

RECALLING that Resolution Conf. 16.1 adopted at the 16th meeting of the Conference of the Parties (Bangkok, 2013) declares 3 March, the day of signing of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), as World Wildlife Day;

WELCOMING resolution A/RES/68/205, adopted by the United Nations General Assembly at its 68th session on 20 December 2013, proclaiming 3 March as the United Nations World Wildlife Day;

NOTING that the United Nations General Assembly invites all Member States, organizations of the United Nations system and other global, regional and subregional organizations, as well as other relevant stakeholders, including civil society, non-governmental organizations and individuals, to observe and raise awareness of World Wildlife Day in an appropriate manner, in accordance with national priorities;

NOTING also that the United Nations General Assembly requests the CITES Secretariat, in collaboration with relevant organizations of the United Nations system, to facilitate the implementation of World Wildlife Day;

RECOGNIZING that, for the purpose of World Wildlife Day, “wildlife” means wild animals and plants;

ACKNOWLEDGING the efforts of the CITES Secretariat in facilitating the implementation of World Wildlife Day, in collaboration with relevant organizations of the United Nations system and others, with no additional financial resources;

FURTHER ACKNOWLEDGING that the Standing Committee, at its 65th meeting (Geneva, July 2014), established a World Wildlife Day Working Group which, *inter alia*, is mandated to recommend the theme of each year’s World Wildlife Day;

RECOGNIZING that World Wildlife Day provides an unique opportunity to, *inter alia*, mobilize people around the world to celebrate the many beautiful and varied forms of wild fauna and flora, demonstrate the multitude of benefits that wildlife provides to people, and raise awareness of the urgent need to step up the fight against wildlife crime which has wide-ranging economic, environmental and social impacts; and

WELCOMING the tremendous support generated by World Wildlife Day for the conservation of wildlife, and the ever growing level of participation across the world in the observance of the day;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. CALLS upon all Parties to use World Wildlife Day as an opportunity to celebrate and raise the awareness of the general public regarding the world’s wild animals and plants; to enhance efforts to enforce wildlife protection laws and to reduce demand for illegally traded wild animals and plants; and to recognize the contribution of wildlife to the livelihoods of poor rural communities in various ways;
2. INVITES all Parties and non-party States, national and international organizations with an interest in wildlife conservation, to associate celebrations of World Wildlife Day to national, regional and international conservation events, where appropriate, and to communicate the planned activities to the Secretariat in advance;
3. ENCOURAGES all Parties to follow the theme adopted for each observance of World Wildlife Day and, where appropriate, to adapt it to the focus of species or issues of national priority, and to use the World Wildlife Day logo and other promotional materials as widely as possible, including on websites and social media;
4. ENCOURAGES all Parties, through their national ministries of education or other relevant authorities responsible for education, to consider making the observance of World Wildlife Day a regular event on the calendars of kindergartens, schools and universities, and to invite zoos,

botanical gardens, aquariums, nature reserves, national parks, and all other wildlife-related facilities to observe the day on a regular basis;

5. REQUESTS the Secretariat to continue to facilitate the global celebration of World Wildlife Day, to maintain the website and social media platforms of World Wildlife Day, to produce promotional materials and to work with partner organizations on social media campaigns for World Wildlife Day each year;
6. REQUESTS the Standing Committee to continue to work with the Secretariat to, *inter alia*, recommend the theme for each year's observance of World Wildlife Day;
7. APPEALS to all Parties, intergovernmental organizations and non-governmental organizations and to the private sector interested in wildlife conservation and in promoting World Wildlife Day, to make voluntary financial and in-kind contributions to the Secretariat in order to allow it to better facilitate the global observance of the Day; and
8. REPEALS Resolution Conf. 16.1 (Bangkok, 2013) – *World Wildlife Day*.

Conf. 17.2

Financing and the costed programme of work for the Secretariat for the triennium 2017-2019

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

ALSO RECALLING Resolution Conf. 16.2 on *Financing and the costed programme of work for the Secretariat for the triennium 2014-2016* adopted at the 16th meeting of the Conference of the Parties (Bangkok, 2013);

HAVING NOTED the 2014-2015 actual expenditures incurred by the Secretariat (document CoP17 Doc. 7.3);

ALSO HAVING NOTED the preliminary report on the implementation of the costed programme of work for 2016 presented by the Secretariat (document CoP17 Doc. 7.3);

HAVING REVIEWED the proposed costed programme of work for the triennium 2017-2019, submitted by the Secretariat (document CoP17 Doc. 7.4);

ACKNOWLEDGING the Memorandum of Understanding between the Standing Committee of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora and the Executive Director of the United Nations Environment Programme (UNEP) concerning Secretariat Services to and Support of the Convention, effective 1 September 2011;

NOTING the increase in the number of Parties to the Convention and species listed in its Appendices, as well as the growing level of interest in the Convention and FURTHER NOTING the need for greater assistance to the Parties to achieve more effective implementation, the necessity to provide adequately for implementation of all Decisions and Resolutions of the Conference of the Parties as well as the *CITES Strategic Vision: 2008-2020* as revised at the 17th meeting, and the resulting increasing expenditure incurred by and pressures placed on the Secretariat;

RECALLING paragraph 203 of the outcome document of the United Nations Conference on Sustainable Development (also known as Rio+ 20) entitled *The future we want*, highlighting the importance of CITES;

FURTHER RECALLING resolution 69/314 adopted by the United Nations General Assembly (UNGA) on *Tackling Illicit trafficking in wildlife* recognizing the legal framework provided by and the important role of CITES as well as resolution 68/205, on *World Wildlife Day*, in which the UNGA proclaimed 3 March, the day of the adoption of CITES, as World Wildlife Day, and designated the CITES Secretariat as the facilitator for the global observance of this special day for wildlife on the UN calendar;

RECOGNIZING the value of and expressed need for enhanced financing for CITES implementation to assist Parties in more effectively meeting the objectives of the Convention;

REITERATING the *CITES Strategic Vision* and stressing the importance of full and effective implementation of CITES as a significant contribution towards achieving the relevant Aichi Biodiversity Targets;

FURTHER RECOGNIZING the contribution that the full and effective implementation of CITES can make towards achieving relevant Goals and Targets adopted by the UN General Assembly through the Sustainable Development Goals;

NOTING that Decisions of the Parties directed to the Secretariat have an impact on the operation and expenditures incurred by the Secretariat;

WELCOMING the adoption by the UN Environment Assembly of resolution 2/18 on relationship between the UNEP and the Multilateral Environmental Agreements for which it provides Secretariat;

TAKING NOTE of General Assembly resolution 60/283, on *Investing in the United Nations for a stronger organization worldwide*, by which the Assembly approved the adoption of the International Public Sector Accounting Standards (IPSAS) by the United Nations; and

RECOGNIZING that the International Public Sector Accounting Standards require that full provision be made for doubtful debt in respect of debt for which there is more than four years of non-payment of contributions and that proportionate provision be made for recent non-payment of contributions and that, as a result, an amount, estimated at USD 432,653, will have to be deducted from the end 2015 fund balance of the Convention to cover doubtful debt and cannot be used for the benefit of all Parties during the triennium 2017-2019;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. EXPRESSES its appreciation to the Government of Switzerland as the Host Country for its support to the Secretariat, and NOTES its response to the invitation extended to it through Resolution Conf. 16.2 by providing enhanced support to the CITES Secretariat;
2. INVITES the Government of Switzerland to liaise with the Secretariat to further explore opportunities to strengthen its support for the Secretariat and in the implementation of CITES;
3. DIRECTS the Secretariat to report on the results of consultations under paragraph 2 and make the information available at 69th meeting of the Standing Committee;
4. DIRECTS the Standing Committee at its 69th meeting to review the information provided by the Secretariat and to determine whether alternative host country arrangements, including terms of reference for that examination should be pursued. If pursued, the Standing Committee should consider the results of that examination at its 70th meeting and make recommendations to the 18th meeting of the Conference of the Parties as appropriate;
5. ACCEPTS and APPROVES the report of expenditures against the costed programme of work for the years 2013 and 2014, as endorsed by the Standing Committee at its 65th and 66th meetings in Geneva, July 2014 and January 2016 respectively;
6. ACCEPTS and APPROVES the report of expenditures against the costed programme of work for the year 2015;
7. REQUESTS the Secretariat to continue to use the new format of the costed programme of work and the budgetary presentations for the triennium 2017-2019, as introduced by the Secretariat and endorsed by the Standing Committee, on the recommendation of its Finance and Budget Subcommittee, at its 62nd meeting, and to make any necessary adjustments, as needed, in line with the implementation of Umoja;
8. NOTES with appreciation the three budget proposals submitted by the Secretariat for the triennium 2017-2019 budget period and REQUESTS the Secretary-General to prepare budget proposals in the same format for consideration of the Conference of the Parties at its 18th meeting, including, as a minimum, a zero nominal growth budget scenario and a zero real growth budget scenario and, in consultation with the Standing Committee, if necessary, a third scenario;
9. DECIDES that the implementation of the costed programme of work for the triennium 2017-2019, Annex 1, shall be covered by the Trust Fund budget (CTL), Annexes 2 and 3, in the amounts of USD 5,911,418 for 2017, USD 5,999,700 for 2018 and USD 6,643,674 for 2019 and by the Support to CITES Activities Trust Fund (QTL), Annex 3, and ADOPTS the scale of contributions for 2017-2019 as contained in Annex 5;
10. REQUESTS the Secretariat to carefully monitor exchange rate fluctuations and adjust levels of expenditure, where necessary; and DECIDES that the Secretariat, as a last resort, can request the Standing Committee to draw down from the Trust Fund Balance on an exceptional basis;
11. REQUESTS the Secretariat to maintain an operating cash reserve of not less than 15 % of the average annual budget to ensure financial liquidity and AUTHORIZES the Secretariat, in consultation with the Standing Committee, to draw additional funds from the CITES Trust Fund balance at the end of each year, including funds to cover any shortfall should the UN standard

salary costs used to develop the budgets for 2017-2019 prove to be underestimated, provided that it is not reduced below the operating cash reserve specified above;

12. TAKES NOTE of the funding estimates of the Trust Fund on Support to CITES Activities (QTL) for the 2017-2019 budget period and URGES the Secretariat, where activities that are to be externally funded are concerned, to seek funds, preferably non-earmarked, for the implementation of activities identified in the costed programme of work;
13. DIRECTS the Secretariat to increase its efforts to strengthen its capacity building activities, including by conducting at least one training workshop for CITES Management Authorities/Scientific Authorities and Enforcement entities per region, upon request, between the meetings of the Conference of the Parties, intersessionally, depending on availability of resources;
14. APPROVES the Terms of Reference for the Administration of the Trust Fund, in Annex 6, for the budget period beginning on 1 January 2017 and ending on 31 December 2019;
15. INSTRUCTS the Standing Committee to continue to review the Terms of Reference for the Administration of the Trust Fund and make proposals for consideration at the 18th meeting of the Conference of the Parties for any necessary changes;
16. DECIDES that:
 - a) contributions to the Trust Fund (CTL) are based on the United Nations scale of assessment, as amended from time to time and adjusted to take account of the fact that not all members of the United Nations are party to the Convention;
 - b) any other basis of calculation of contributions shall not be used without the consent of all Parties present and voting at a meeting of the Conference of the Parties; and
 - c) any change in the basic scale of contributions that would increase the expected contribution of a Party does 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 150 days before the meeting;
17. EXPECTS Parties to pay their contributions to the Trust Fund (CTL) in a timely manner and in accordance with the basic scale and ENCOURAGES them to make special contributions to the Trust Funds above their regular contributions whenever possible;
18. REQUESTS all Parties to pay their contributions as far as possible during the year prior to the one to which they relate or, otherwise, promptly by the beginning of the calendar year (1 January to 31 December) to which the contributions apply;
19. NOTES with concern that a number of Parties have pending contributions to the Trust Fund (CTL), thus affecting adversely the implementation of the Convention;
20. REQUESTS the Secretariat to continue to monitor Parties that have pending contributions to the Convention by:
 - a) sending reminders twice yearly, with copies to the permanent missions in Geneva; and
 - b) initiating talks with the permanent missions in Geneva of the Parties with pending contributions for three or more years;
21. URGES all Parties with pending contributions to cooperate with the Secretariat in arranging for the payment of their outstanding contributions without delay;
22. INVITES States not party to the Convention, other governmental, inter-governmental and non-governmental organizations, and other sources to contribute to the Trust Fund in Support of CITES Activities (QTL);

