request; and
10. ensure that the Party begins evaluating options for disposal of seized live specimens immediately after seizure.

Conf. 10.8

Conservation of and trade in bears

AWARE that all populations of bear species are included either in Appendix I or Appendix II of the Convention;

RECOGNIZING that bears are native to Asia, Europe, North America and South America and, therefore, the issue of bear conservation is a global one;

NOTING that the continued illegal trade in parts and derivatives of bear species undermines the effectiveness of the Convention and that if CITES Parties and States not-party do not take action to eliminate such trade, poaching may cause declines of wild bears that could lead to the extirpation of certain populations or even species;

RECOGNIZING that long-term solutions for the protection and conservation of bears require the adoption of substantive and measurable actions;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

URGES all Parties, particularly bear range and consuming countries, to take immediate action in order to demonstrably reduce the illegal trade in bear parts and derivatives by the 11th meeting of the Conference of the Parties, by:

- a) confirming, adopting or improving their national legislation to control the import and export of bear parts and derivatives, ensuring that the penalties for violations are sufficient to deter illegal trade;
- b) increasing CITES enforcement by providing additional resources, nationally and internationally, for wildlife trade controls;
- c) strengthening measures to control illegal export as well as import of bear parts and derivatives;
- d) initiating or encouraging new national efforts in key producer and consumer countries to identify, target and eliminate illegal markets;
- e) developing international training programmes on enforcement of wildlife laws for field personnel, with a specific focus on bear parts and derivatives, and exchanging field techniques and intelligence; and
- f) developing bilateral and regional agreements for conservation and law enforcement efforts;

RECOMMENDS that all Parties review and strengthen measures, where necessary, to enforce the provisions of the Convention relating to specimens of species included in Appendices I and II, where bear parts and derivatives are concerned;

RECOMMENDS further that Parties and States not-party, as a matter of urgency, address the issue of illegal trade in bear parts and derivatives by:

- a) strengthening dialogue between government agencies, industry, consumer groups and conservation organizations to ensure that legal trade does not provide a conduit for illegal trade in parts and derivatives of Appendix I bears and to increase public awareness of CITES trade controls;
- b) encouraging bear range and consumer countries that are not party to CITES to accede to the Convention as a matter of urgency;
- c) providing funds for research on the status of endangered bears, especially Asian species;
- d) working with traditional-medicine communities to reduce demand for bear parts and derivatives, including the active promotion of research on and use of alternatives and substitutes that do not endanger other wild species; and

- e) developing programmes in co-operation with traditional-medicine communities and conservation organizations to increase public awareness and industry knowledge about the conservation concerns associated with the trade in bear specimens and the need for stronger domestic trade controls and conservation measures; and

CALLS upon all governments and intergovernmental organizations, international aid agencies and non-governmental organizations to provide, as a matter of urgency, funds and other assistance to stop the illegal trade in bear parts and derivatives and to ensure the survival of all bear species.

Conf. 10.9

Consideration of proposals for the transfer of African elephant populations from Appendix I to Appendix II

RECALLING Resolution Conf. 7.9, adopted by the Conference of the Parties at its seventh meeting (Lausanne, 1989), which provided a special mechanism for considering proposals to transfer certain African elephant populations from Appendix I to Appendix II;

RECOGNIZING that the transfer of the African elephant to Appendix I was agreed by the Conference of the Parties in 1989 although populations in certain range States may not have met the criteria in Resolution Conf. 1.1, adopted at the first meeting of the Conference of the Parties (Berne, 1976);

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RESOLVES that:

- a) all proposals to transfer populations of the African elephant from Appendix I to Appendix II shall be subject to a review by a Panel of Experts, which shall consider:
 - i) the scientific evidence regarding the numbers and trends of the populations;
 - ii) the conservation and management of these populations, and threats to their status; and
 - iii) the adequacy of controls on trade in ivory and other parts and derivatives;
- b) the Panel of Experts shall include expertise in the following areas:
 - i) elephant ecology and population biology;
 - ii) field conservation and management;
 - iii) monitoring of trade in parts and derivatives of elephants;
 - iv) establishment and operation of trade regimes including establishment of quotas; and
 - v) security of stocks of elephant parts and derivatives and/or wildlife law enforcement;
- c) 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;
- d) the selection should take into account the need for appropriate geographical representation;
- e) the proponent State should appoint a representative to facilitate the work of the Panel and to act as an adviser;
- f) the Standing Committee shall direct the CITES Secretariat to convene the Panel of Experts;
- g) the Panel of Experts shall:
 - i) meet at its earliest convenience but no later than two months following the receipt by the Secretariat of a proposal to be reviewed and as frequently thereafter as is necessary;
 - ii) evaluate, within 45 days after its first meeting if possible, each proposal to transfer a population to Appendix II;
 - 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;
- h) the proponent State should undertake to give the Panel or its accredited consultants free and unrestricted access to all data in its possession regarding elephant populations, elephant management, trade in parts and derivatives of elephants and, as appropriate, law enforcement procedures and actions;
- i) 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 anti-poaching measures;
- j) 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;
- k) when appropriate, the Panel of Experts shall also consider:
 - i) the trade in parts and derivatives from the African elephant other than ivory and the controls on such trade in the proponent State; and
 - ii) the controls on ivory trade in specified importing countries;
- l) the Panel of Experts shall also evaluate whether acceptance of the proposal under review is likely to have a positive or negative impact on the conservation status of the elephant population and its environment in the affected range State; and
- m) 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 shall 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; and

REPEALS Resolution Conf. 7.9 (Lausanne, 1989) – 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.

Trade in elephant specimens

RECALLING Resolution Conf. 9.16, adopted by the Conference of the Parties at its ninth meeting (Fort Lauderdale, 1994);

NOTING that the African elephant *Loxodonta africana* was transferred from Appendix II to Appendix I at the seventh meeting of the Conference of the Parties (Lausanne, 1989) but some populations were transferred back to Appendix II, under certain conditions, at the 10th meeting (Harare, 1997);

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

Regarding definitions

AGREES that:

- a) the term 'raw ivory' include all whole elephant tusks, polished or unpolished and in any form whatsoever, and all elephant ivory in cut pieces, polished or unpolished and howsoever changed from its original form, except for 'worked ivory'; and
- b) 'worked ivory' be considered readily recognizable and that this term shall cover all items made of ivory for jewellery, adornment, art, utility or musical instruments (but not including whole tusks in any form, except where the whole surface has been carved), provided that such items are clearly recognizable as such and in forms requiring no further carving, crafting or manufacture to effect their purpose;

Regarding marking

RECOMMENDS that whole tusks of any size, and cut pieces of ivory that are both 20 cm or more in length and one kilogram or more in weight, be marked by means of punch-dies or, where this is not practicable, with indelible ink, using the following formula: country-of-origin two-letter ISO code, serial number for the year in question/the last two digits of the year and the weight in kilograms (e.g. KE 127/9714). This number is to be placed at the 'lip mark', in the case of whole tusks, and highlighted with a flash of colour;

Regarding control of internal ivory trade

RECOMMENDS to those Parties in whose jurisdiction there is an ivory carving industry that is not yet structured, organized or controlled and to those Parties designated as ivory importing countries, that comprehensive internal legislative, regulatory and enforcement measures be adopted to:

- a) register or license all importers, manufacturers, wholesalers and retailers dealing in raw, semi-worked or worked ivory products; and
- b) introduce recording and inspection procedures to enable the Management Authority and other appropriate government agencies to monitor the flow of ivory within the State, particularly by means of:
 - i) compulsory trade controls over raw ivory; and
 - ii) a comprehensive and demonstrably effective reporting and enforcement system for worked ivory;

Regarding monitoring of illegal hunting of and trade in elephant specimens

AGREES that:

- a) a comprehensive, international monitoring system shall be established under the supervision and direction of the Standing Committee with the objectives of:
 - i) measuring and recording current levels and trends of illegal hunting and trade in ivory in African and Asian range States, and in trade entrepôts;

- ii) assessing whether and to what extent observed trends are a result of changes in the listing of elephant populations in the CITES appendices and/or the resumption of legal international trade in ivory; and
 - iii) establishing an information base to support the making of decisions on appropriate remedial action in the event of any problems with compliance or potential detriment to the species; and
- b) this monitoring system shall be in accordance with the framework outlined in Annex 1 for monitoring of illegal trade in ivory and other elephant specimens and in Annex 2 for monitoring of illegal hunting in elephant range States;

Regarding assistance to elephant range States

RECOMMENDS that Parties assist range States to improve their capacity to manage and conserve their elephant populations through improved law enforcement, surveys and monitoring of wild populations;

Regarding quotas for and trade in raw ivory

RECOMMENDS that:

