

EQWG-Doc. DE/1rev..... 07/01/2004

Export Quota Working Group, Decision 12.17 and 72; SC 49, Doc 12

The basic paper EQWG-Doc. DE/2 should be considered as a starting point for our further discussions. The paper, a draft for a resolution of the COP refers to the proposal of Germany at COP 12, Doc. 50.1 taking into consideration the interventions made at COP 12 on behalf of several delegations.

In addition, there are several items which should also be considered and discussed. The suggestions, probably not enclosing all issues of the working group especially monitoring and reporting are the following:

1. Coordination problems among Management Authority offices (see also COP 12 Doc. 50.2, Annex 2, 1 e) – Small Island State's problem ? - More than one MA office is authorized to grant export permits concerning nationally fixed quotas
 - a) What are the problems?
 - b) Solutions to ensure an effective administration of quota systems
2. Scope of nationally established quotas:
Suggestion made by Germany:
 - a) Export permits without considering the management of quota systems may be granted
 - i) in case of exports without change of owner's possession (transport of pets, pet permits, see COP 12 Doc. 50.2, Annex 2, 1 d);
 - ii) in case of transfer of the normal place of residence to another country (change of residence); and
 - iii) in case of pre-convention specimens.
 - b) no influence of the purpose of transaction/export/import on the application – some countries (Suriname) restrict the fixed quota to certain purposes (e.g. for trade and personal purposes) and do not include specimens used for research or educational purposes or other special purposes
Thesis: Every taking from the wild has an effect, harmless or harmful, on the conservation status of the species or on the extent of the territory occupied by the relevant population of the species concerned independent of the purpose the specimen will be used for. Otherwise there is a loophole.
 - c) The delegation of Russia suggested the wording "except *Acipenseriformes spp.* " in EQWG-Doc. DE/2 under d). What are the reasons? Is it possible to find another solution?
3. What is the relation between export and catch quotas, see *Acipenseriformes spp.*? Has this to be addressed in a resolution?
4. Do we need deadlines for submitting voluntarily fixed quotas for one year?
 - a) by 31st December
 - b) whenever possible (AR)
 - c) taking into account biological reasons which complicate to establish quotas for a calendar year (AR)

5. Is it necessary to use carry over portions?
 - a) remaining part subtracted from the following year's annual quota for that species and not added to the following year's annual quota (AR)
 - b) remaining part explicitly indicated as proposed in DE draft resolution

6. Do we need a scheme of 'carrots and sticks' (acceptance of export permits)?
 - a) thesis: The management of annual export quotas should be perceived as economic incentive. The restrictions of this scheme will only work when it is well implemented and controlled. Import countries can only help in controlling and as incentive can perhaps give transparency and the certainty (positiveness) that imports are without any problems when certain conditions are met. Countries which have a good management plan and a well implemented quota system should have the advantage.

7. Aim: Proposal of a draft resolution to COP 13?
 - a) soft law or not obliging guidelines only
 - b) a draft resolution to be included in an existing Resolution on 'Permits and certificates' or a specific resolution on the Management of export quotas (see comment from the Secretariat to COP 12 Doc. 50.1).

8. Other management problems:
 - a) re-issuance of export permits (see COP 12 Doc. 50.2, Annex 2, 1 b) replacement and transparency (i.e.: the applicant did not use export no. ...) for importing countries
 - b) Sub-species permits under species quota (see COP 12 Doc. 50.2, Annex 2, 2 c)
 - c) reporting discrepancies (see COP 12 Doc. 50.2, Annex 2, 3 b)
 - d) Trade after a ban is lifted (see COP 12 Doc. 50.2, Annex 2, 3 c)
 - e) Reporting not based on actual trade (see COP 12 Doc. 50.2, Annex 2, 4 a) and further items mentioned in COP 12 Doc. 50.2, Annex 2, 4.