23. DECIDES that the standard participation charge for all observer organizations other than the United Nations and its specialized agencies at meetings of the Conference of the Parties shall be set at a minimum of USD 600 for the first delegate and USD 300 for any additional delegate and that a standard charge is set at USD 100 for international visitors attending such meetings not applicable to host country visitors (except as otherwise decided by the Secretariat as required and following consultation with the Finance and Budget Subcommittee) and URGES such organizations to make a greater contribution, if possible, at least to meet their effective costs of participation;
24. FURTHER DECIDES that the standard participation charge for all observer organizations other than the United Nations and its specialized agencies at meetings of the Standing Committee and the Animals and Plants Committees shall be set at a minimum of USD 100 for each observer participant (except as otherwise decided by the Secretariat as required and following consultation with the Finance and Budget Subcommittee);
25. AFFIRMS that:
- a) all meetings of the Conference of the Parties and all regular meetings of the Standing Committee, the Animals Committee and the Plants Committee should be held in the Host country of the Secretariat unless a candidate host country pays the difference in costs between its proposed venue and the Host country; and
 - b) no more than two regular meetings each of the Standing Committee, and the Animals and Plants Committees should be convened between regular meetings of the Conference of the Parties;
26. DIRECTS the Secretariat to make provision for the payment, if requested, of reasonable and justifiable travel expenses of members, including attendance at the relevant committee meetings, and other expenses of the Chairs of the Standing Committee, the Animals Committee and the Plants Committee, other than members from developed countries;
27. INSTRUCTS the Standing Committee to keep under review the implementation of the Memorandum of Understanding between the CITES Standing Committee and the Executive Director of UNEP concerning Secretariat Services to and Support of the Convention;
28. REQUESTS the Secretariat:
- a) to make provisions for all the costs the Secretariat incurs, including costs associated with the hiring of temporary staff and consultants, when seeking funds for the implementation of externally funded projects;
 - b) to seek the most cost effective translation and interpretation services;
 - c) in consultation with proponent Parties, when necessary, to advise the Conference of the Parties on proposals with budgetary implications, including staff costs; and
 - d) in consultation with the Chairs of the Animals and Plants Committees, to assign scientific consultants and define terms of reference for specific science-based projects. Such a process should be implemented in a fashion that would not have a negative impact on the budget, but rather effectively utilize the scientific expertise of the Parties which is available to the Secretariat via the Chairs of the technical committees;
29. ENCOURAGES the Secretary-General, in line with UN rules, to use opportunities provided by any upcoming vacancies to explore ways to strengthen the capacity of the Secretariat within its assigned budget, including through structural change;
30. WELCOMES the efforts of the CITES Secretariat to facilitate access to Global Environment Facility (GEF) funding for GEF-eligible projects relevant for CITES, including species-based projects, and INVITES the Secretariat to continue to closely collaborate with the GEF Secretariat, the Secretariat of the Convention on Biological Diversity (CBD) and the Biodiversity Liaison Group on the issue of gaining access to GEF funding for GEF-eligible projects relevant for CITES;

31. ENCOURAGES Parties, in the revision of their national biodiversity strategies and action plans, to integrate CITES objectives and priorities in order to facilitate identification of opportunities for GEF-eligible projects relevant for CITES, including species-based projects;
32. INVITES the GEF Council to note relevant Resolutions and Decisions of the Conference of the Parties to CITES in the development of the next *GEF Biodiversity Strategy* consistent with the GEF's mandate and the *Strategic Plan for Biodiversity 2011-2020* and the *Aichi Biodiversity Targets*;
33. DECIDES to convey to the Conference of the Parties of the Convention on Biological Diversity (CBD CoP) the CITES objectives and priorities in support of the Aichi Targets and INVITES the CBD CoP to take these into account in providing the broad strategic guidance to the GEF;
34. Within the context of the Sustainable Development Goals and the *Strategic Plan for Biodiversity 2011-2020* and the *Aichi Biodiversity Targets*, CALLS upon Parties, established financing mechanisms, donors, international organizations, academia, non-governmental organizations and other relevant stakeholders to provide adequate and timely support for the relevant CITES objectives and priorities;
35. DECIDES that:
 - a) the Secretary-General shall have the authority to make staffing decisions as necessary to implement the priorities of the Parties in accordance with the costed programme of work, provided they are within the overall budget and taken in accordance with the Memorandum of Understanding between the CITES Standing Committee and the Executive Director of UNEP concerning Secretariat Services to and Support of the Convention;
 - b) any change in the costed programme of work of the Secretariat deriving from a new Resolution or Decision shall be made only if the source of the necessary additional funds has been identified or if that programme is reprioritized at the time such a Resolution or Decision is adopted by the Conference of the Parties; and
 - c) the Secretariat, in collaboration with the Secretariat of the Convention on Biological Diversity, shall continue to explore a closer working relationship with the GEF to address CITES priorities within the context of its Biodiversity Strategy, and consistent with CITES' and the GEF's mandates; and
36. REPEALS Resolution Conf. 16.2 (Bangkok, 2013) – *Financing and the costed programme of work for the Secretariat for the triennium 2014-2016*, which, however, remains on the record as an indication of the expected levels of annual contributions for Parties that have not paid these amounts.

Annex 1 – Costed programme of work of the CITES Secretariat for 2017-2019

Annex 2 – Operational budget under the general CITES Trust Fund (CTL)

Annex 3 – Operational budget under the general CITES Trust Fund (CTL) in UN Umoja format

Annex 4 – Indicative budget under the Support to CITES activities (QTL)

Annex 5 – CITES Trust Fund (CTL) scale of assessment for the triennium 2017-2019

Annex 6

Terms of Reference for the Administration of the Trust Fund (CTL) 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 three calendar years, which begins on 1 January 2017 and ends on 31 December 2019, 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 appropriations of the Trust Fund shall be financed from:
 - a) the contributions made by the Parties by reference to the table attached in Annex 5, including contributions from any new Parties which are to be added to the table; and
 - b) a drawdown from the Fund balance upon decision of the Parties.
4. The estimates for each of the calendar years covered by a budget period shall be specified in a costed programme of work 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.
5. The proposed costed programme of work covering the income and expenditure for each of the calendar years constituting the financial period to which it relates, prepared in United States dollars, including all the necessary information, shall be dispatched by the Secretariat to all Parties at least 150 days before the date fixed for the opening of the next regular meeting of the Conference of the Parties.
6. The costed programme of work shall be adopted by a three-quarters majority of the Parties present and voting at the regular meeting.
7. In the event that the Executive Director of UNEP expects that there might be a shortfall in resources, over the year as a whole, he shall consult with the Secretary-General of the Convention, who shall seek the advice of the Standing Committee as to its priorities for expenditure.
8. The Secretary-General of the Convention is authorized, to the extent consistent with the Financial Regulations and Rules of the United Nations, to:
 - a) transfer resources between main activity lines, as reflected in the costed programme of work, Annex 1 to present Resolution, up to a maximum of 10 % over and above the annual amount foreseen in the costed programme of work under any activity line. When any such transfers are made, these shall be reported to the Standing Committee at its following meeting. Any adjustments between main activity lines over and above the 10 % flexibility mentioned above may be made only after they have been agreed by the Standing Committee; and

- b) transfer resources between financial years within the same activity line. Any such transfers may be made only after they have been agreed by the Standing Committee.

However, all adjustments to the costed programme of work will be made within the overall level of the approved triennial budget.

9. Commitments against the resources of the Trust Fund may be made only if they are covered by the expected income of the Convention.
10. All contributions shall be paid in any convertible currency. The amount of any payment, however, shall be equal to the amount payable in United States dollars 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.
11. At the end of each calendar year, the Executive Director of UNEP shall submit to the Parties the accounts for the year. He shall also submit, as soon as practicable, the audited accounts for the financial period.
12. The Secretary-General of the Convention shall provide the Standing Committee with an estimate of proposed expenditure over the coming calendar year simultaneously with, or as soon as possible after, distribution of the accounts and reports referred to in the preceding paragraph.
13. 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 Funds for the Convention.
14. These Terms of Reference shall be effective for the financial period of 1 January 2017 to 31 December 2019, subject to amendments at the 18th meeting of the Conference of the Parties.

STRESSING the importance that all CITES Parties are represented at the meetings of the Conference of Parties (CoP) to ensure that decisions are taken on the basis of deliberations involving all interested players;

ACKNOWLEDGING that developing countries are not always able to fund the participation of their delegates in CoP meetings;

WELCOMING the Secretariat's initiative to put in place, before each CoP meeting, a Sponsored Delegates Project, aiming to obtain external funding from donors in order to finance the participation in CoP meetings of representatives from developing countries;

NOTING that, since it was first established for CoP6 in 1987, the Sponsored Delegates Project allowed the participation in CoP meetings of a large number of representatives of developing countries;

FURTHER NOTING that, while the Sponsored Delegates Project has been largely successful so far, a number of developing countries were not able to benefit from it, either due to a lack of information about it or due to insufficient funding being available to the Project to finance their participation;

ACKNOWLEDGING that the Sponsored Delegates Project pools all contributions received into one fund, with all sponsors being acknowledged and the funds received by delegations not traced to any particular donor AND RECOGNISING that this manner of funding participation in CoP meetings by Parties and other donors can assist in avoiding the perception of inappropriate influence linked to other types of financial support and in ensuring that the Convention is seen to be operating in a fully open and transparent manner;

ALSO AWARE that the participation of delegates of some Parties in CoP meetings was funded by donors outside the Sponsored Delegates Project, and under conditions which are not as transparent as those governing this Project; and

DESIRING, through its official endorsement by the CITES CoP, to institutionalise, strengthen and promote the Sponsored Delegates Project as developed by the Secretariat, so that it can benefit a maximum number of delegates from developing countries;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. DECIDES to establish the Sponsored Delegates Project;
2. AGREES that the aim of the Sponsored Delegates Project is to cover the cost of travel of delegates from developing countries to and from the venue of the meeting of the Conference of the Parties to CITES, the costs of accommodation, as well as a daily subsistence allowance for the duration of the meeting;
3. FURTHER AGREES that this support is to be provided for a maximum of two delegates from developing countries and that the number of countries to be supported will depend upon the funds raised;
4. ALSO AGREES that this Project is to be covered by external funding from donors;
5. CALLS on governments, international organisations, non-governmental organisations and private bodies to provide external funding to the Secretariat preferably three months before each CoP meeting for the Sponsored Delegates Project and ENCOURAGES them to use the Project to the greatest extent possible whenever they intend to support the participation of delegates of another Party in the CoP meeting;
6. CALLS on the Secretariat and the United Nations Environment Programme to waive the 13% programme support costs applied to contributions made to the Sponsored Delegates Project;

7. CALLS on the Secretariat to administer the Sponsored Delegates Project and to widely and proactively disseminate information about the Sponsored Delegates Project to all CITES Parties at least one year before each meeting of the CoP, with the aim to raise sufficient external funds among donors and inform developing countries about the existence of this Project and the modalities to apply for it;
8. ENCOURAGES Parties from developing countries to contact the Secretariat sufficiently ahead of the CoP in case they wish to benefit from the Sponsored Delegates Project, as well as to make sure that they are represented at CoP meetings by the relevant experts, especially from their CITES scientific and management authorities;
9. URGES governments, international organisations, non-governmental organisations and private bodies which, instead of using the possibility to provide funds to the Sponsored Delegates Project, decide to fund the participation in CoP meetings of representatives from other Parties (for example by covering travel or accommodation costs), to inform the Secretariat about such funding before the relevant CoP meeting and CALLS upon the Secretariat to publish this information before the meeting;
10. SIMILARLY URGES Parties whose delegates did not obtain funding from the Sponsored Delegates Project, but benefited from self-funding or funding from another government, international organisations, non-governmental organisations or private bodies for their participation in a CoP meeting to inform the Secretariat about such funding before the relevant CoP meeting and CALLS upon the Secretariat to publish this information before the meeting;
11. INSTRUCTS the Secretariat not to provide sponsorship through the Sponsored Delegates Project to any representative of a Party at a meeting of the Conference of the Parties who is also an observer for a non-governmental organization; and
12. INVITES the Secretariat to report, at the beginning of each CoP meeting, on the results achieved by the Sponsored Delegates Project (amount of funding gathered, donors, beneficiaries, etc.).