- a) each State that has a population of African elephants and wishes to authorize export of raw ivory establish, as part of its management of the population, an annual export quota for raw ivory expressed as a maximum number of tusks;
- b) each export quota be communicated to the CITES Secretariat in writing by 31 December for the next calendar year;
- c) Parties ensure that significant amounts of confiscated ivory are notified separately to the Secretariat and are not incorporated in quota submissions;
- d) the CITES Secretariat assist in the implementation of the quota system by: reviewing information submitted on each quota, together with any information received about the status of the population in question; discussing any concern with the relevant State; and, if there is no cause for concern, communicating the current quota to the Parties not later than 31 January of each year;
- e) the Secretariat maintain its Ivory Trade Control Procedures Manual and that the Parties follow the procedures for quota submissions documented in this Manual;
- f) if the quota is not submitted by the deadline, the State in question have a zero quota until such time as it communicates its quota in writing to the Secretariat and the Secretariat in turn notifies the Parties;
- g) no export, re-export or import of raw ivory be authorized unless it is marked in accordance with this Resolution or in accordance with the Secretariat Manual;
- h) Parties accept raw ivory from producer States only where the export permit was issued in a year for which a quota for the State in question has been communicated to the Parties in accordance with this Resolution;
- i) Parties may accept raw ivory from a producer non-party State only if a quota for that State has been reviewed by the Secretariat and communicated to the Parties and if the Secretariat has received from the State an annual report on its ivory trade, and if the State meets all the other conditions in this Resolution and Article X of the Convention (as interpreted by Resolutions of the Conference of the Parties);
- j) in compiling their annual reports, producer party and non-party States that have authorized the export of raw ivory relate such exports to their quota for any given year, providing the Secretariat with as much relevant information as possible, including, as a minimum, the number of whole or substantially whole tusks and their individual weights and identification numbers;
- k) all Parties maintain an inventory of the stock of raw ivory held within their territory, and that they inform the Secretariat of the level of this stock each year before 31 January, indicating the source of the ivory; and

- l) Parties assist the Secretariat to ensure that the duties set out in this Resolution are carried out; and

Regarding resources required for implementation of this Resolution

APPEALS to all governments, non-governmental conservation organizations and other appropriate agencies to provide funds for the resources required in the Secretariat and producer States to ensure that the recommendations in this Resolution can be effectively implemented; and

REPEALS Resolution Conf. 9.16 (Fort Lauderdale, 1994) – Trade in African Elephant Ivory.

Annex 1

Monitoring of illegal trade in ivory and other elephant specimens

1. Introduction

In order to monitor and record levels of illegal trade in ivory and other elephant specimens on a global basis, there is a need for a system to collect and compile law enforcement data on seizures and confiscations. The Conference of the Parties recognizes the Bad Ivory Database System (BIDS) established by TRAFFIC for this purpose in 1992. Currently, BIDS contains the details of more than 4,000 ivory seizures, representing nearly 100 tonnes of ivory from over 40 countries around the world since 1989.

The Conference of the Parties further recognizes that BIDS has been useful in assessing ivory trade developments since its seventh meeting (Lausanne, 1989). The African Elephant Range State Dialogue Meeting (Dakar, 1996) agreed that illegal trade in ivory is a concern and improvements in enforcement and management capacity should be a priority for all African elephant range States. It also agreed that all CITES Parties should provide information about ivory seizures to TRAFFIC for inclusion in its database.

Although further development and refinement are necessary, BIDS is designated as the appropriate instrument for monitoring the pattern and measuring the scale of illegal trade in ivory and other elephant specimens.

2. Scope

BIDS will include the details of law enforcement records for seizures or confiscations of elephant ivory and other elephant specimens which have occurred anywhere in the world since 1989.

3. Methods

Data and information on illegal trade in elephant ivory and other elephant specimens will be collected by TRAFFIC using a refined version of the existing BIDS. In this regard, a standardized methodology for the collection of data will be developed, including, but not limited to, information on:

- source of information
- date of seizure
- type of transaction
- country of seizure
- country of origin
- country of export
- country of destination/import
- type of ivory and quantity
- mode of transport
- *modus operandi*
- profile of offenders/suspects
- status of cases in the courts
- law enforcement effort.

A data collection format will be designed by TRAFFIC and circulated to all Parties by the CITES Secretariat within 90 days of this Resolution taking effect.

4. Data collection and compilation

BIDS will be managed and co-ordinated by TRAFFIC from an appropriate location in Africa.

All Parties should provide information on seizures and confiscations of ivory or other elephant specimens in the prescribed format to TRAFFIC within 90 days of their occurrence. In addition, law enforcement agencies in States not-party are also requested to provide such information.

TRAFFIC will oversee collection of data, ensure data quality and consistency, and provide training in data collection and information management techniques to designated officials around the world as appropriate.

5. Data analysis and interpretation

The analysis and interpretation of data will be co-ordinated by TRAFFIC in association with the CITES Secretariat and institutions involved with monitoring the illegal hunting of elephants (see Annex 2).

6. Reporting

TRAFFIC will produce a comprehensive report to each meeting of the Conference of the Parties.

7. Intersessional remedial action

In the event that there is a need for urgent intersessional action, TRAFFIC will report to the Standing Committee via the Secretariat as appropriate.

8. Funding

A funding mechanism will be established to ensure that BIDS is fully operational.

Annex 2

Monitoring of illegal hunting in elephant range States

1. Introduction

In order to address the concerns of many elephant range States, it is necessary to establish a system through which the impact of CITES decisions with respect to elephants and trade in elephant specimens can be measured. Of primary importance is the establishment of a simple system of international reporting of incidents of illegal hunting as a baseline against which changes in trends can be detected.

It is recognized that such measurement must consist of two elements. The first of these is the monitoring of parameters relevant to the issue, such as the pattern and scale of illegal killing, the pattern and scale of illegal trade in ivory, the effort and resources being applied to detection and/or prevention and the monetary value of illegally traded ivory, as well as other factors that might affect these parameters, such as civil strife, the flow of illegal arms and ammunition, loss of habitat and drought.

The second element is the determination of whether or not there is a causal relationship between changes in these parameters and the decisions of the Conference of the Parties with regard to elephants.

The overall aim is to build institutional capacity within the range States for the long-term management of their elephant populations.

2. Scope and methodology

The monitoring system will include elephant range States in both Africa and Asia and trade entrepôts.

It will be based on a standardized methodology for the reporting of illegal hunting by CITES Management Authorities in range States and for monitoring in specific sites or areas. A database and a standard reporting protocol will be established by the CITES Secretariat in consultation with IUCN/SSC and TRAFFIC, for approval by the Standing Committee.

Sites will be selected on the basis of representative sampling (since it is neither possible nor practical to cover all range States) and will include a variety of habitat types, geographical regions and protected and non-protected areas. The sites for inclusion in the system will be selected through the range State representation within the IUCN/SSC African Elephant Specialist Group (AfESG) and the Asian Elephant Specialist Group (AsESG).

For countries wishing to include in the monitoring system sites other than the selected ones, it will be possible and desirable to contribute data voluntarily on additional sites.

3. Data collection and compilation

Data collection will cover the following topics:

- elephant population data/trends
- incidence and patterns of illegal hunting
- measures of the effort and resources employed in detection and prevention of illegal hunting and trade.

Data and information on illegal trade in ivory will be collected by TRAFFIC using a refined version of their existing BIDS (Bad Ivory Database System) (see Annex 1).

The CITES Secretariat will request/sub-contract technical support from AfESG and AsESG to:

- a) select sites for monitoring as representative samples;
- b) develop a standardized methodology for data collection analysis;
- c) provide training to designated officials in countries with selected sites and to CITES Management Authorities of elephant range States;
- d) collate and process all data and information from all sources identified; and
- e) provide a report to the CITES Secretariat for transmission to the Standing Committee and Parties to CITES.

4. Funding

Substantial funding will be required for the above activities.

Conservation of the houbara bustard

OBSERVING that the houbara bustard (*Chlamydotis undulata*) is included in Appendix I of the Convention;

NOTING with concern the critical conservation status of this species over large spans of its range in Asia and North Africa;

CONCERNED that international trade in the houbara bustard still takes place as well as uncontrolled hunting of the species in its breeding and nesting areas;

ACKNOWLEDGING recommendations 1.27 and 1.28 adopted at the World Conservation Congress at its first session, held in Montreal, 14-23 October 1996, regarding the conservation of the houbara bustard;

ACKNOWLEDGING further recommendation 5.4 adopted at the fifth meeting of the Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals (CMS) held in Geneva, 10-16 April 1997, concerning the conservation of this species;

APPRECIATING the recent efforts of the Kingdom of Saudi Arabia as the representative of Asia in the Standing Committee of CMS in developing a multilateral agreement on the conservation of the Asiatic houbara bustard;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

URGES all Parties that are range States for the houbara bustard to take all appropriate action to prohibit all hunting, trapping and egg collection activities in breeding and nesting areas of this species;

CALLS upon all range States of the Asiatic subspecies of the houbara bustard (*Chlamydotis undulata maqueenii*) to review the Draft Agreement officially circulated by the Government of Saudi Arabia and communicate their comments to the National Commission for Wildlife Conservation and Development (NCWCD), Riyadh, Saudi Arabia; and

ENCOURAGES all range States of this species to co-operate among themselves to initiate research and technical partnerships for the conservation of the species over the entirety of its range.

