

**EQWG-Doc. DE/2..... 07/01/2004**

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

Basic paper referring to the proposal of Germany at COP 12, Doc. 50.1 taking into consideration the interventions made at COP 12 submitted by Germany, also taking into account contributions made by the US and Argentina.

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

IMPROVING THE MANAGEMENT OF ANNUAL EXPORT QUOTAS

**(Insert in) Preamble:**

CONVINCED that quota systems, as important elements of a management plan, are effective tools for ensuring the sustainable use of natural resources and the regulation of international trade in wild fauna and flora;

ENCOURAGES Parties to establish national export quotas for the management of CITES-listed Appendix-II species;

RECOGNIZING that measures for the management of quotas are not well implemented and in some cases lack solid management plans as a basis for their establishment and that lack of strong implementation practices and enforcement measures creates loopholes for illegal trade;

RECOGNIZING the range of capacities among Parties for administering quotas and the specific constraints of developing countries and in particular Small Island Developing States;

RECOGNIZING that the implementation of voluntary nationally established Appendix-II export quotas can be most effective when exporting and importing Parties and the Secretariat work cooperatively to administer and enforce such quotas

AGREES that:

- a) voluntarily nationally established quotas should only be submitted to the Secretariat after a Scientific Authority of the country concerned has been consulted and a non-detriment finding decision has been made;
- b) Parties should submit voluntarily fixed quotas for one year by 31<sup>st</sup> December of the preceding year. Additionally, Parties shall submit their nationally established quotas using the standard nomenclature adopted by the Conference of the Parties;
- c) the Secretariat shall review quotas submitted by the Parties and post them to their website no later than 31 December of the preceding year. If the Secretariat finds serious problems with a submitted quota, it may withhold posting the quota until such time as the problems are resolved.
- d) modifications to existing quotas must be submitted no later than 31 May of the effective year, and as with the review of the Secretariat under paragraph c), revisions shall be

posted on the Secretariat's website no later than 30 June of the effective year. The Secretariat shall post all modifications at the same time.

- e) quotas established shall represent the maximum number of specimens that may be authorized for export in the calendar year concerned. Quotas shall refer, unless otherwise specified, to specimens of wild origin. Clarifying terms, such as "live" or "hunting trophies" shall only be used if they are defined in the text of the Convention or by Resolution of the Conference of the Parties. The term "rancher" shall not be used until it is in compliance with the terms of Resolution Conf. 11.16 and is for species transferred from Appendix I to Appendix II;
- f) Where, for any species except *Acipenseriformes* spp., separate annual export quotas have been established according to the source of the specimens, for example wild specimens ('W') and specimens produced on ranches ('R'), the information specified on each export permit should refer to the export quota in relation to the source, and not to the combined export quota for the species. When the established export quota for a species refers only to one source, for example 'W', Parties should not accept specimens from another source (e.g. 'F') as part of that quota;
- g) each export permit issued for a species subject to an export quota should indicate the total number of specimens of the species exported to date (including those covered by the permit) and the annual quota for the species, in the following format:

**1250/4000 (2002)**

In this example 1,250 specimens of the species concerned have been authorized to be exported to date (including those on the current permit), out of an annual quota of 4,000 in the year 2002. This information should be provided in block 11a of the standard permit form in Annex 2.

- h) export permits should only include the quota information for the year in which the permit is issued. Specimens obtained for export in preceding years should not be authorized for export in following years unless the Management Authority had informed the Secretariat, prior to the export , about the quantities still held in stock and the reason why they had not been exported (see under i). The quotas for the following year (and subsequent years) should not be set at a level to include specimens that were obtained for export in preceding years but for which no export permit was issued in the year in which they were obtained;
- i) where a Party intends to carry over unused portions to a quota in the following year, it should inform the Secretariat as mentioned under h). Only after the Secretariat has agreed to the export of those specimens - followed by a Notification to the Parties or an information in the website— may export permits be granted. These export permits shall refer to the annual quota of the preceding year, indicate the remaining part for the current year and the total number of specimens of the species exported to date (including those covered by the permit) in the current year. As example the carry over shall be indicated in the following format:

**10/25 (2001) – carry over**

In this example 10 specimens of the species concerned have been authorized to be exported to date (including those on the current permit) in the current year, out of a remaining annual quota of 25 of the year 2001. This information should be provided in block 11a of the standard permit form in Annex 2 and, in addition, state under block 5: "Quota: carry over of unused portions".

- j) specimens of species for which voluntarily nationally established export quotas were fixed may be exported in the subsequent two years only after export quotas for the calendar year concerned have been submitted and notified by the Secretariat or published on its website. Unless otherwise requested by the Parties concerned any voluntarily quota established for one year will continue for future years;
- k) import countries shall not accept export permits for specimens subject to a national quota that do not comply with the provisions of paragraphs (g), (h) and (i);
- l) Parties shall not accept export permits where such documents concern specimens subject to voluntarily fixed export quotas or export quotas allocated by the Conference of the Parties to the Convention, if they do not mention the total number of specimens already exported in the current year, including those covered by the permit in question, and the quota for the species concerned. In addition, Parties shall not accept re-export certificates based on export permits which are not in accordance with the provisions of paragraph i).

ENCOURAGES Parties to establish national export quotas for the management of CITES-listed species;

RECOMMENDS that:

- a) when a Party has export quotas allocated by the Conference of the Parties for specimens of species included in Appendices I and II, it state on each export permit the total number of specimens already exported in the current year (including those covered by the permit in question) and the quota for the species concerned; and
- b) Parties send to the Secretariat copies of permits issued for species subject to quotas if so requested by the Conference of the Parties, the Standing Committee or the Secretariat;

**delete** the section VIII in Resolution Conf. 12.3 under establishes.