Conf. 17.4

Demand reduction strategies to combat illegal trade in CITES-listed species

RECOGNIZING that poaching and illegal trade are decimating some wildlife populations and driving numerous CITES-listed species toward extinction;

FURTHER RECOGNIZING that wildlife trafficking contributes to damage to ecosystems and rural livelihoods, including those based on ecotourism, undermines good governance and the rule of law and, in some cases, threatens national stability and security and requires enhanced regional cooperation and coordination in response;

CONSCIOUS that enforcement interventions play a critical role in stemming illegal trade in specimens of species included in CITES Appendices, but bearing in mind that, without a complementary effort to address the persistent market demand that drives this trade, enforcement action alone may not be sufficient to eliminate this threat;

RECALLING that Resolution Conf. 10.10 (Rev. CoP18)¹ on *Trade in elephant specimens* urges relevant Parties to “engage in public awareness campaigns, including: supply and demand reduction; drawing attention to existing or new regulations concerning the sale and purchase of ivory;”

RECALLING also that Decision 16.85 on Rhinoceroses (*Rhinocerotidae* spp.) recommends that “all Parties implicated in the illegal trade of rhinoceros horn as a range or consumer State, where applicable, should: a) develop and implement long-term demand reduction strategies or programmes and immediate actions aimed at reducing the illegal movement and consumption of rhino horn products;”

RECALLING also Resolution Conf. 10.19 (Rev. CoP14) on *Traditional medicines*, which recommends that the Parties “work closely with groups of traditional-medicine practitioners and consumers in developing public education and awareness programmes towards the elimination of illegal use of endangered species, and developing awareness of the need to avoid over-exploitation of other wild species”;

WELCOMING the historic resolution on tackling wildlife trafficking adopted by the United Nations General Assembly in July 2015 that “urges Member States to engage actively in efforts to raise awareness about and address the problems and risks associated with the supply and transit of and demand for illegal wildlife products and to reduce the demand using targeted strategies in order to influence consumer behaviour;”

ACKNOWLEDGING that demand-reduction interventions can effectively complement and support law enforcement efforts;

RECOGNIZING that wildlife trafficking via e-commerce is a growing and significant threat that calls for new approaches to reduce demand for illegally traded wildlife;

NOTING the need for well-targeted, evidence-based, species-specific, country-specific demand-reduction campaigns to more effectively bring about behaviour changes;

NOTING that legal and sustainable trade can be vital to rural livelihoods and consequently important to *in situ* conservation and that demand reduction campaigns must distinguish between legal and sustainable, and illegal trade;

RECOGNIZING the demand reduction initiatives by many countries, organizations and inter-governmental bodies, including the Asia-Pacific Economic Cooperation (APEC) demand reduction workshop organized by the governments of the United States of America and Viet Nam and the

¹ Corrected by the Secretariat after the 18th meeting of the Conference of the Parties

workshop on demand-side strategies for curbing illegal trade in ivory in Hangzhou, China, organized by the government of China and the CITES Secretariat;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. URGES Parties where there is a significant market for illegally traded wildlife products to:
 - a) develop strategies to reduce the demand for illegal products of wild animals and plants through demand reduction campaigns and to enhance, as appropriate, policy, legislation and law enforcement in this regard;
 - b) conduct in-depth and regular research on the demand for specimens of illegally traded CITES-listed species, where possible, using standard methodologies to understand the drivers and dynamics of the demand and to provide solid information for use in demand-reduction campaigns;
 - c) actively develop and implement well-targeted, species-specific, evidence-based campaigns by engaging key consumer groups and targeting the motivations for the demand, including the speculative nature of the demand, and develop specific messaging approaches and methods for target audiences;
 - d) create greater awareness of the broader consequences and impacts of illegal harvest and illegal trade of wildlife and plants, particularly on wild populations and the ecosystems in which they exist, as well as raise awareness of broader impacts of wildlife trafficking on livelihoods and sustainable development; and
 - e) strengthen legal and enforcement deterrents by creating greater awareness of laws prohibiting trade in illegal wildlife products and any associated penalties;
2. ENCOURAGES Parties to involve all stakeholders when conducting demand reduction campaigns, including, for example, relevant government agencies, health, public awareness and education sectors, the business sector, online retailers, social media platforms, traditional medicine practitioners and their associations, consumer groups, key influencers and opinion leaders who can most effectively reach out to consumers;
3. ENCOURAGES Parties, when appropriate, to collaborate with and provide full support to relevant demand reduction campaigns undertaken by the United Nations agencies and partners as well as non-governmental organizations;
4. RECOMMENDS that Parties convene workshops to design and develop targeted solutions for particular species or types of trade, including the development of communications and marketing strategies and campaigns aimed at eliminating demand for illegal wildlife and illegal wildlife products of CITES-listed species among key consumer groups; and
5. INVITES Parties, and intergovernmental organizations and non-governmental organizations interested in furthering these efforts to share best practices and provide technical support and assistance, if requested.

WELCOMING the efforts of the Youth Forum for People and Wildlife and South Africa's Youth and Conservation Programme to engage young people and serve as examples of ways to integrate youth in wildlife conservation, including CITES matters;

ACKNOWLEDGING that today's youth will one day be in decision-making positions and that organizations responsible for wildlife conservation decisions must engage these people now to equip them to be stronger leaders in the future;

RECOGNIZING that by welcoming today's youth into species conservation and wildlife trade conversations, our decision makers will add a rich diversity of ideas and solutions;

FURTHER ACKNOWLEDGING that today's youth have come of age in a generation very different than those before it, including great technological advancement, and that the skills held by younger colleagues can be valuable tools to ensure that wildlife trade is legal and sustainable;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. ENCOURAGES Parties to explore opportunities to engage today's youth in CITES and other wildlife conservation issues, for example through internship or mentoring programs;
2. INVITES Parties and the CITES Secretariat to work with universities, youth groups, and other relevant associations and organizations, to create educated and engaged youth networks that can inform and influence conservation decisions;
3. INVITES Parties and observer organizations to include youth delegates on official delegations and provide learning opportunities at CITES meetings.

Conf. 17.6

Prohibiting, preventing, detecting and countering corruption, which facilitates activities conducted in violation of the Convention

AWARE that corruption can play a significant role in facilitating activities conducted in violation of the Convention at all points of the trade chain, in source, transit and market countries;

ACKNOWLEDGING the high degree of involvement of organized criminal groups and networks in violations of the Convention and their frequent use of corrupt practices to facilitate wildlife crime and frustrate efforts to enforce laws against wildlife crime;

RECALLING United Nations General Assembly (UNGA) resolution 70/1 adopting the outcome document of the UN Sustainable Development Summit, entitled "Transforming our World – the 2030 Agenda for Sustainable Development", which contains dedicated targets on taking urgent action to end poaching and wildlife trafficking (target 15.7) and on substantially reducing corruption and bribery in all their forms (target 16.5);

RECALLING FURTHER UNGA resolution 69/80 which calls upon Member States to prohibit, prevent and counter any form of corruption that facilitates illicit trafficking in wildlife and wildlife products and reaffirms that the United Nations Convention against Corruption (UNCAC) constitutes an effective tool and an important part of the legal framework for international cooperation in fighting illicit trafficking in endangered species of wild flora and fauna;

RECALLING that Articles II and VIII of the Convention require that Parties not trade in listed species other than in accordance with the Convention, take appropriate measures to enforce the provisions of the present Convention and to prohibit trade in specimens in violation thereof, including measures to penalize such trade;

RECALLING FURTHER Resolution Conf. 11.3 (Rev. CoP17) on *Compliance and enforcement* and in particular subparagraph 2 b) recommending that Parties that are not yet signatories to, or have not yet ratified, the UN Convention against Transnational Organized Crime and the UNCAC consider doing so;

RECOGNIZING that a large number of Parties to CITES are still not Parties to the UNCAC;

RECALLING that UNCAC and UNTOC require Parties to criminalize bribery and a number of related offences;

ACKNOWLEDGING that law enforcement efforts alone will not be sufficient to end corruption in the wildlife sector, NOTING that Chapter II on prevention of UNCAC provides State parties with broad and effective options to prevent corruption and NOTING in this context that Article 5 of UNCAC requires State parties to adopt effective, coordinated anti-corruption policies and that Article 7 of UNCAC requires State parties to endeavour to adopt, maintain and strengthen civil service systems that promote adequate remuneration and education and training programmes which would enable civil servants to meet the requirements for proper performance of their public functions;

FURTHER NOTING that Article 12 of UNCAC recognizes the need to prevent the misuse of procedures regulating private entities, including procedures regarding licences granted by public authorities for commercial activities;

ADDITIONALLY NOTING that Article 13 of UNCAC recognizes the importance of promoting the active participation of individuals and groups outside the public sector in the prevention of and the fight against corruption and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption;

NOTING that the CITES National Legislation Project encourages Parties to consider holding government officials responsible for violations of the Convention or relevant national law including

considering making it an offence for an enforcement officer to accept any unauthorized personal payment or other form of personal compensation;

WELCOMING the efforts being made by many Parties to CITES, the UN system, intergovernmental organizations, such as INTERPOL, the World Bank, the World Customs Organization, the Organization for Economic Cooperation and Development and non-governmental organisations to prevent, detect and counter corruption;

WELCOMING the work of the International Consortium on Combating Wildlife Crime (ICWC) and noting that corruption is an issue specifically identified in the Letter of Understanding establishing the Consortium which also is addressed in the ICWC Wildlife and Forest Crime Analytical Toolkit; and

RECALLING Resolution Conf. 14.3 on *CITES compliance procedures*;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. STRESSES that failure to prohibit, prevent, and counter corruption which relates to the implementation or enforcement of CITES greatly undermines the effectiveness of the Convention;
2. URGES therefore all Parties to adopt measures to prohibit, prevent, detect and counter instances of corruption and ensure that any corrupt practices associated with the administration, regulation, implementation or enforcement of CITES are punishable with appropriate penalties under national legislation;
3. REITERATES its call to all Parties that have not yet ratified UNCAC and UNTOC to do so and URGES all Parties that are Parties to UNCAC and UNTOC to effectively implement its provisions;
4. ENCOURAGES Parties, and especially CITES Management Authorities, to work closely with existing national anti-corruption commissions, and like bodies, law enforcement agencies, judicial authorities, as well as with relevant civil society organisations, in the design and implementation of integrity policies, which might also include deterrence initiatives, such as mission statements, codes of conduct and 'whistle-blower' schemes, taking into account the relevant provisions of the UNCAC;
5. ENCOURAGES all Parties to continue to build and maintain properly paid, trained and equipped CITES Authorities and authorities responsible for administration, regulation and enforcement of the Convention;
6. FURTHER ENCOURAGES Parties to ensure national enforcement agencies responsible for enforcement of CITES draw upon existing guidance and training materials, prepared by entities such as INTERPOL, the UN Office on Drugs and Crime, the UN Development Programme, the World Bank and the World Customs Organization, and to make use of capacity building opportunities offered by such entities in order to discourage any corrupt behaviour or practices on the part of their personnel;
7. URGES Parties to ensure that agencies responsible for the administration and regulation of CITES, particularly with regard to the issuance, inspection and endorsement of permits and certificates, and the inspection and clearance of shipments authorized by such documents, implement measures which aid in the deterrence and detection of corrupt practices;
8. FURTHER URGES Parties to pay particular attention to corruption associated with corporate gifting or accepting of CITES-listed species or products made from them and adopt efficient policies against such practices;
9. CALLS UPON Parties, and intergovernmental, international and national non-governmental organizations and the donor community, as appropriate, to provide, as appropriate and upon request, funds and expertise to enable anti-corruption measures, including provision of related training or materials, so as to ensure that all personnel responsible for administration, implementation and enforcement of the Convention are adequately trained, equipped and able to respond to corruption;