Conservation of sturgeons

AWARE that sturgeons (Acipenseriformes) represent a very valuable renewable biological and economic resource;

RECOGNIZING that in recent years their numbers and status have been affected by such negative factors as regulation of water flow, decrease in natural spawning sites, poaching and illegal trade in sturgeon caviar and other specimens;

AWARE also that some range States are not yet party to CITES and that this fact could adversely affect the conservation of sturgeons;

NOTING that more scientific studies are urgently needed in order to assess the sustainability of sturgeon fisheries management;

CONSIDERING that Eurasian range States of sturgeons are in need of funds in order to develop management programmes for sturgeon conservation;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

URGES the range States of species in the order Acipenseriformes to:

- a) encourage scientific research particularly in the Eurasian region to promote the sustainability of sturgeon fisheries through management programmes;
- b) curtail the actual illegal fishing and export of sturgeon specimens by improving the enforcement of existing laws regulating fisheries and export in close contact with the CITES Secretariat, ICPO-Interpol and the World Customs Organization;
- c) explore ways of enhancing the participation of representatives of all agencies responsible for sturgeon fisheries in conservation and sustainable-use programmes for these species; and
- d) promote regional agreements between range States of sturgeon species aiming at proper management and sustainable utilization of sturgeons;

RECOMMENDS:

- a) that Parties provide the Secretariat with copies of applicable legislation on CITES, including legislation on sturgeon species, particularly referring to the export of personal effects (property);
- b) that range States inform the Secretariat about legal exporters of sturgeon parts and derivatives;
- c) that importing countries be particularly vigilant in controlling the unloading of sturgeon specimens;
- d) that Parties ensure that all their relevant agencies co-operate in establishing the necessary organization, scientific and control mechanisms needed to implement the provisions of the Convention with respect to the sturgeon, and in any projects designed to conserve sturgeon species;
- e) that Parties consider the harmonization of their national legislation related to personal exemptions for caviar, to allow for the personal effects exemption under Article VII, paragraph 3, and consider limiting this exemption to no more than 250 g per person;
- f) that range States of sturgeon species included in Appendix II in accordance with Article II, paragraph 2(a), consider the feasibility of establishing annual export quotas for sturgeon specimens and, if they are established, communicate such quotas to the Secretariat;
- g) that Parties monitor the storage, processing and repackaging of sturgeon specimens in Customs free zones and free ports, and for airline and cruise line catering;

- h) that the Secretariat, in consultation with the Animals Committee, explore the development of a uniform marking system for sturgeon parts and derivatives and aquaculture stocks to assist in subsequent identification of the species while consulting with appropriate experts in fisheries, aquaculture and industry, and particularly in collaboration with range States; and
- i) that the Animals Committee consider the trade in sturgeon specimens in the context of the review of significant trade, pursuant to Resolution Conf. 8.9; and

URGES:

- a) the range States, in collaboration with the Secretariat and other international organizations from both industry and the conservation community, with external funding, to develop a strategy including action plans for the conservation of Eurasian sturgeon species; and
- b) Parties, international organizations, United Nations Specialized Agencies, intergovernmental and non-governmental organizations and industry to provide financial assistance for projects on sturgeon species developed by the range States in collaboration with the Secretariat.

Implementation of the Convention for timber species

RECOGNIZING that amendment proposals should contain the maximum amount of biological and trade information on the taxon concerned;

AWARE that such information is frequently available from international organizations that have expertise related to timber trade and/or forest management;

RECOGNIZING that parts and derivatives mentioned in the Interpretation of Appendices I and II and in the Interpretation of Appendix III should be clearly defined;

EMPHASIZING the need for Parties to adequately report on their annual trade in timber and to use agreed units of measurement;

RECOGNIZING that identification sheets suitable for inclusion in CITES Identification Manuals have not yet been published for any of the timber species currently included in the appendices of the Convention;

AWARE that unambiguous identification of timber, by its nature, can be a complex procedure, requiring particular expertise;

RECOGNIZING also that the development of timber identification materials is essential for the effective implementation of the Convention and that the cost of production will be considerable;

NOTING that the approach that authorities of some countries have taken, whereby they meet with timber trade groups and enforcement officers and agree to use standard nomenclature for vernacular and corresponding scientific names of timber species, appears to be a useful one;

NOTING further that the objective of the Convention is to ensure the conservation of wild fauna and flora for this and future generations through the protection of certain species against over-exploitation through international trade;

NOTING also that the Convention can play a positive role in promoting the conservation of animals and plants, including timber species, through trade in accordance with the requirements of Articles III, IV and V of the Convention and through improving trade monitoring for evaluation of biological status and effective enforcement;

RECOGNIZING that commercial trade may be beneficial to the conservation of species and ecosystems when carried out at levels that are not detrimental to the survival of the species in question;

RECOGNIZING also that Parties have the right to take stricter domestic measures concerning any species listed in the appendices;

AWARE that such measures can have effects unrelated to the conservation of listed species and could be taken for purposes not directly related to the purpose for which the species concerned were included in the CITES appendices;

NOTING also that there are misconceptions that inclusion of a species in Appendix II or III represents a ban on trade in that species;

RECOGNIZING that such misconceptions can have negative impacts including the prohibition of or restriction on the use of CITES-listed timber species by architects, engineers, commercial businesses and others, and reduced use of such items by consumers;

ACKNOWLEDGING that education is an important tool in the effective implementation of the Convention;

NOTING that many internationally traded timber species, boreal, temperate and tropical, can be managed on a sustainable basis through the application of appropriate silvicultural techniques, but that for other timber species such knowledge is currently lacking;

NOTING that some timber species may be under threat because of detrimental levels of use and international trade;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS that:

Regarding international organizations

- a) any Party that intends to present an amendment proposal for a timber species (irrespective of other agreed procedures) should consult with at least four different organizations listed in the table below [two from each of the two types (B and T)], to verify or request biological and trade data and should include any relevant information in the amendment proposal before this is sent to the Secretariat for distribution to the Parties; and

Acronym	International Organization	Data	
ATO	African Timber Organization		T
ATTO	Asian-Pacific Timber Trade Organization		T
CIFOR	Center for International Forestry Research	B	
FAO	Food and Agricultural Organization of the United Nations; Forestry Department	B	T
IBFRA	International Boreal Forest Research Association	B	
IHPA	The International Wood Products Association		T
ITTO	International Tropical Timber Organization	B	T
IUFRO	International Union for Forest Research Organizations	B	
IUCN	IUCN–The World Conservation Union	B	
SPT-TCA	Pro-tempore Secretariat of the Treaty for Amazonian Co-operation	B	
TRAFFIC	Trade Records Analysis of Flora and Fauna In Commerce	B	T
UCBD	Union pour le Commerce des Bois Durs dans l'U.E. (European Hardwood Federation)		T
WCMC	World Conservation Monitoring Centre	B	
WWF	World Wide Fund for Nature	B	
B = Biological data T = Trade data			

- b) when any proposal is submitted to amend the CITES appendices for timber species, for the implementation of paragraph i) of the second RESOLVES of Resolution Conf. 9.24, the Secretariat should seek the views of ITTO, FAO and IUCN and present these to the Conference of the Parties;

Regarding parts and derivatives

- c) the following definitions be applied with respect to the current annotations #5 and #6:

- i) Logs

All wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, for processing, notably into sawn wood, pulpwood or veneer sheets (HS code 44.03*);

ii) Sawn wood

Wood simply sawn lengthwise or produced by a profile-chipping process. Sawn wood normally exceeds 6 mm in thickness (HS code 44.06*, HS code 44.07*); and

iii) Veneer sheets

Thin layers or sheets of wood of uniform thickness, usually 6 mm or less, usually peeled or sliced, for use in making plywood, for veneering furniture, veneer containers, etc. (HS code 44.08*); and

- d) for the purpose of annotations in the appendices for parts and derivatives of species traded as timber, definitions to be used should, to the extent possible, be based on the tariff classifications of the Harmonized System of the World Customs Organization;

Regarding amendment proposals for timber species

- e) proposals for the inclusion of timber species in Appendix II or III indicate clearly which parts and derivatives should be regulated; and
- f) where these are different from the parts and derivatives included in the current annotation #5, the proponent also propose the relevant amendment to Resolution Conf. 10.2 if the procedures for extending the period of validity of, and/or changing the destination on, the export permit or re-export certificate should apply;

Regarding the definition of 'artificially propagated'

- g) timber taken from trees grown in monospecific plantations be considered as being artificially propagated in accordance with the definition contained in Resolution Conf. 9.18 (Rev.);

Regarding improvement of public understanding of the role of the Convention in the conservation of timber species

- h) Parties consider any possible deleterious conservation and trade impacts before they impose stricter domestic measures on trade in timber specimens of species included in Appendix II or III; and
- i) Management Authorities work with governmental agencies (including local governments), non-governmental organizations, industry and the general public to develop and provide information on the objectives, provisions and implementation of the Convention to counter the misconception that the inclusion of species in the appendices represents a ban on the trade in specimens of these species, and to disseminate the message that international trade and utilization of timber species included in Appendices II and III are generally permitted and can be beneficial; and

Regarding timber species of concern

- j) the range States pay particular attention to internationally traded timber species within their territories for which the knowledge of the biological status and silvicultural requirements gives cause for concern.