10. RECOMMENDS that the International Consortium on Combating Wildlife Crime continues to incorporate anti-corruption efforts into its activities, including those related to anti-money laundering and asset seizure and recovery;
11. RECOMMENDS FURTHER that regional and sub-regional Wildlife Enforcement Networks incorporate anti-corruption activities into their work plans and undertakings, if they have not already done so;
12. REQUESTS all Parties, to the best of their abilities, to report on activities they undertake to counter corruption as it relates to CITES implementation or enforcement, and on any instances of corruption they become aware of and respond to, in the implementation reports required to be submitted under Article VIII, paragraph 7 (b);
13. REQUESTS the Secretariat:
 - a) to continue to report credible allegations of corrupt practices, or the results of its own investigations that lead to credible suspicions of corruption, to the relevant national authorities and intergovernmental entities; and
 - b) to include relevant information on such instances, and the outcome of investigations, in its report on enforcement matters to each Standing Committee meeting and each regular meeting of the Conference of the Parties, together with details of any anti-corruption activities the Secretariat has undertaken, along with its activities in implementation of Article XIII of the Convention;
14. REQUESTS the Standing Committee to take note of instances of corruption affecting the implementation or enforcement of the Convention and, where appropriate, make recommendations to the Parties concerned and to the Conference of the Parties on ways in which it may be combated more effectively, whilst also considering possible actions that the Committee itself might take under Resolution Conf. 14.3; and
15. REQUESTS the Standing Committee, with support from the Secretariat, to ensure close cooperation of CITES with UNCAC and UNTOC.

Conf. 17.7

Review of trade in animal specimens reported as produced in captivity

CONSIDERING that the Convention provides, in Article VII, paragraphs 4 and 5, for special treatment of animal specimens that are bred in captivity as defined in Resolution Conf. 10.16 (Rev.) on *Specimens of animal species bred in captivity*;

NOTING that, in accordance with Article VII, paragraph 4, animal 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 ALSO that, in accordance with Article VII, paragraph 5, the certification from the Management Authority of the State of export that it is satisfied that the specimen of an animal species was bred in captivity or is part of such an animal or was derived therefrom shall be accepted in lieu of any of the permits or certificates required under the provisions of Article III, IV or V;

RECOGNIZING that specimens in trade are derived from a variety of captive production systems, which are attributed to different source codes as defined by Resolution Conf. 12.3 (Rev. CoP17) on *Permits and certificates*;

RECOGNIZING that captive breeding, and other captive production systems, can have a number of benefits compared with direct harvests from the wild;

CONCERNED that the incorrect application of source codes and/or misuse or false declaration of source codes can reduce or negate such benefits where they exist, have negative implications for conservation and undermine the purpose and effective implementation of the Convention;

FURTHER CONCERNED that in addition to inadvertent misuse of source codes, there is growing evidence of cases of illegal trade in wild-caught specimens of CITES-listed species, through fraudulent claims that wild-caught specimens are captive bred;

FURTHER CONCERNED that in some cases there are doubts as to the legal origin of the parental stocks of captive bred specimens including specimens that are bred outside their natural range;

ACKNOWLEDGING that the intent of the Review of trade in animal specimens reported as produced in captivity is to ensure that such trade is conducted in accordance with provisions of the Convention and to identify remedial actions where needed to ensure trade is not detrimental to the survival of wild species and to advance the purpose and effective implementation of the Convention;

EXPECTING that the implementation of recommendations and actions resulting from the Review of trade in animal specimens reported as produced in captivity will improve the capacity of the Parties to properly assess that specimens are genuinely produced by the captive production system claimed;

AFFIRMING that the Review of trade in animal specimens reported as produced in captivity should be transparent, timely and simple;

NOTING the Guide to CITES compliance procedures found in Resolution Conf. 14.3 on *CITES compliance procedures*; and

NOTING FURTHER that there are existing mechanisms to address urgent issues of non-compliance with the Convention, including Article XIII and Resolution Conf. 11.3 (Rev. CoP17) on *Compliance and enforcement*, and that this Resolution complements these existing mechanisms;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. DIRECTS the Secretariat to implement the present Resolution subject to available resources;
2. DIRECTS the Animals and Standing Committees, in cooperation with the Secretariat, relevant experts and in consultation with Parties, to review biological, trade and other relevant information

regarding animal species subject to significant levels of trade using source codes C, D, F or R, to identify problems associated with the implementation of the Convention and to develop solutions in accordance with the following procedure.

Stage 1 – Identification of species-country combinations for review

- a) The Secretariat shall produce a summary from the CITES Trade Database of annual report statistics of species traded, derived from the five most recent years, under source codes C, D, F or R and will undertake, or appoint consultants to undertake, an analysis of such data to identify species-country combinations for review using the following criteria:
 - i) significant increases in trade in specimens declared as captive-produced (source codes C, D, F and R);
 - ii) trade in significant numbers of specimens declared as produced in captivity;
 - iii) shifts and fluctuations between different captive-production source codes;
 - iv) inconsistencies between source codes reported by exporting and importing Parties for specimens declared as produced in captivity;
 - v) apparent incorrect application of captive production codes such as: 'A' for animal species or 'D' for Appendix-I species that have not been registered in compliance with the provisions of Resolution Conf. 12.10 (Rev. CoP15) on *Registration of operations that breed Appendix-I animal species in captivity for commercial purposes*; and
 - vi) trade from non-range States of specimens declared as produced in captivity with no evidence of lawful acquisition of parental breeding stock (i.e. no recorded imports);
- b) The Secretariat shall also compile any other relevant information made available to it with respect to concerns about captive production, including any cases identified from the Review of Significant Trade under Resolution Conf. 12.8 (Rev. CoP17) on *Review of Significant Trade in specimens of Appendix-II species*, referred to it by Parties or available in relevant reports, including the global conservation status by species published in the IUCN Red List of threatened species or noted as not evaluated;
- c) The Secretariat shall provide the outcome of the analyses in subparagraph 2 a) and a compilation of information from subparagraph 2 b) to the first regular meeting of the Animals Committee following a meeting of the Conference of the Parties. The Animals Committee may select a limited number of species-country combinations for review, taking into account the biology of the species, for which it should draft general or specific questions and a brief explanation of the selection, to be addressed by the Secretariat to the Parties concerned in accordance with Stage 2, subparagraph 2 e). The Animals Committee will determine for which species the short reviews provided for in Stage 2, subparagraph 2 f) are required; urgent enforcement matters identified at this stage should be referred to the Secretariat and the country concerned and subsequently reported to the Standing Committee; and
- d) In exceptional cases, outside steps in subparagraphs 2 a)-c) above, and where new information provided to the Secretariat indicates that urgent action may be needed concerning problems relating to the implementation of provisions under the Convention for captive production of specimens, the Secretariat:
 - i) shall verify that the proponent has provided a justification for the exceptional case, including supporting information;
 - ii) shall produce a summary and analysis of trade from the CITES Trade Database in relation to the species-country combination; and
 - iii) provide the information from i) and ii) above, as soon as possible to the Animals Committee or Standing Committee, as appropriate, for their intersessional review and decision on whether to include the species-country combination in the next stage of the review process.

Stage 2 – Consultation with countries and compilation of information

- e) The Secretariat shall, within 30 days after the relevant meeting of the Animals Committee, notify the country or countries concerned that species produced in captivity in their country have been selected for review, and provide them with an overview of the review process and an explanation for the selection provided by the Animals Committee. The Secretariat shall ask the country or countries to provide information, within 60 days, in response to general or specific questions, developed by the Animals Committee, to determine if the correct source codes have been used, under the applicable Resolutions, for specimens claimed to be produced in captivity; and
- f) The Secretariat shall also commission, if requested by the Animals Committee, a short review of the species concerned, in consultation with relevant countries and specialists, to compile and summarise known information relating to the breeding biology and captive husbandry and any impacts, if relevant, of removal of founder stock from the wild.

Stage 3 – Review and recommendation by the Animals and Standing Committee

- g) The Animals Committee shall, at their second meeting following a regular meeting of the Conference of the Parties, review the responses from countries, any review commissioned by the Secretariat and any additional relevant information, and determine if trade is in compliance with Article III and Article IV of the Convention, as well as Article VII, paragraphs 4 and 5. If trade is in compliance, the species-country combination will be excluded from the review and the Secretariat will inform the country or countries of this outcome within 60 days;
- h) Where a species-country combination is retained within the review and the Animals Committee identifies concerns appropriately within its remit, the Animals Committee shall, in consultation with the Secretariat, formulate draft recommendations directed to the relevant country which are time-bound, feasible, measurable, proportionate, transparent and aimed at ensuring long-term compliance which, where appropriate, aim to promote capacity building and enhance the ability of the country to implement relevant provisions of the Convention. The Secretariat shall transmit these draft recommendations and supporting information, from the Animals Committee to the next meeting of the Standing Committee for their review, revision if necessary, and endorsement;
- i) Where a species-country combination is retained within the review and the Animals Committee identifies concerns that are more appropriately considered by the Standing Committee, the Secretariat shall refer the issue to the next meeting of the Standing Committee, including any observations from the Animals Committee;
- j) The Standing Committee shall review the draft recommendations and supporting information from the Animals Committee and prepare any required recommendations for the country or the countries concerned; and
- k) The Secretariat shall, within 30 days of the meeting of the Standing Committee in subparagraphs 2 h) and j), transmit the combined recommendations of the Standing and Animals Committees to the country or countries concerned and also provide the country or countries with relevant guidance, such as on the correct application of source codes, and means by which their capacity to deal with captive production issues might be enhanced.

Stage 4: Measures to be taken regarding the implementation of recommendations

- l) The Secretariat shall monitor progress against the recommendations, taking account of the different deadlines, and, following timely intersessional consultation with the members of the Standing and Animals Committees through their Chairs, determine whether the recommendations referred to above have been implemented:
 - i) where the recommendations have been met, the Secretariat shall, following consultation with the Chair of the Standing Committee, notify the Parties that the species-country combination was removed from the review process; or

- ii) when the recommendations are not deemed to have been met, the Secretariat shall, in consultation with the members of the Standing and Animals Committees through their Chairs, recommend to the Standing Committee appropriate action, which may include, as a last resort, a recommendation to suspend trade in the affected species with that State;
- m) The Secretariat shall report to the Standing Committee on its evaluation of the implementation of the recommendations, including the rationale for its evaluation, and a summary of the views expressed by the Animals Committee;
- n) For countries where recommendations are not deemed to have been met, the Standing Committee shall decide on appropriate actions and make recommendations to the country or countries concerned, keeping in mind that these recommendations should be time-bound, feasible, measurable, proportionate, transparent, and should, if appropriate, promote capacity building. In exceptional circumstances, where the country under consideration provides new information on the implementation of the recommendations to the Standing Committee, the Standing Committee shall consult intersessionally with the Animals Committee through the Chair prior to making a decision on appropriate action;
- o) The Secretariat shall notify the Parties of any recommendations or actions taken by the Standing Committee;
- p) Any recommendation by the Standing Committee to suspend trade in the affected species with the country concerned should be withdrawn only when that country demonstrates to the satisfaction of the Standing Committee, through the Secretariat, in consultation, where appropriate, with the members of the Animals Committee through their Chair, compliance with the provisions of the Convention with respect to the captive production of specimens; and
- q) The Standing Committee, in consultation with the Secretariat and the Chair of the Animals Committee, shall, where appropriate, review recommendations to suspend trade that have been in place for longer than two years, consult with the relevant country, evaluate the reasons why this is the case, and, if appropriate, take measures to address the situation.

Regarding capacity building, monitoring, reporting, and evaluating the review process

- 3. DIRECTS the Secretariat, for the purpose of monitoring and facilitating the implementation of this Resolution and the relevant provisions of the Convention:
 - a) To report to the Standing Committee on the implementation, by the countries concerned, of the recommendations made by the Standing and Animals Committees; and
 - b) To maintain a record of species-country combinations that are included in the review process set out in this Resolution, including a record of progress with implementation of recommendations;
- 4. DIRECTS the Secretariat to include training on this review process of specimens produced through captive production as part of its capacity-building activities related to the implementation of the Convention; and
- 5. DIRECTS the Standing and Animals Committees, in consultation with the Secretariat, to periodically evaluate the outcomes of this Review by, for example, examining a sample of past species-country combinations to assess whether the desired result was achieved. Based on these evaluations, the Standing and Animals Committees should propose revisions to the review process as necessary. In these periodic evaluations, feedback should be sought from countries that have been through the review process.

Conf. 17.8

Disposal of illegally traded and confiscated specimens of CITES-listed species

RECALLING that according to Article VIII,

- a) paragraph 1 (b), Parties shall take appropriate measures to provide for the confiscation or return to the State of export of specimens traded in violation of the Convention;
- b) paragraph 4 (b), 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 center or such other place as the Management Authority deems appropriate and consistent with the purposes of the Convention; and
- c) paragraph 4 (c) leaves open the possibility for the Management Authority to obtain the advice of a Scientific Authority or of the Secretariat;

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

ALSO RECALLING that Article III, paragraph 4 (a), and Article IV, paragraph 5 (a), of the Convention, require that, as a pre-condition for the issuance of a re-export certificate, the Management Authority of the State of re-export be "satisfied that the specimen was imported into that State in accordance with the provisions of the present Convention";

FURTHER RECALLING Resolution Conf. 9.10 (Rev. CoP15) on *Disposal of confiscated and accumulated specimens*, adopted at its ninth meeting and amended at its 10th, 13th, 14th and 15th meetings (Harare, 1997; Bangkok 2004; The Hague, 2007; Doha, 2010), which recommends *inter alia* to the Parties not having done so yet, to adopt legislation in order to charge to the importer who violated the Convention and/or carrier the costs of returning confiscated live specimens to the country of origin or re-export;

RECALLING AS WELL Resolution Conf. 10.7 (Rev. CoP15), on *Disposal of confiscated live specimens of species included in the Appendices*, adopted by the Conference of the Parties at its 10th meeting (Harare, 1997) and amended at its 15th meeting (Doha, 2010);

RECOGNIZING the importance of measures to ensure that the return by the importing Party to the State of export or re-export of specimens that have been traded in violation of the Convention does not result in such specimens being entered into illegal trade;

ALSO RECOGNIZING that Parties have experienced problems with the disposal of specimens of Appendix-I species that have been obtained as a result of confiscation, accidental death or otherwise;

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

CONSIDERING that a Party may also provide for the internal reimbursement of expenses that result from the confiscation of a specimen traded in violation of the Convention;

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

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

CONSIDERING AS WELL 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;

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;

AWARE that, when specimens are exported or re-exported in violation of the Convention, often the only enforcement action taken against the exporter is the confiscation of such specimens by the importing Party; and

ALSO AWARE that some Parties do not allow the sale of confiscated specimens because of the message this transmits to the public and in order to exclude illegally traded specimens from entering commercial trade;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

Regarding specimens that are exported or re-exported in violation of the Convention

1. RECOMMENDS that:

- a) when specimens are exported or re-exported in violation of the Convention, importing Parties:
 - i) consider that the seizure and confiscation of such specimens are generally preferable to the definitive refusal of the import of the specimen;
 - ii) notify as soon as possible the Management Authority of the State from which the specimens were consigned of the violation and of any enforcement actions taken concerning these specimens; and
 - iii) are encouraged to take enforcement actions against the party which violated the Convention in addition to seizure and confiscation of the specimens; and
- b) when the import of specimens that have been exported or re-exported in violation of the Convention is refused by the country to which the specimens are consigned, the exporting or re-exporting Party take the measures necessary to ensure that such specimens are not re-entered into illegal trade, including monitoring their return to the country and providing for their confiscation;

Regarding the disposal of confiscated and accumulated dead specimens

2. RECOMMENDS that:

- a) Parties dispose of confiscated and accumulated dead specimens of Appendix-I species, including parts and derivatives, only for *bona fide* scientific, educational, enforcement or identification purposes, and save in storage or destroy specimens whose disposal for these purposes is not practicable; and
- b) as a general rule, confiscated dead specimens, including parts and derivatives, of Appendix-II and Appendix-III species be disposed of in the best manner possible to achieve the purposes of the Convention, and steps be taken to ensure that the person responsible for the offence does not receive financial or other gain from the disposal and that such disposal does not stimulate further illegal trade;

Regarding the disposal of confiscated live specimens

3. 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 or origin of the confiscated specimens, and other relevant experts;

- b) each Scientific Authority in preparing its advice take note of the guidelines in Annexes 1 and 2 of this Resolution;
 - 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;
 - 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; and
 - e) priority be given to the care of seized or confiscated wild-collected specimens of Appendix-I species and of Appendix-II species; and
4. 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 of this Resolution;

Regarding costs associated with confiscated specimens

5. RECOMMENDS that:
- a) Parties make legislative provision to require the importer or the carrier who violated the Convention, or both, to meet the costs of confiscation, custody, storage, destruction or other disposal, including returning specimens to the country of origin or re-export (as appropriate) where the Scientific Authority of the confiscating State deems it in the interest of the specimens to do so, and the country of origin or last re-export so wishes; and
 - b) where such legislation does not exist and the country of origin or last re-export wishes a confiscated live specimen to be returned, that country shall cover the cost of return or shall seek financial assistance to facilitate the return; and
6. CONFIRMS that Parties have the right to allow, or should they choose to do so, not to allow the sale of confiscated dead specimens, including parts and derivatives, of Appendix-II and -III species, taking into account the need for measures necessary to ensure such specimens are not re-entered into illegal trade;

Regarding publicity

7. RECOMMENDS that Parties publicize information on seizures and confiscations and related enforcement actions, including prosecutions when appropriate as a deterrent to illegal trade, and informs the public as well as other Management Authorities about their procedures for dealing with seized and confiscated specimens or related prosecutions and about rescue centers;

Regarding the export or re-export of confiscated specimens

8. RECOMMENDS that:
- a) except in the circumstances specified in paragraphs b) and c) below, Parties not authorize any re-export of specimens for which there is evidence that they were imported in violation of the Convention;
 - b) when applying Article III, paragraph 4 (a), and Article IV, paragraph 5 (a), of the Convention to specimens that were imported not in accordance with the provisions of the Convention and that are being re-exported by a Management Authority for purposes of implementing the provisions of Article VIII or of this Resolution, or for investigatory or judicial purposes, the specimens be deemed to have been imported in accordance with the provisions of the Convention;
 - c) when applying Article IV, paragraphs 2 (b) and 5 (a), of the Convention to specimens of species in Appendix II that have been confiscated as a result of attempts to import or export

them illegally and that have subsequently been sold by the Management Authority, having satisfied itself that this would not be detrimental to the survival of the species, the specimens be deemed to have been obtained in accordance with the provisions of the Convention and with the laws of the State for the protection of fauna and flora for the purposes of issuing export permits or re-export certificates; and

- d) permits and certificates granted in accordance with paragraph b) or c) above clearly indicate that the specimens are confiscated specimens; and

9. REPEALS the Resolutions, or parts thereof, listed hereunder:

- a) Resolution Conf. 9.9. on *Confiscation of specimens exported or re-exported in violation of the Convention*;
- b) Resolution Conf. 9.10 (Rev. CoP15) on *Disposal of confiscated and accumulated specimens*; and
- c) Resolution Conf. 10.7 (Rev. CoP15) on *Disposal of confiscated live specimens 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)

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.

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 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 coordinated 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?

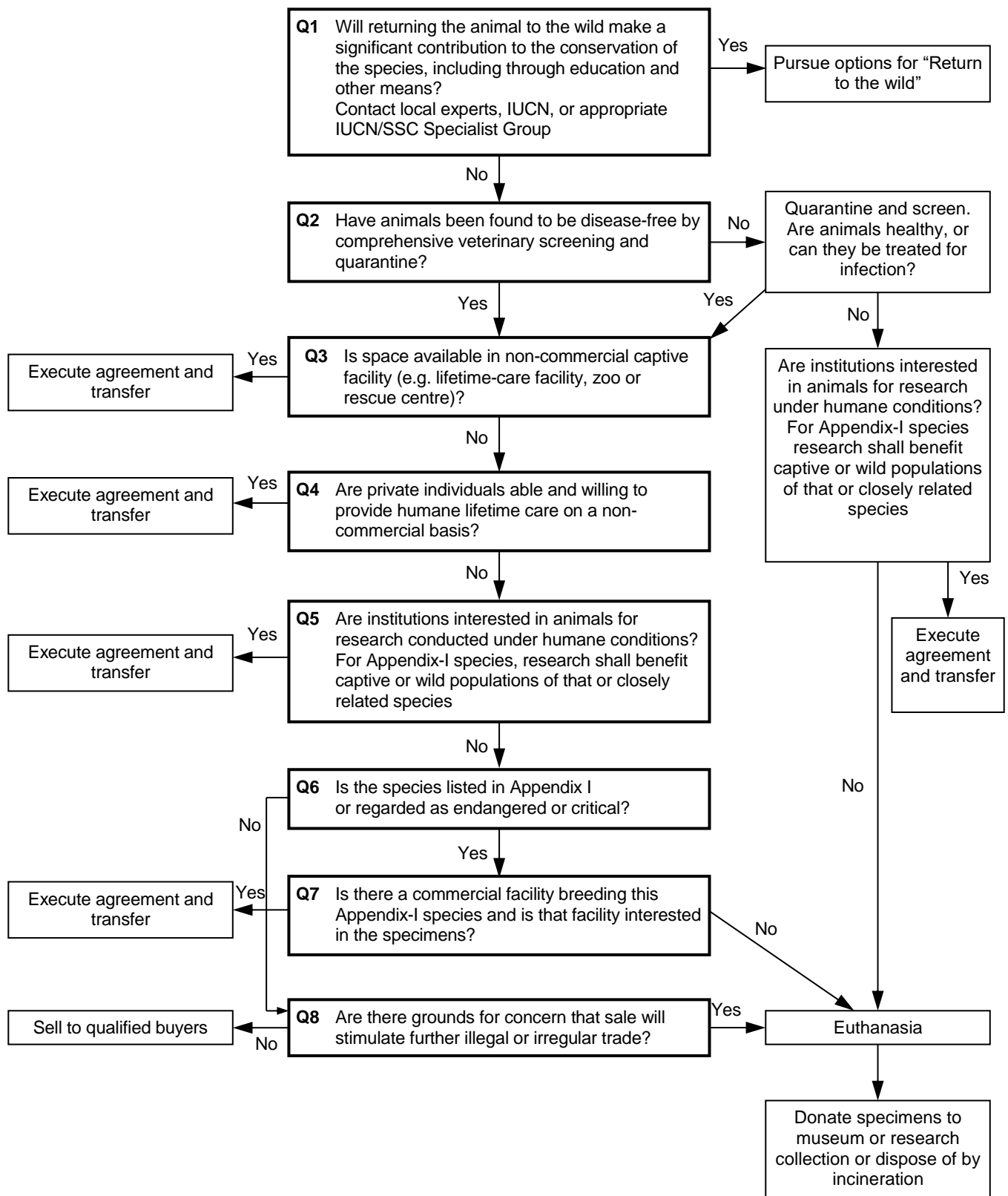
In cases where the animals can not be transferred to existing programmes, their return to the wild, following appropriate guidelines, will only be possible under the following circumstances: 1) appropriate habitat exists for such an operation; 2) sufficient funds are available, or can be made available, 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.