* HS refers to the Harmonized System of the World Customs Organization describing and coding goods in trade. The codes referred to in this document for timber include the following:

44.03 – Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared

44.06 – Railway or tramway sleepers of wood

44.07 – Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6 mm

44.08 – Veneer sheets and sheets for plywood (whether or not spliced) and other wood sawn lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness not exceeding 6 mm.

Conf. 10.14

Quotas for leopard hunting trophies and skins for personal use

RECALLING Resolution Conf. 8.10 (Rev.), adopted at the eighth meeting of the Conference of the Parties (Kyoto, 1992) and amended at the ninth meeting (Fort Lauderdale, 1994);

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

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

RECOGNIZING that in some sub-Saharan countries the population of the leopard is not endangered;

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

RECOGNIZING further that these countries of export may authorize trade in such dead specimens in accordance with Resolution Conf. 2.11 (Rev.), adopted at the second meeting of the Conference of the Parties (San José, 1979) and amended at the ninth meeting (Fort Lauderdale, 1994), 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 an import permit 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 an export permit shall be granted only when a Scientific Authority of the State of export has advised that the export will not be detrimental to the survival of the species;

RECOGNIZING the importance of monitoring the utilization of quotas granted by this Resolution;

CONCERNED that Parties have not always submitted special reports on numbers of skins exported annually, in accordance with recommendation e) of Resolution Conf. 8.10 (Rev.) and similar recommendations of former Resolutions on the same subject, in time for the Secretariat to prepare reports for the Conference of the Parties;

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 that:

- a) in reviewing applications for permits to import whole skins or nearly whole skins of leopard *Panthera pardus* (including hunting trophies), 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 taken from any one calendar year than the number shown under "Quota" opposite the name of the State:

State	Quota
Botswana	130
Central African Republic	40
Ethiopia	500
Kenya	80
Malawi	50
Mozambique	60

State	Quota
Namibia	100
South Africa	75
United Republic of Tanzania	250
Zambia	300
Zimbabwe	500

- b) in reviewing applications for permits to import whole skins or nearly whole skins of leopard, in accordance with paragraph 3(c) of Article III of the Convention, the Management Authority of the State of import 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 and their export is authorized by the legislation of the country of origin;
- c) the Management Authority of the State of import permit the import of leopard skins in accordance with this Resolution only if each skin has a self-locking tag attached which indicates the State of export, the number of the specimen in relation to the annual quota and the calendar year in which the animal was taken in the wild – for example ZW 6/500 1997 indicating that Zimbabwe is the State of export and that the specimen is the sixth specimen taken in the wild in Zimbabwe out of its quota of 500 for 1997 – and if the same information as is on the tag is given on the export document;
- d) 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) each State that permits exports of leopard skins in terms of this Resolution submit to the Secretariat, by 31 March of each year, a special report on the number of trophies and skins so exported during the previous year; as optional information, that each State include details of the permit numbers, the identification numbers of the tags attached to the skins, the countries of destination and the numbers of the import permits; and that the Secretariat submit a report to each regular meeting of the Conference of the Parties; and
- f) 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, in accordance with Resolution Conf. 9.21 adopted at the ninth meeting of the Conference of the Parties (Fort Lauderdale, 1994);

DIRECTS the Secretariat to recommend to the Parties to suspend imports of leopard trophies and skins from any country granted annual quotas that has not met the reporting requirement in accordance with recommendation e) of this Resolution, but only after first checking with the range State concerned that the special report has not been submitted; and

REPEALS Resolution Conf. 8.10 (Rev.) (Kyoto, 1992, as amended in Fort Lauderdale, 1994) – Quotas for Leopard Hunting Trophies and Skins for Personal Use.

Establishment of quotas for markhor hunting trophies

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

RECALLING that the markhor *Capra falconeri* was included in Appendix II at the plenipotentiary conference held in Washington D.C. (1973) and transferred to Appendix I at the ninth meeting of the Conference of the Parties (Fort Lauderdale, 1994);

RECOGNIZING also that the markhor is threatened by illegal hunting, fragmentation and loss of its habitat and competition with domestic livestock;

RECOGNIZING further that conservation of the species will depend on the capacity of the State to regulate use and on local people having sufficient incentives to maintain the species in preference to their domestic livestock;

RECOGNIZING that Pakistan is actively promoting community-based management of wild resources as a conservation tool and has approved management plans for ibex that ensure the financial benefits derived from trophy hunting of a limited number of specimens go direct to the managing communities and that the communities use an equitable share of such financial benefits to sustain the management programme for the species;

RECALLING that countries of export may authorize trade in such dead specimens in accordance with Resolution Conf. 2.11 (Rev.), adopted at the second meeting of the Conference of the Parties (San José, 1979) and amended at the ninth meeting (Fort Lauderdale, 1994), 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 an import permit 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 an export permit shall be granted only when a Scientific Authority of the State of export has advised that the export will not be detrimental to the survival of the species;

RECOGNIZING that, because of the importance of monitoring the utilization of quotas granted under this Resolution, Pakistan will implement a rigorous programme to monitor community-based management plans, including annual surveys of the wild population;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

APPROVES an export quota of six hunting trophies of markhor *Capra falconeri* from Pakistan per calendar year;

RECOMMENDS that:

- a) in reviewing applications for permits to import markhor hunting trophies, 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 trophies being considered are from Pakistan and will be traded in accordance with the provisions of this Resolution;
- b) in reviewing applications for permits to import markhor hunting trophies, in accordance with paragraph 3(c) of Article III of the Convention, the Management Authority of the State of import be satisfied that the said trophies are not to be used for primarily commercial purposes if:
 - i) the trophies are acquired by the owners in the country of export and are being imported as personal items that will not be sold in the country of import; and
 - ii) each owner imports no more than one trophy in any calendar year and export is authorized by the legislation of the country of origin;

- c) the Management Authority of the State of import permit the import of markhor hunting trophies in accordance with this Resolution only if each trophy has a self-locking 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, and if the same information as is on the tag is given on the export document;
- d) in the case of trophies 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) Pakistan submit to the Secretariat, by 31 March of each year, a special report on the status of *Capra falconeri* including its population status and the number of hunting trophies exported during the previous quota year; as optional information, that Pakistan include details of the permit numbers, the identification numbers of the tags attached to the trophies, the countries of destination and the numbers of the import permits; and that the Secretariat submit a report to each regular meeting of the Conference of the Parties; and
- f) the system adopted in this Resolution be continued, with any increase in the quota or any new quota (i.e. for another State not previously having one) requiring the consent of the Conference of the Parties, in accordance with Resolution Conf. 9.21 adopted at the ninth meeting of the Conference of the Parties (Fort Lauderdale, 1994); and

DIRECTS the Secretariat to recommend to the Parties to suspend imports of markhor hunting trophies if Pakistan, or any other country subsequently approved for an export quota, has not met the reporting requirement in accordance with recommendation e) of this Resolution, but only after first checking with Pakistan (or any other range State concerned) to ascertain why the special report has not been submitted.

Specimens of animal species bred in captivity

RECALLING Resolution Conf. 2.12 (Rev.), adopted by the Conference of the Parties at its second meeting (San José, 1979) and amended at its ninth meeting (Fort Lauderdale, 1994);

CONSIDERING that the Convention provides, in Article VII, paragraphs 4 and 5, for special treatment of animal specimens that are bred in captivity;

NOTING that, in accordance with Article VII, paragraph 4, specimens of Appendix-I species bred in captivity for commercial purposes shall be deemed to be specimens of species included in Appendix II and that therefore they shall be traded in accordance with the provisions of Article IV;

NOTING that, in accordance with Article VII, paragraph 5, the import of specimens of Appendix-I species bred in captivity not for commercial purposes that are covered by a certificate of captive breeding does not require the issuance of an import permit and may therefore be authorized whether or not the purpose is commercial;

RECOGNIZING the need for the Parties to agree on a standard interpretation of the provisions of Article VII, paragraphs 4 and 5;

CONCERNED however that, in spite of the adoption of several Resolutions at various meetings of the Conference of the Parties, much trade in specimens declared as bred in captivity remains contrary to the Convention and to Resolutions of the Conference of the Parties, and may be detrimental to the survival of wild populations of the species concerned;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

Regarding terminology

ADOPTS the following definitions of terms used in this Resolution:

- a) "first-generation offspring (F1)" are specimens produced in a controlled environment from parents at least one of which was conceived in or taken from the wild;
- b) "offspring of second generation (F2) or subsequent generation (F3, F4, etc.)" are specimens produced in a controlled environment from parents that were also produced in a controlled environment;
- c) the "breeding stock" of an operation means the ensemble of the animals in the operation that are used for reproduction; and
- d) "a controlled environment" is an environment that is manipulated for the purpose of producing animals of a particular species, that has boundaries designed to prevent animals, eggs or gametes of the species from entering or leaving the controlled environment, and the general characteristics of which may include but are not limited to: artificial housing; waste removal; health care; protection from predators; and artificially supplied food;

Regarding the term 'bred in captivity'

DECIDES that:

- a) the definition provided below shall apply to the specimens bred in captivity of species included in Appendix I, II or III, whether or not they were bred for commercial purposes; and
- b) the term 'bred in captivity' shall be interpreted to refer only to specimens, as defined in Article I, paragraph (b), of the Convention, born or otherwise produced in a controlled environment, and shall apply only if:
 - i) the parents mated or gametes were otherwise transferred in a controlled environment, if reproduction is sexual, or the parents were in a controlled environment when development of the offspring began, if reproduction is asexual; and

- ii) the breeding stock, to the satisfaction of the competent government authorities of the exporting country:
 - A. was established in accordance with the provisions of CITES and relevant national laws and in a manner not detrimental to the survival of the species in the wild;
 - B. is maintained without the introduction of specimens from the wild, except for the occasional addition of animals, eggs or gametes, in accordance with the provisions of CITES and relevant national laws and in a manner not detrimental to the survival of the species in the wild as advised by the Scientific Authority:
 - 1. to prevent or alleviate deleterious inbreeding, with the magnitude of such addition determined by the need for new genetic material; or
 - 2. to dispose of confiscated animals in accordance with Resolution Conf. 10.7; or
 - 3. exceptionally, for use as breeding stock; and
 - C.
 - 1. has produced offspring of second generation (F2) or subsequent generation (F3, F4, etc.) in a controlled environment; or
 - 2.
 - a) is of a species included in a list of species commonly bred in captivity to second or subsequent generation, that is established and amended by the Standing Committee, on the basis of proposals submitted by the Animals Committee after consultation with range States and experts in captive breeding and in the species in question; or, in the absence of a list,
 - b) is managed in a manner that has been demonstrated to be capable of reliably producing second-generation offspring in a controlled environment; and

Regarding the trade in specimens of Appendix-I species bred in captivity

RECOMMENDS that the trade in a specimen bred in captivity be permitted only if it is marked in accordance with the provisions on marking in the Resolutions adopted by the Conference of the Parties and if the type and number of the mark are indicated on the document authorizing the trade; and

REPEALS Resolution Conf. 2.12 (Rev.) (San José, 1979, as amended in Fort Lauderdale, 1994) – Specimens Bred in Captivity or Artificially Propagated.

Conf. 10.17

Animal hybrids

RECALLING Resolution Conf. 2.13 on the problem of hybrids, adopted at the second meeting of the Conference of the Parties (San José, 1979);

CONCERNED that trade in hybrids of species included in the appendices should be controlled in order to support the controls on trade in the species included in Appendices I and II;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

DECIDES that:

- a) hybrids may be specifically included in the appendices but only if they form distinct and stable populations in the wild;
- b) hybrid animals that have in their recent lineage one or more specimens of species included in Appendix I or II shall be subject to the provisions of the Convention just as if they were full species, even if the hybrid concerned is not specifically included in the appendices;
- c) if at least one of the animals in the recent lineage is of a species included in Appendix I, the hybrids shall be treated as specimens of species included in Appendix I (and shall be eligible for the exemptions of Article VII when applicable); and
- d) if at least one of the animals in the recent lineage is of a species included in Appendix II, and there are no specimens of an Appendix-I species in such lineage, the hybrids shall be treated as specimens of species included in Appendix II;

RECOMMENDS that, when Parties are considering the making of non-detriment findings, in accordance with Article III, paragraph 2(a), or Article IV, paragraph 2(a), for specimens of hybrids that are subject to the provisions of the Convention, they take into account any potential detriment to the survival of the listed species; and

REPEALS Resolution Conf. 2.13 (San José, 1979) – Problem of Hybrids.

Ranching and trade in ranched specimens

RECALLING Resolutions Conf. 3.15, Conf. 5.16 and Conf. 8.22, adopted by the Conference of the Parties at its third, fifth and eighth meetings (New Delhi, 1981; Buenos Aires, 1985; Kyoto, 1992), and Resolution Conf. 6.22 (Rev.), adopted by the Conference of the Parties at its sixth meeting (Ottawa, 1987) and amended at its ninth meeting (Fort Lauderdale, 1994);

NOTING that the terms of Resolution Conf. 10.16 on specimens of animal species bred in captivity, adopted at the tenth meeting of the Conference of the Parties (Harare, 1997), do not allow the entry into trade of specimens of species included in Appendix I that have been taken from the wild and reared in captivity, except in accordance with the provisions of Article III of the Convention;

RECOGNIZING the desire of some Parties with successful programmes for the conservation of certain species to allow specimens of those species into international trade as soon as to do so would no longer be detrimental to the survival of their wild populations;

RECALLING Resolution Conf. 9.6, adopted at the ninth meeting of the Conference of the Parties (Fort Lauderdale, 1994), which recommends that Parties consider all products of ranching operations to be readily recognizable;

RECOGNIZING that marking of parts and derivatives in trade from ranched animals is necessary to achieve adequate control;

RECOGNIZING that, if each Party establishes a different marking system for parts and derivatives of ranched animals of the same species, confusion will result and enforcement will be difficult;

BELIEVING that any proposal to transfer to Appendix II, for ranching, a species for which such a proposal has previously been approved should be consistent with the approved proposal in its intent and in the terms and conditions it specifies;

RECOGNIZING that, if adequate protection is to be provided for wild populations of species for which a ranching proposal has been approved, trade in ranched specimens with non-Parties must be discouraged;

RECOGNIZING that, in accordance with Article XIV of the Convention, Parties may adopt more restrictive domestic controls on trade in specimens of populations included in the appendices;

CONSIDERING the necessity of transferring populations back to Appendix I if it is established that ranching operations utilizing them no longer meet the criteria;

AWARE that ranching of crocodilians on the basis of controlled collection of eggs or hatchlings can be potentially a valuable and positive conservation tool, whereas taking of wild adult animals needs stricter control;

CONSCIOUS of the danger of providing greater incentives for the establishment of captive-breeding operations, which may damage efforts to conserve wild populations, than for ranching operations, which in principle are more beneficial to crocodilian conservation;

EMPHASIZING that the overriding objective of the Convention is to conserve wild populations of the species listed in the appendices and that positive incentives must be offered to programmes designed to achieve this aim;

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Regarding definitions

DECIDES that:

- a) the term 'ranching' means the rearing in a controlled environment of specimens taken from the wild;

- b) the term 'product of the operation' means any whole live or dead animal or part or derivative thereof, whether or not processed in any way, produced in a ranching operation, that is intended to be entered into trade;
- c) the term 'product unit' means the smallest single item of any product of the operation that will be individually marked, packaged and entered into trade;
- d) the term 'uniform marking system' means a system of marking each product unit approved by the Conference of the Parties for a species, which, as a minimum, includes the International Organization for Standardization two-letter code for the country of origin, a unique identification number and the year of production or, for product units in stock or manufactured from products of the operation in stock at the time of the proposal, the year of approval of the proposal; and
- e) the term 'primary container' means any container used to immediately contain a product of the operation;

Regarding proposals to transfer populations from Appendix I to Appendix II for ranching

RECOMMENDS that:

- a) populations of species included in Appendix I that occur within the jurisdiction of Parties and are deemed by the Conference of the Parties to be no longer endangered and to benefit by ranching with the intention of trade be included in Appendix II;
- b) in order to be considered by the Conference of the Parties, any proposal to transfer a population to Appendix II in order to conduct a ranching operation satisfy the following general criteria:
 - i) the operation must be primarily beneficial to the conservation of the local population (i.e., where applicable, contribute to its increase in the wild); and
 - ii) the products of the operation must be adequately identified and documented to ensure that they can be readily distinguished from products of Appendix I populations;
- c) any Party submitting a ranching proposal for a population of a species for which no ranching proposal has been approved include in the proposal the following, in addition to the usual biological data requested for proposals to amend the appendices:
 - i) details of its marking system that should meet the minimum requirements of the uniform marking system defined in this Resolution;
 - ii) a list of the products of the operation, specifying the product unit for each product of the operation;
 - iii) a description of the methods that will be used to mark product units and/or containers entered into trade; and
 - iv) an inventory of current stocks of specimens of the species concerned, whether or not they are from the ranching operation;
- d) any Party submitting a ranching proposal for a species for which a ranching proposal has been approved include in the proposal:
 - i) details of its marking system that should conform to the uniform marking system included in the proposal approved for that species;
 - ii) a list of the products of the operation specifying the product unit for each product of the operation;
 - iii) a description of the methods that will be used to mark product units and/or containers entered into trade; and
 - iv) an inventory of current stocks of specimens of the species concerned, whether or not they are from the ranching operation;