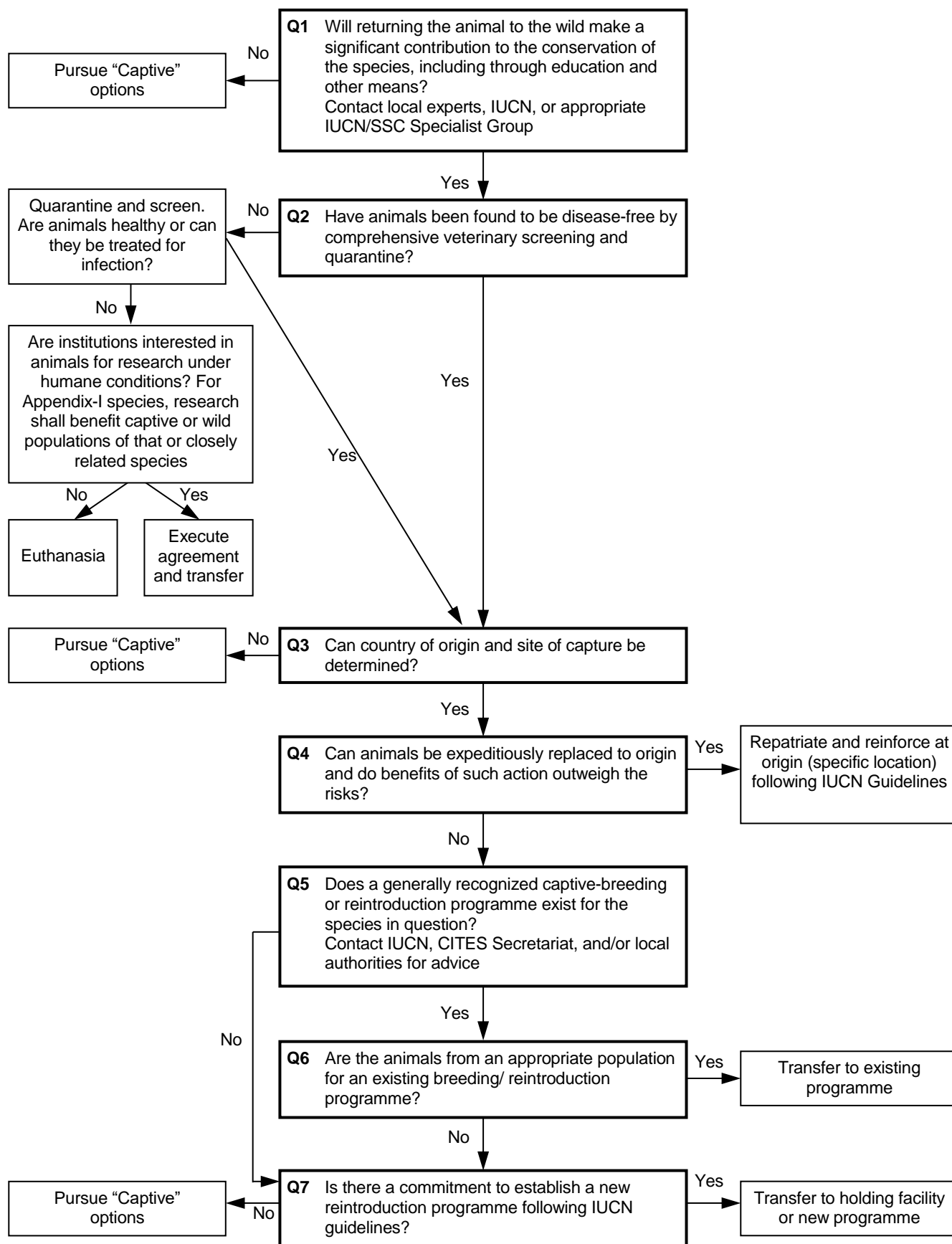
Answer: Yes: Transfer to holding facility or new programme.

No: Pursue "Captive" options.

Decision tree for “Captive” options



Decision tree for “Return to the wild” options



Annex 2

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.

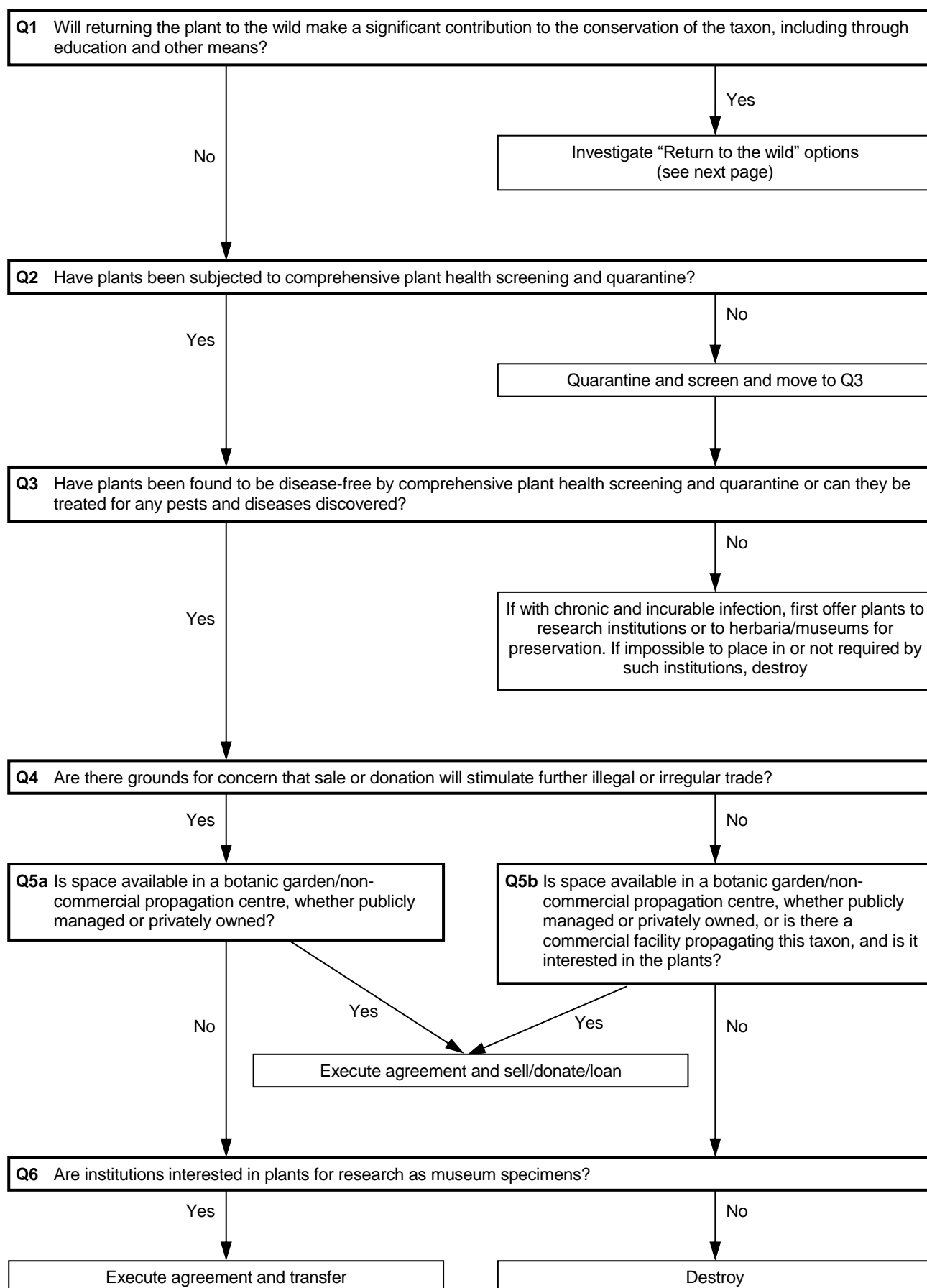
In the majority of cases, at least one, if not all, of these requirements will fail to be met. In this instance, either conservation introductions outside the historical range of these species or other options for disposal of the plants must be considered.

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.

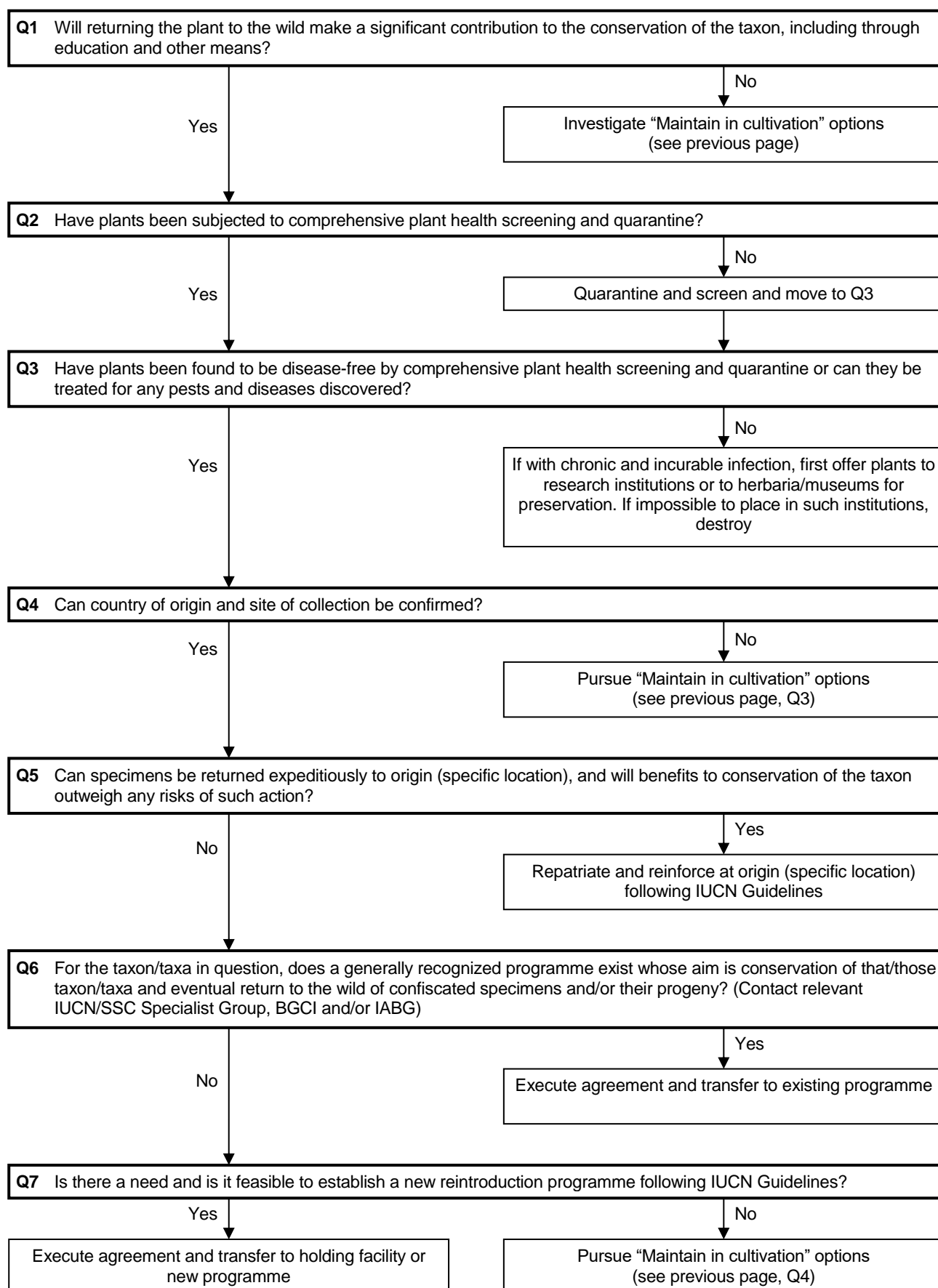
Answer: Yes: Execute agreement and transfer to holding facility or new programme.