- e) any proposal for the transfer to Appendix II of a Party's population or a smaller geographically separate population of a species, for the purpose of ranching, not be approved by the Conference unless it contains the following:
 - i) evidence that the taking from the wild shall have no significant detrimental impact on wild populations;
 - ii) an assessment of the likelihood of the biological and economic success of the ranching operation;
 - iii) assurance that the operation shall be carried out at all stages in a humane (non-cruel) manner;
 - iv) assurance that the operation will be beneficial to the wild population through reintroduction or in other ways; and
 - v) assurance that the criteria specified in paragraph b) above under RECOMMENDS shall continue to be met;
- f) in order to be discussed at the next meeting of the Conference of the Parties, any proposal for amendment of the appendices pursuant to this Resolution be received by the Secretariat at least 330 days before that meeting. In consultation with the Standing Committee, the Secretariat shall seek appropriate scientific and technical advice to verify that the criteria specified in paragraph b) above under RECOMMENDS have been met and to review the information and assurances in the proposal that are specified in paragraph e) above. If in the opinion of the Secretariat further information concerning the criteria is required, the Secretariat shall request information from the proposing Party within 150 days after receipt. Thereafter, the Secretariat shall communicate with the Parties in accordance with Article XV of the Convention; and
- g) any Party with an approved ranching proposal submit any changes in the information required in paragraph c) or d) above under RECOMMENDS to the Secretariat. The same procedures that are found in Article XV of the Convention applicable to approval of amendments to Appendices I and II apply to the approval of requested changes to the information referred to in sub-paragraph i) of paragraph c) or d);

Regarding ranching proposals for crocodilians

DECIDES that ranching proposals shall not be considered under the provisions of this Resolution if the management of the population concerned is or will be based on a long-term commercial harvest of wild adult crocodilians. For the adoption of such proposals for the transfer of populations to Appendix II the appropriate criteria in Resolution Conf. 9.24 shall be satisfied; and

RECOMMENDS that:

- a) Parties achieving or having achieved the transfer of their populations of crocodilians to Appendix II under the provisions of this Resolution limit the manner of exploitation of wild populations to those techniques described in their proposals and not, for example, later initiate new short-term programmes for taking wild animals without notifying the Secretariat;
- b) proposals based solely on collection of eggs or hatchlings be adopted as a matter of routine provided that appropriate inventories, harvest-level controls and monitoring programmes are proposed and that sufficient safeguards are established in the proposals to ensure that adequate numbers of animals are returned to the wild if necessary;
- c) proposals that include a component of a wild-adult harvest be examined much more stringently than those based purely on collection of eggs or hatchlings; and
- d) any wild-adult harvest component normally be limited to a reasonable number commensurate with the total number taken in control of nuisance animals and sport hunting;

Regarding trade in ranched specimens of species transferred from Appendix I to Appendix II for ranching

RECOMMENDS that:

- a) Parties not permit export or re-export of any product unit of a ranching operation to a non-Party or a Party with a reservation on the species concerned, nor accept an import of a product unit of a ranching operation from such States; and
- b) all Parties prohibit trade in products of ranching operations unless such trade complies with all the terms, conditions and requirements of the approved ranching proposal for that population; and

Regarding monitoring and reporting in relation to species transferred from Appendix I to Appendix II for ranching

RECOMMENDS that:

- a) annual reports on all relevant aspects of each approved ranching operation should be submitted to the Secretariat by the Party concerned, and include any new information on the following:
 - i) the status of the wild population concerned;
 - ii) the number of specimens (eggs or young) taken annually from the wild;
 - iii) an estimate of the percentage of the production of the wild population that is taken for the ranching operation;
 - iv) the number of animals released and their survival rates estimated on the basis of surveys and tagging programmes, if any;
 - v) the mortality rate in captivity and causes of such mortality;
 - vi) production, sales and exports of products; and
 - vii) conservation programmes and scientific experiments carried out in relation to the ranching operation or the wild population concerned;
- b) with the consent of the Standing Committee and the Party concerned, the Secretariat should have the option to visit and examine a ranching operation wherever circumstances require it to do so; and
- c) that, where the Secretariat reports failure to comply with this Resolution, and the Standing Committee and the Party concerned fail to resolve the matter satisfactorily, the Standing Committee may, after full consultation with the Party concerned, request the Depositary Government to prepare a proposal to transfer the population concerned back to Appendix I; and

REPEALS the Resolutions or parts thereof listed hereunder:

- a) Resolution Conf. 3.15 (New Delhi, 1981) – Ranching;
- b) Resolution Conf. 5.16 (Buenos Aires, 1985) – Trade in Ranched Specimens – paragraphs a)-d), f), g), i)-k) and m) under RECOMMENDS and paragraphs AGREES and DIRECTS;
- c) Resolution Conf. 6.22 (Rev.) (Ottawa, 1987, as amended in Fort Lauderdale, 1994) – Monitoring and Reporting Procedures for Ranching Operations; and
- d) Resolution Conf. 8.22 (Kyoto, 1992) – Additional Criteria for the Establishment of Captive-breeding Operations and for the Assessment of Ranching Proposals for Crocodilians – paragraphs RECOMMENDS also and RECOMMENDS finally.

Traditional medicines

RECOGNIZING that wild fauna and flora are used in many forms of traditional medicine and that continued and uncontrolled use of several endangered species in traditional medicine has been the subject of concern among range States and consumer countries in view of the potential threat to the long-term survival of these species and the development of traditional medicines on a sustainable basis;

RECOGNIZING that most traditional-medicine systems in East Asia were derived from traditional Chinese medicine which is a rational system of thought and practice developed over several millennia and involving extensive clinical observation and testing;

AWARE that the World Health Organization has acknowledged the importance of traditional medicines to the world's medicinal security and that millions of people depend on these medicines for primary health care;

CONVINCED of the need to improve understanding about the significance of traditional medicines in the world's health care systems whilst addressing the problems of over-exploitation of certain wild species;

ACKNOWLEDGING that many forms of traditional medicine depend on the sustainable harvesting of wild species;

RECALLING Resolutions Conf. 8.15 and Conf. 9.19, adopted at the eighth and ninth meetings of the Conference of the Parties (Kyoto, 1992; Fort Lauderdale, 1994) which acknowledge that pressure on wild populations may be relieved by captive breeding and artificial propagation;

RECOGNIZING the importance of research into the use of substitutes for specimens of endangered species;

BELIEVING that adequate measures should be taken to conserve wild species at risk of over-exploitation to avoid their becoming threatened to the point where more severe measures may be necessary as in the case of the rhinoceroses and the tiger;

CONVINCED of the importance of comprehensive national legislation and its effective enforcement for the implementation of the Convention in all party States;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS that the Parties:

- a) work closely with groups of traditional-medicine practitioners and consumers in developing public education and awareness programmes towards the reduction and eventual elimination of illegal use of endangered species, and developing awareness of the need to avoid over-exploitation of other wild species;
- b) ensure that, in accordance with Resolution Conf. 9.6 adopted at the ninth meeting of the Conference of the Parties (Fort Lauderdale, 1994), their national legislation effectively controls trade in all parts and derivatives of species used for healing purposes and trade in medicinal products containing or purporting to contain them;
- c) strengthen efforts to enforce legislation governing trade in threatened and endangered species and capitalize on the value of such action in focusing public attention on the importance of safeguarding wild populations;
- d) promote the development of techniques, including the application of forensic science, for identifying parts and derivatives used in traditional medicines;
- e) investigate the potential for further use in traditional medicines of substitutes for specimens of threatened wild species, ensuring that this does not lead to other species becoming threatened; and

- f) consider, where appropriate and with sufficient safeguards, the application of artificial propagation and, in certain circumstances, captive breeding, to meet the needs of traditional medicines where this would relieve pressure on wild populations of species and is in accordance with their national legislation; and

URGES potential donors to assist with funding actions to implement the measures in this Resolution.

Frequent cross-border movements of personally owned live animals

RECALLING that Article VII, paragraph 3, of the Convention provides that, other than in certain circumstances, the provisions of Articles III, IV and V shall not apply to specimens that are personal or household effects;

RECOGNIZING that, because the Convention does not define the term 'personal or household effects', in Article VII, paragraph 3, this term may be interpreted by the Parties in different ways;

NOTING that Resolution Conf. 8.13, adopted at the eighth meeting of the Conference of the Parties (Kyoto, 1992), recognizes the use of coded microchip implants for marking live animals of Appendix I species in trade, without excluding the use of other appropriate methods;

AWARE that live animals of species listed in the appendices to the Convention are often involved in frequent movement across international borders for a variety of legitimate purposes, including but not limited to companion or competition animals, and animals moved as household effects or for falconry;

NOTING that the repeated granting of permits and certificates under Article III, IV, V or VII of the Convention for live animals that undergo frequent movement across international borders poses problems of a technical and administrative nature, and that such movement needs to be monitored closely to prevent illegal activities;

DESIRING that exemptions provided by the Convention not be used to avoid the necessary measures for the control of international trade in live animals of species listed in the appendices;

RECOGNIZING that Article XIV, paragraph 1(a), of the Convention states that the provisions of the Convention shall in no way affect the right of Parties to adopt stricter domestic measures regarding the conditions of trade, taking, possession or transport of specimens of species included in Appendix I, II or III, or the complete prohibition thereof;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS that:

- a) the term 'personal or household effects' in Article VII, paragraph 3, for the purpose of the application of this Resolution, include personally owned live animals that are based and registered in the owner's State of usual residence;
- b) although any Party may issue a certificate of ownership to the personal owner of a legally acquired live animal who wishes to travel to other States with the animal as a personal or household effect, it should do so only after agreement between the Parties concerned and if the usual residence of the owner is in the territory of such Party and the animal is registered with the Management Authority of that Party;
- c) a Management Authority not issue a certificate of ownership for a live animal of a species listed in the appendices that is a personal or household effect unless it is satisfied that the live animal is legally possessed by the applicant and that the animal has not been acquired in contravention of the provisions of the Convention;
- d) the Management Authority require the applicant for a certificate of ownership to provide his name and address and pertinent data regarding the live animal, including the species, sex and mark number or other means of identification;
- e) the certificate issued in accordance with paragraph b) above include in box 5, or in another box if the standard form referred to in Resolution Conf. 10.2 is not used, the following language: "The specimen covered by this certificate, which permits multiple cross-border movements, is owned for personal non-commercial use and may not be transported for commercial purposes. If the certificate holder is no longer in the possession of the live animal, the certificate must be immediately returned to the issuing Management Authority";

- f) when a live animal that is the subject of a certificate of ownership issued pursuant to this Resolution is no longer in the possession of the owner (escape, death, sale, theft, etc.), the original certificate of ownership be immediately returned to the issuing Management Authority;
- g) a certificate of ownership issued for a live animal as a personal or household effect be valid for a maximum period of three years to allow multiple imports, exports and re-exports of the animal;
- h) the Parties concerned treat each certificate of ownership as a type of passport that allows the movement of a live animal accompanied by its owner across their borders upon presentation of the original certificate to the appropriate border control officer who:
 - i) inspects the original and validates it with an ink stamp, signature and date to show the history of movement from State to State; and
 - ii) does not collect the original at the border, but allows it to remain with the specimen;
- i) the Parties concerned inspect such a live animal to ensure that it is transported and cared for in a manner that minimizes the risk of injury, damage to health or cruel treatment;
- j) the Parties concerned require that any live animal that is a personal or household effect be securely marked or otherwise appropriately identified and that this mark be included on the certificate of ownership so that the authorities of the State into which the live animal enters can verify that the certificate corresponds to the live animal in question;
- k) when, during a stay in another State, a live animal travelling under a certificate of ownership produces progeny, the holder of the certificate comply with the requirements of Article III, IV or V to export such progeny from the State where it was produced and to import it into the holder's State of usual residence. For progeny produced from an animal travelling under a certificate of ownership, a certificate of ownership may be issued after it has been moved to the State of usual residence of the owner of the parent;
- l) when, during a stay in another State, a certificate of ownership for a live animal is lost, stolen or accidentally destroyed, only the Management Authority that issued the document may issue a duplicate. This duplicate will bear the same number if possible and the same date of validity as the original document and a new date of issuance, and contain the following statement: "This certificate is a true copy of the original";
- m) in accordance with paragraph e) above, the owner not sell or otherwise transfer a live animal that is a personal or household effect when travelling outside of his State of usual residence; and
- n) Parties maintain records of the number of certificates of ownership issued under this Resolution and if possible include the certificate numbers and the scientific names of the species concerned in their annual reports.

Transport of live animals

RECALLING Resolution Conf. 9.23, adopted at the ninth meeting of the Conference of the Parties (Fort Lauderdale, 1994), relating to the transport of live specimens;

CONSIDERING that the Convention, in Articles III, IV and V, requires Management Authorities to be satisfied, before granting export permits or re-export certificates, that specimens will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment;

NOTING that the revised version of the Guidelines for Transport and Preparation for Shipment of Live Wild Animals and Plants, adopted at the second meeting of the Conference of the Parties (San José, 1979), has been communicated to all Parties;

MINDFUL of the fact that implementation of these Guidelines depends on action to be taken at the national level, and within international organizations and conferences competent to regulate conditions of carriage;

CONSIDERING that air transport is the preferred method for transporting many live wild animals and that there are special requirements necessitated by air transport;

NOTING the extent to which the IATA Live Animals Regulations correspond to the CITES Guidelines and that the IATA Regulations are amended annually and are therefore more quickly responsive to changing needs;

WHEREAS Article XIV, paragraph 1, permits any Party to adopt stricter domestic measures for the regulation of trade in all species, whether or not listed in the appendices;

NOTING that, while there have been improvements in the transport of live animals, mortality for certain species has not been reduced significantly, despite continuing efforts by the Parties to improve transport conditions, and that mortality in transport undermines the concept of sustainable trade;

MINDFUL that, because of a number of biological and other factors, some species are far more difficult to prepare and ship without risk of injury, damage to health or cruel treatment than others;

RECOGNIZING the important work of the Working Group on the Transport of Live Animals in advising the Parties and providing technical assistance in conjunction with the Secretariat;

NOTING the lack of regional representation of the Parties at meetings of the Working Group on the Transport of Live Animals;

AGREEING that the effective implementation of Article IV, paragraph 2(c), of the Convention necessitates further specific evaluation of the problem, analysis of information and recommendations to the Parties for remedial or corrective action;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

DIRECTS the Animals Committee to deal with matters related to the transport of live animals;

RECOMMENDS that:

- a) suitable measures be taken by the Parties to promote the full and effective use by Management Authorities of the Guidelines for Transport and Preparation for Shipment of Live Wild Animals and Plants and that they be brought to the attention of carriers, freight forwarders and international organizations and conferences competent to regulate conditions of carriage by air, land and sea or inland waterways;
- b) Parties invite the above organizations and institutions to comment on and amplify these Guidelines, so as to promote their effectiveness;

- c) the regular communication of the CITES Secretariat and the Standing Committee with the Live Animals and Perishables Board of the International Air Transport Association (IATA) be continued and that a relationship with the Animals Transportation Association (AATA) be developed;
- d) 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;
- e) except where it is inappropriate, the IATA Live Animals Regulations should be used as a reference to indicate suitable conditions for carriage by means other than air;
- f) the IATA Live Animals Regulations be incorporated into the domestic legislation of the Parties;
- g) applicants for export permits or re-export 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 transport by air and the CITES Guidelines for Transport of Live Specimens for carriage by means other than air;
- h) to the extent possible, shipments of live animals be examined and necessary action taken to determine the well-being of the animals by CITES-designated persons or airline personnel during extended holding periods at transfer points;
- i) where Parties to the Convention have designated ports of entry and exit, animal-holding facilities be provided; and
- j) to the extent possible, Parties ensure that animal-holding facilities are open for inspection of shipments, with the concurrence of the transport company, by CITES-designated enforcement personnel or designated observers; and that any documented information be made available to the appropriate authorities and transport companies;

URGES all Parties that permit imports of live animals: to maintain records of the number of live specimens per shipment and of mortalities in transport of species listed in the appendices; to note obvious causes of mortality, injury or damage to health; and to provide these data relating to the previous calendar year along with their annual reports;

DECIDES that non-submission of these data will be noted in a report from the Secretariat to the Standing Committee;

DIRECTS further the Animals Committee, in consultation with the Secretariat:

- a) to establish the format for the presentation of data on mortality and injury or damage to health in transport; and
- b) to conduct a systematic review of the scope and causes of the mortality and injury or damage to health of animals during the shipment and transport process and of means of reducing such mortality and injury or damage to health;
 - i) the review should include a process for making recommendations to the Parties designed to minimize mortality, on the basis of consultation with exporting, importing, re-exporting and transit countries, IATA and AATA, and additional information from scientists, veterinarians, zoological institutions, trade representatives, carriers, freight forwarders and other experts; and
 - ii) these recommendations should be focused on individual species and countries of export, import, re-export or transit where appropriate, particularly those that have significant high mortality rates in transport, and should be designed to provide positive solutions to identified problems;

DIRECTS the Secretariat:

- a) to convey these recommendations to the exporting, importing or re-exporting Parties concerned, IATA and AATA after they have been approved by the Standing Committee; and

- b) in consultation with the Animals and Standing Committees, to monitor the implementation of these recommendations and of other aspects of this Resolution and report its findings and recommendations at each meeting of the Conference of the Parties;

INVITES non-governmental organizations, particularly veterinary, scientific, conservation, welfare and trade organizations with expertise in the shipment, preparation for shipment, transport, care or husbandry of live animals, to provide the necessary financial, technical and other assistance to those Parties in need of and requesting such assistance to ensure the effective implementation of the provisions of the Convention for the transport and preparation for shipment of live animals subject to international trade;

NOTES that in order to improve implementation of the IATA Live Animals Regulations by the Parties there is a need for greatly increased awareness of the Regulations through:

- a) more effective methods of training of personnel of airlines and enforcement agencies; and
- b) improved methods of liaison and information; and

REPEALS Resolution Conf. 9.23 (Fort Lauderdale, 1994) – Transport of Live Specimens.