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. 17.9

Trade in hunting trophies of species listed in Appendix I or II

ACKNOWLEDGING that peoples and States are and should be the best protectors of their own wild fauna and flora;

RECOGNIZING that well-managed and sustainable trophy hunting is consistent with and contributes to species conservation, as it provides both livelihood opportunities for rural communities and incentives for habitat conservation, and generates benefits which can be invested for conservation purposes;

ACKNOWLEDGING that where economic value can be attached to wildlife and a controlled management system is implemented, favourable conditions can be created for investment in the conservation and the sustainable use of the resource, thus reducing the risks to wildlife from alternative forms of land use;

FURTHER ACKNOWLEDGING the guidance provided in Resolution Conf. 13.2 (Rev. CoP14) on *Sustainable use of biodiversity: Addis Ababa Principles and Guidelines*;

RECALLING that Resolution Conf. 16.6 (Rev. CoP17) on *CITES and livelihoods* recognizes that poor rural communities may attach economic, social, cultural and ceremonial importance to some CITES-listed species, and RECOGNIZING the resources that trophy hunting provides to certain local communities;

CONSIDERING the need for uniform interpretation of the Convention with regard to hunting trophies;

FURTHER RECOGNIZING that range States invest significant resources in making scientifically based non-detriment findings and establishing sustainable quotas for hunting trophies;

AWARE of the challenges that some Parties face when making scientifically based non-detriment findings and establishing sustainable quotas for hunting trophies;

RECALLING that Resolution Conf. 16.7 (Rev. CoP17) on *Non-detriment findings* sets out a number of guiding principles that Scientific Authorities should take into account in considering whether trade would be detrimental to the survival of a species;

RECOGNIZING that the conservation status of a species may differ across its range, and that this needs to be taken into account in the non-detriment findings of the respective Scientific Authorities as required under Articles III and IV of the Convention;

FUTHER RECOGNIZING that trophy-hunting activities can successfully be managed for the benefit of the species in cooperation with and provide benefits to local communities, where relevant;

RECALLING that Resolution Conf. 10.10 (Rev. CoP17) on *Trade in elephant specimens*, Resolution Conf. 10.14 (Rev. CoP16) on *Quotas for leopard hunting trophies and skins for personal use*, Resolution Conf. 10.15 (Rev. CoP14) on *Establishment of quotas for markhor hunting trophies* and Resolution Conf. 13.5 (Rev. CoP14) on *Establishment of export quotas for black rhinoceros hunting trophies* set out specific conditions applying to international trade in trophies of those Appendix I species;

RECALLING that the Appendix I listing of cheetahs (*Acinonyx jubatus*) is accompanied by an annotation regarding annual export quotas for live specimens and hunting trophies;

RECALLING that Resolution Conf. 2.11 (Rev.) on *Trade in hunting trophies of species listed in Appendix I* recommends that hunting trophies of Appendix I species shall be accompanied by import and export permits;

FURTHER RECALLING that Resolution Conf. 2.11 (Rev.) on *Trade in hunting trophies of species listed in Appendix I* recommends that, in order to achieve the envisaged complementary control of trade in Appendix I species by the importing and exporting countries in the most effective and comprehensive

manner, the Scientific Authority of the importing country accepts the finding of the Scientific Authority of the exporting country that the exportation of the hunting trophy is not detrimental to the survival of the species unless there are scientific or management data to indicate otherwise; and

RECALLING FURTHER Resolution Conf. 13.7 (Rev. CoP17), on *Control of trade in personal and household effects*;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. AGREES that the export of hunting trophies of species listed in Appendix I or II should be conditional upon issuance of an export permit in accordance with Articles III or IV of the Convention except as provided in Resolution Conf. 13.7 (Rev. CoP17) on *Control of trade in personal and household effects*;
2. URGES exporting countries to only authorize the export of hunting trophies of species listed in Appendix I or II when the following conditions are met:
 - a) a Management Authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that country for the protection of fauna;
 - b) in reviewing trade in hunting trophies, a Management Authority of the state of export is satisfied that said specimen conforms to the definition of hunting trophy as contained in Resolution Conf. 12.3 (Rev. CoP17) on *Permits and Certificates*, and corresponds therefore to a whole animal, or readily recognizable part or derivative of an animal, specified on the accompanying CITES permit or certificate, that:
 - i) is raw, processed or manufactured;
 - ii) was legally obtained by the hunter through hunting for the hunter's personal use; and
 - iii) is being imported, exported or re-exported by or on behalf of the hunter, as part of the transfer from its country of origin, ultimately to the hunter's State of usual residence; and
 - c) a Scientific Authority of the State of export takes into account the concepts and non-binding guiding principles contained in Resolution Conf. 16.7 (Rev. CoP17) on *Non-detriment findings* in determining whether the export of the hunting trophy would be detrimental to the survival of the species; which may include:
 - i) information relating to distribution, status and trends of populations based on national conservation plans, where applicable, and which informs harvests; and
 - ii) a review of the sustainability of harvest levels taking account all mortality sources affecting the wild population of the species, including mortality due to illegal killing;
3. RECOMMENDS that Parties exporting hunting trophies of CITES-listed species ensure that trophy hunting is sustainably managed, does not undermine the conservation of target species and, as appropriate, provides benefits to local communities by having in place:
 - a) a robust regulatory framework relating to the harvesting of trophies;
 - b) an effective enforcement mechanism with adequate deterrents in the form of penalties for non-compliance;
 - c) a monitoring system designed to effectively monitor population trends and status; and
 - d) an adaptive management system through which harvest levels can be adjusted according to the needs of the specific population and based on results of the monitoring programme;
4. FURTHER RECOMMENDS that trophy hunting activities relating to species listed in Appendix I should produce conservation benefits for the species concerned and thus may benefit from having a benefit sharing or incentive system in place to ensure that harvesting contributes to the offsetting of the cost of living with certain species, such as elephants;

5. URGES Parties trading in hunting trophies to apply the *Guidelines for the preparation and submission of CITES annual reports* in order to assess adherence to quotas and compliance with the provisions of the Convention;
6. RECOMMENDS that importing and exporting countries maintain a close dialogue as necessary, and that these countries share information, upon request, regarding the finding of the Scientific Authorities;
7. FURTHER RECOMMENDS that Parties consider the contribution of hunting to species conservation and socio-economic benefits, and its role in providing incentives for people to conserve wildlife, when considering stricter domestic measures and making decisions relating to the import of hunting trophies; and
8. FURTHER RECOMMENDS that Parties make every reasonable effort to notify range States of the species concerned at as early a stage as possible prior to the adoption of stricter measures relating to trade in hunting trophies, as recommended in Resolution Conf. 6.7 on *Interpretation of Article XIV, paragraph 1, of the Convention*.

CONCERNED that all eight species of pangolins, *Manis* spp., are considered critically endangered, endangered or vulnerable, by the combined effects of habitat degradation, overexploitation and illegal trade;

RECALLING that the Conference of the Parties decided in 1994 to include all species of pangolins, *Manis* spp., in Appendix II, and to amend this listing in 2000 with the annotation, “a zero annual export quota has been established for *Manis crassicaudata*, *M. culionensis*, *M. javanica* and *M. pentadactyla* for specimens removed from the wild and traded for primarily commercial purposes”;

MINDFUL that the trade in specimens, parts and derivatives of *Manis* spp. of wild origin has been the subject of the Review of Significant Trade, in compliance with Resolution Conf. 12.8 (Rev. CoP17) on *Review of Significant Trade in specimens of Appendix-II species*;

CONCERNED that these measures have not prevented declines of pangolin populations, and that the Conference of the Parties at its seventeenth meeting included all pangolins in Appendix I;

COMMENDING the efforts made by some range, transit and consumer States and other Parties to address the illegal and unsustainable trade in pangolins and their parts and derivatives;

ENCOURAGING all stakeholders to take note of the recommendations of the final report of the First Pangolin Range States Meeting, held from 24 to 26 June 2015 in Da Nang, Viet Nam;

EMPHASIZING that pangolin populations in the wild are difficult to research, manage and monitor, and that more comprehensive data on the population size and conservation status of pangolin species are urgently needed;

RECOGNIZING also that pangolin populations are vulnerable to overexploitation because of their low reproduction rates and ease of capture;

RECOGNIZING further that, the illegal trade in pangolin specimens and parts and derivatives has increased significantly to meet international demand;

RECALLING also that, in Resolution Conf. 17.8 on the *Disposal of illegally traded and confiscated specimens of CITES-listed species*, the Conference of the Parties urges Management Authorities, in consultation with Scientific Authorities and other bodies concerned, to develop action plans to deal with seized and confiscated live specimens, and RECALLING the importance for Parties to develop such plans for pangolins;

RECALLING that, in accordance with the provisions of Resolution 10.16 (Rev.) on *Specimens of animal species bred in captivity*, pangolin breeding facilities should be able to demonstrate the legal origin of any founder stock and ability to successfully breed pangolins to at least the F2 generation in a controlled environment; and

RECALLING further that, in Resolution Conf. 10.19 (Rev. CoP14) on *Traditional medicines*, the Conference of the Parties recommends that Parties work closely with groups of traditional-medicine practitioners and consumers in developing public education and awareness programmes to work towards the elimination of illegal use of endangered species, and developing awareness of the need to avoid over-exploitation;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. URGES all Parties to:

- a) adopt and implement comprehensive national legislation or, where applicable, review existing legislation, that makes provision for deterrent penalties to address illegal trade in specimens of native and non-native pangolin species;

- b) ensure strict enforcement controls to address illegal trade in pangolin specimens;
 - c) further strengthen national inter-agency cooperation and international cooperation and to enhance collective efforts as range, transit and destination States to coordinate activities, exchange information on trade routes and patterns and law enforcement responses to combat illegal trade in pangolin specimens;
 - d) carry out capacity-building activities with a particular focus on:
 - i) methods and techniques to detect and identify illegally traded pangolins, including specimens from alleged captive-breeding operations;
 - ii) best practice protocols for safe handling, care and rehabilitation, and release back into the wild of live confiscated pangolins; and
 - iii) promoting the understanding of legal provisions concerning trade in and use of pangolins; and
 - e) promote the development of techniques, including the application of forensic science, for identifying parts and derivatives of pangolins in trade;
2. URGES Parties in whose territory there are pangolin breeding facilities to ensure that such facilities have in place effective management practices and controls to prevent parts and derivatives from entering illegal trade, including through the registration of breeding facilities, and regular monitoring and control;
 3. ENCOURAGES Parties on whose territories stocks of parts and derivatives of pangolins exist, to ensure that adequate control measures are in place to secure these stocks, and to ensure strict application of these measures;
 4. STRONGLY ENCOURAGES consumer, transit and range States to raise awareness among the law enforcement community including the judiciary, local communities, including hunters, relevant business sectors such as courier companies, and consumers about the conservation status of pangolins and the threats posed to their survival by illegal trade;
 5. ENCOURAGES range States to work with local communities to develop non-consumptive livelihood programmes and educational programmes and material to assist local communities in sustainably managing pangolin populations;
 6. ENCOURAGES consumer States to conduct research on the uses of pangolin specimens, and on consumers and their motivations for consumption of pangolin parts and derivatives, such as scales, meat, leather and other cultural uses, to implement measures to reduce the demand for illegal pangolin specimens on the basis of the results of such research, and to initiate targeted communication campaigns;
 7. URGES range States to work with appropriate bodies to develop and implement *in situ* pangolin management and conservation programmes, which include population assessments, the making of non-detriment findings for trade in the species, monitoring, and management and conservation measures; and
 8. CALLS UPON all governments, intergovernmental organizations, international aid agencies and non-governmental organizations to support the efforts of range, transit and consumer States concerned with the illegal trade in pangolin specimens, including parts and derivatives, in tackling this trade, including through the provision of capacity-building interventions, technical assistance, operational support, funding support, educational interventions, and law enforcement support and cooperation, as may be needed.