Standard nomenclature

RECALLING Resolution Conf. 9.26 adopted at the ninth meeting of the Conference of the Parties (Fort Lauderdale, 1994);

NOTING that biological nomenclature is dynamic;

AWARE that the names of the genera and species of several families are in need of standardization and that the current lack of a standard reference with adequate information decreases the effectiveness of the implementation of CITES in conserving the many species that are listed in the appendices;

RECOGNIZING that the taxonomy used in the appendices to the Convention will be most useful to the Parties if standardized by nomenclatural references;

AWARE that the Nomenclature Committee has identified names of taxa used in the appendices to the Convention that should be changed to reflect accepted use in biology;

NOTING that these changes should be adopted by the Conference of the Parties to the Convention;

RECOGNIZING that there are several taxa included in the appendices of which domesticated forms exist, and that in several cases the Parties have chosen to discriminate between the wild form and the domesticated form by applying a name that differs from the name cited in the standard nomenclature for the protected form;

RECOGNIZING that, in the case of new proposals for listing in the appendices, the Parties should use adopted standard references whenever available;

CONSIDERING the great practical difficulties involved in recognizing many of the subspecies at present listed in the appendices when they appear in trade; and the need to weigh ease of subspecies identification against reliability of information on geographic source, for enforcement purposes;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS that:

- a) a subspecies be proposed for inclusion in the appendices only if it is generally recognized as a valid taxon, and easily identifiable in the traded form;
- b) where there are identification difficulties, the problem be approached by either including the entire species in Appendix I or Appendix II or by circumscribing the range of the subspecies warranting protection and listing the populations within this area on a country basis;
- c) where there are domesticated forms of listed taxa the Nomenclature Committee recommend names for the wild and domestic forms;
- d) when submitting a proposal to amend the appendices to the Convention the proponent identify the reference used to describe the entity being proposed;
- e) upon receiving proposals to amend the appendices to the Convention, the Secretariat seek, where appropriate, the advice of the Nomenclature Committee on the correct names to use for the species or other taxa in question;
- f) the Secretariat may make orthographic changes in the lists of species included in the appendices to the Convention, without consulting the Conference of the Parties;
- g) the Secretariat inform the Parties whenever the name of a taxon to be used in the appendices to the Convention changes, provided that:
 - i) the change has been recommended or agreed to by the Nomenclature Committee; and

- ii) the change will not alter the scope of protection for fauna or flora under the Convention;
- h) whenever the scope of a taxon is redefined as a result of a taxonomic revision, the Nomenclature Committee advise the Secretariat on the name to be listed in the appendices or on alternative actions, including amendments to the appendices, required to ensure that the original intent of the listing is retained;
- i) if there is conflict regarding the choice of taxonomic authority for taxa for which no standard references have been adopted by the Conference of the Parties, countries authorizing export of animals or plants (or their parts or derivatives) of such taxa inform the CITES Secretariat and prospective importing countries of their preferred published taxonomic authority. "Taxonomic authority" means a recent published paper or monograph that reviews the nomenclature of the taxon being exported and that has been reviewed by professionals in the pertinent discipline. In cases where specimens of the taxon are exported from several countries and the exporting countries do not agree, or the exporting and importing countries do not agree, on the taxonomic authority, the Fauna or Flora Subcommittee of the Nomenclature Committee should determine the most appropriate taxonomic authority; and
- j) the Secretariat be provided the citations (and ordering information) of checklists that will be nominated for standard references at least six months before the meeting of the Conference of the Parties at which such checklists will be considered. The Secretariat shall include such information in a notification to the Parties so that Parties can obtain copies to review if they wish before the meeting;

ADOPTS the following standard references:

- a) *Mammal Species of the World: A Taxonomic and Geographic Reference*, 2nd edition, (edited by D.E. Wilson and D.M. Reeder, 1993, Smithsonian Institution Press) for mammalian nomenclature;
- b) *A Reference List of the Birds of the World* (J.J. Morony, W.J. Bock and J. Farrand Jr, 1975, American Museum of Natural History) for order and family level names for birds;
- c) *Distribution and Taxonomy of Birds of the World* (C.G. Sibley and B.L. Monroe Jr, 1990, Yale University Press) and *A supplement to Distribution and Taxonomy of the Birds of the World* (Sibley and Monroe, 1993; Yale University Press) for the genus and species names of birds;
- d) *Reptiles del noroeste, nordeste y este de la Argentina – Herpetofauna de las selvas subtropicales, puna y pampa, 1993* (Ceí, José M. In Monografie XIV, Museo Regionale di Scienze Naturali), for the species names of the genus *Tupinambis* found in Argentina and Paraguay;
- e) *Snake Species of the World: A Taxonomic and Geographic Reference: Volume 1* (Campbell, McDiarmid and Touré, 1997), published under the auspices of the Herpetologists' League, for the nomenclature of snakes;
- f) *Amphibian Species of the World: A Taxonomic and Geographic Reference* (D.R. Frost, 1985, Allen Press and The Association of Systematics Collections) and *Amphibian Species of the World: Additions and Corrections* (W.E. Duellman, 1993, University of Kansas) for amphibian nomenclature until the second edition of the former reference has been published;
- g) *The Plant-Book*, reprinted edition, (D.J. Mabberley, 1990, Cambridge University Press) for the generic names of all CITES plants, unless they are superseded by standard checklists adopted by the Conference of the Parties as referenced below in paragraphs i) to m);
- h) *A Dictionary of Flowering Plants and Ferns*, 8th edition, (J.C. Willis, revised by H.K. Airy Shaw, 1973, Cambridge University Press) for generic synonyms not mentioned in *The Plant-Book*, unless they are superseded by standard checklists adopted by the Conference of the Parties as referenced below in paragraphs i) to m);
- i) *A World List of Cycads* (D.W. Stevenson, R. Osborne and K.D. Hill, 1995; In: P. Vorster (Ed.), Proceedings of the Third International Conference on Cycad Biology, pp. 55-64, Cycad Society of South Africa, Stellenbosch) and its updates accepted by the Nomenclature Committee, as a guideline when making reference to names of species of Cycadaceae, Stangeriaceae and Zamiaceae;

- j) *The Bulb Checklist* (1997, compiled by the Royal Botanic Gardens, Kew, United Kingdom) and its updates accepted by the Nomenclature Committee, as a guideline when making reference to the names of species of *Cyclamen* (Primulaceae) and *Galanthus* and *Sternbergia* (Liliaceae);
- k) *The CITES Checklist of Succulent Euphorbia Taxa (Euphorbiaceae)* (1997, published by the German Federal Agency for Nature Conservation) and its updates accepted by the Nomenclature Committee, as a guideline when making reference to the names of species of succulent euphorbias;
- l) *CITES Cactaceae Checklist*, second edition, (1997, compiled by D. Hunt, Royal Botanic Gardens, Kew, United Kingdom) and its updates accepted by the Nomenclature Committee, as a guideline when making reference to names of species of Cactaceae; and
- m) *CITES Orchid Checklist*, (compiled by the Royal Botanic Gardens, Kew, United Kingdom) and the updates accepted by the Nomenclature Committee, as a guideline when making reference to the names of species of *Cattleya*, *Cypripedium*, *Laelia*, *Paphiopedilum*, *Phalaenopsis*, *Phragmipedium*, *Pleione* and *Sophranitis* (Volume 1, 1995) and *Cymbidium*, *Dendrobium*, *Disa*, *Dracula* and *Encyclia* (Volume 2, 1997);

URGES Parties to assign to their Scientific Authorities the principal responsibility for:

- a) interpretation of the listings;
- b) consultation with the CITES Nomenclature Committee as appropriate;
- c) identification of nomenclatural issues that may warrant further review by the appropriate CITES Committee and preparation of proposals to amend the appendices if appropriate; and
- d) supporting and co-operating in the development and maintenance of the checklists; and

REPEALS Resolution Conf. 9.26 (Fort Lauderdale, 1994) – Standard Nomenclature.