RECALLING that the helmeted hornbill (*Rhinoplax vigil*) is included in Appendix I of the Convention, and that all commercial international trade in its parts and derivatives has been regulated by the Convention since 1975;

RECOGNIZING that the helmeted hornbill is of cultural and symbolic significance to local communities in Southeast Asia;

AWARE that the helmeted hornbill is highly vulnerable to overexploitation due to its extensive habitat requirements, naturally low population densities, relatively low reproductive rate, and habit of flocking at fruiting trees where it may be easily shot by hunters;

NOTING WITH CONCERN that the wild population of the helmeted hornbill in Indonesia has been increasingly threatened since 2011 by poaching to supply demand for raw and carved casques, the source of 'hornbill ivory' or 'red ivory';

NOTING ALSO that this increase in poaching has been paralleled by an increase in demand for, and in the black market price of, hornbill ivory as a luxury collectable item in China and among Chinese consumers in Southeast Asia;

NOTING that, in response to recent large-scale poaching, the threat status of the species was formally upgraded in 2015 from Near Threatened to Critically Endangered on the IUCN Red List;

AWARE that, as populations become depleted in Indonesia, poachers are likely to shift their attention to other range States;

NOTING IN ADDITION the work under the auspices of the IUCN Species Survival Commission through the Asian Species Action Partnership (ASAP), including the development of an Action Plan for the conservation of the helmeted hornbill;

CONCERNED that without urgent and integrated conservation and law enforcement measures, as well as coordinated efforts on the part of both consumer and range States, the species may be in imminent danger of extinction;

CONSCIOUS that effective enforcement, raising awareness of the issue, education and demand reduction, and cooperation with local communities are critically important complements to effective *in situ* conservation of the species, including control of large-scale poaching;

COMMENDING the initiatives by Indonesia to facilitate cooperation in conservation of the helmeted hornbill and to address illegal hunting of the species; and

RECOGNIZING, however, that strengthened technical cooperation among all relevant Parties, including range and actual or potential consumer States, as well as financial support, would contribute to more effective conservation of the helmeted hornbill;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. URGES all Parties, especially consumer and range States, to:
 - a) adopt as a matter of urgency comprehensive legislation, enforcement controls and effective penalties, with the aim of prohibiting any hunting for helmeted hornbill, eliminating poaching of helmeted hornbill and illegal trade in its parts and derivatives;
 - b) prohibit the display, domestic sale and acquisition of helmeted hornbill specimens, including online sales, including parts and derivatives, except for *bona fide* purposes, including conservation, scientific research, cultural activities, education and forensic investigation;

- c) designate highest legal protection status for the helmeted hornbill and, in relation to subparagraphs 1 a) to b) above, increase current enforcement efforts and prosecutions and address legislative and enforcement gaps;
 - d) undertake cross-border cooperation between neighbouring range States for the management of contiguous habitat; strengthen enforcement controls, including anti-poaching measures in helmeted hornbill range States; collate and share information among law enforcement agencies and INTERPOL related to incidents of poaching, trafficking and illegal sale (including online sale), of helmeted hornbills and their parts and derivatives;
 - e) monitor the impact of hunting pressure on hornbill populations;
 - f) undertake public education campaigns to increase awareness of local people about the conservation of helmeted hornbill and its habitat, as well as to reduce demand for helmeted hornbill specimens, including parts and derivatives, and to promote awareness of applicable laws, particularly within the carving industry; and
 - g) take any other steps necessary for helmeted hornbills range States to develop and implement the Action Plan for the conservation of the helmeted hornbill; and
2. CALLS UPON all governments, donor and funding organizations, and relevant intergovernmental and non-governmental organizations, as a matter of urgency, to support efforts to implement the Action Plan, eliminate poaching and illegal trade in helmeted hornbill, including by:
- a) providing funding to relevant Parties and, for the purposes of this Resolution, to the CITES Secretariat and other relevant partners of the International Consortium on Combating Wildlife Crime; and
 - b) providing assistance with enforcement, training, capacity building and education, population monitoring, and the gathering and exchange of scientific, technical and legal information and expertise.

AWARE that certain species of snakes are successfully bred in captivity, collected from the wild and traded in high numbers in and outside range States, *inter alia* to supply the demand for use as food, skins, traditional medicine, and for the pet trade;

AWARE that the harvesting of snakes and, in the case of some species, the initial processing of their skins and other body parts, is of economic importance and contributes important revenue to local communities;

ACKNOWLEDGING that unregulated or unsustainable trade in snakes can pose significant threats to wild populations, and that international cooperation is needed to address these threats urgently;

OBSERVING that the collection of snakes is carried out through an extensive informal network of trappers, hunters and middlemen, and that collection efforts and trade volumes are considerable, especially in Asia;

ACKNOWLEDGING Resolution Conf. 10.16 (Rev.) on *Specimens of animal species bred in captivity*;

ACKNOWLEDGING Resolution Conf. 12.10 (Rev. CoP15) on the *Registration of operations that breed Appendix-I animal species in captivity for commercial purposes*;

NOTING Resolution Conf. 14.7 (Rev. CoP15) on *Management of nationally established export quotas*; and

NOTING Resolution Conf. 16.7 (Rev. CoP17) on *Non-detriment findings* and its concepts and non-binding guiding principles in considering whether trade would be detrimental to the survival of a species;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

Regarding non-detriment findings (NDFs)

1. ENCOURAGES range States that wish to export species of snakes listed in Appendix II to make use of available guidance, in particular the results of the Cancun workshop on NDFs in 2008, for making non-detriment findings for trade in snakes of wild origin, and guidance on other species as appropriate;
2. ENCOURAGES ALSO Parties and stakeholders in snake conservation, sustainable use and trade to share their experiences and lessons learned with regard to making NDFs; and
3. URGES Parties and the Secretariat to use the general NDF guidance contained in Resolution Conf. 16.7 (Rev. CoP17) and any further guidance recommended by the Animals and Standing Committees in capacity-building workshops and relevant training materials;

Regarding management of wild snake populations

4. ENCOURAGES Parties to establish national harvest, trade and management policies for snake species;
5. INVITES Parties to identify those snake species that are impacted by international trade and, where appropriate, propose possible CITES listings and implement national management strategies, including establishment of export and harvest quotas, size or season restrictions, among others, to further the conservation of the species concerned;
6. ENCOURAGES all Parties to explore ways to enhance the participation of the private sector in the conservation of and sustainable use of and trade in snake species; and

7. ENCOURAGES Parties and stakeholders to increase public awareness of the ecosystem services provided by snakes, of the benefits and consequences of non-detrimental and legal trade and the threats to the survival of the species in the wild and livelihoods posed by illegal trade in snakes and their parts and derivatives;

Regarding monitoring and trade controls

8. ENCOURAGES Parties to use guidance developed for monitoring wild populations and controlling captive-breeding operations and other production systems; and to share their experiences and lessons learned in the use of such guidance;
9. ENCOURAGES range States to apply methodologies for differentiating wild and captive-bred specimens of CITES-listed snake species in trade;
10. URGES Parties with trade in live snakes and/or their parts and derivatives to enhance and increase regulation and enforcement with regard to existing legislation as a matter of urgency;
11. RECOMMENDS that Parties engaged in the snake trade verify the origin of specimens traded and ensure the appropriate use of source codes;
12. URGES Parties to eliminate the important illegal and unreported trade in specimens, whether live or parts and derivatives, of CITES-listed snake species by:
 - a) ensuring that CITES permits and certificates are properly issued for trade in these specimens;
 - b) including information on trade in these specimens in their CITES annual reports;
 - c) ensuring that their annual reports are following the most recent version of the *Guidelines for the preparation and submission of CITES annual reports*, in compliance with Resolution Conf. 11.17 (Rev. CoP17) on *National reports*;
 - d) examining their enforcement efforts regarding trade in these specimens to ensure that adequate steps are taken to deter and detect illegal and unreported trade; and
 - e) undertaking education and outreach activities directed towards snake farms, buyers and sellers of live snakes, parts and derivatives, product manufacturers, shippers, brokers and staff from government agencies involved in controlling and monitoring this trade to ensure that snake specimens are traded in compliance with national laws and CITES provisions;
13. URGES Parties to enhance cooperation among wildlife law enforcement agencies at national and international levels concerning control of trade in snakes, and between enforcement agencies and national CITES authorities;
14. ENCOURAGES Parties to test, and consider the introduction of innovative traceability and enforcement methods in range and consumer States and, as a matter of priority, to strengthen enforcement efforts;
15. URGES Parties that have snake captive-breeding or ranching facilities in their territories to engage in regular monitoring of such facilities, taking into account the origin of parental stock and whether they were obtained legally and without detriment to wild populations, as well as the practicality and capacity of producing the offspring claimed and, for those facilities that breed Appendix I species, to register those facilities with the CITES Secretariat in accordance with Resolution Conf. 12.10 (Rev. CoP15); and
16. ENCOURAGES Parties to pursue the development and dissemination of forensic methods to assist Parties in the identification of snake parts and derivatives, and for examination of products labelled as containing parts and derivatives of snakes;

Regarding traceability systems for snake skins

17. ENCOURAGES Parties to take into account lessons learned from projects on traceability implemented for other CITES-listed species;

18. ENCOURAGES Parties to share experiences in the use of traceability systems for specimens of CITES-listed snake species, including the use of identification technologies;
19. RECOMMENDS:
 - a) that Parties, prior to the implementation of a traceability system for python skins, inventory and tag those skins and provide this information to the Secretariat as a baseline;
 - b) that Parties ensure that the tagging method used distinguishes between skins of the initial stockpiles and skins harvested at later points in time;
 - c) that Parties ensure that the inventories of the initial stockpiles contain information on the species concerned, the stage of processing of the skins (crust, dried, etc.) and the corresponding quantities and tag numbers, and also the year of harvest for skins newly entering the stockpiles;
 - d) the traceability systems commence as close to the point of harvest of the animal or production of the skin as possible. It should be made mandatory up to and including finished skins;
 - e) the identification of skins make use of devices that are tamper-proof, affordable, uniquely serially numbered and contain the following minimum information: species, country of origin (where relevant regional code), year of harvest or production, unique serial number, and source code, or technologies that may accomplish the same requirements. In addition, Parties are encouraged to add other information they deem necessary; and
 - f) the Secretariat should compile such information on available identification technologies and projects to make them available to Parties;
20. CALLS UPON governments and intergovernmental organizations, international aid agencies, non-governmental organizations, the industry and other donors to provide financial support and other assistance to implement this Resolution; and
21. ENCOURAGES Parties to engage in the development of traceability systems and to explore ways to enhance the participation of the private sector and other stakeholders in this process.