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

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Production systems for specimens of CITES-listed species

REVIEW OF PRODUCTION SYSTEMS

1. This document has been prepared by the United States of America as chairman of the working group on production systems.

Introduction

2. At the 15th meeting of the Plants Committee (PC15, Geneva, May 2005) and the 21st meeting of the Animals Committee (AC21, Geneva, May 2005), a joint working group was established to address the issue of production systems and associated source codes.

3. In response to Decision 13.68, the working group was to consider the body of work that had been previously presented to the Animals and Plants Committees, as well as documents presented at various meetings of the Conference of the Parties, so as to focus on defining elements of the different production systems for specimens of CITES-listed species of animals and plants, and, if appropriate, develop a list of specific production systems currently utilized by Parties.

4. Following a meeting of the working group at PC15 and AC21 (see PC15/AC21 WG4 Doc. 1), it was agreed by the committees that the working group should continue its work intersessionally. It was further agreed that the United States of America, as chairman, should develop a synthesis document from the various documents listed in Decision 13.68, which reflect the previous discussions of this issue. This synthesis document was to serve as the basis for further discussion. A time-frame was also developed for completing this work and preparing a document for the 16th meeting of the Plants Committee and 22nd meeting of the Animals Committee. The Annex to this document contains the result of the intersessional deliberations that the working group, conducted via e-mail. It describes various production systems and the associated source codes currently in use by the Parties. The Annex also contains recommendations for possible revisions to the codes to better define their use and to assist Parties in determining which source code is appropriate for a particular production system.

5. The working group deliberations have resulted in multiple, often directly competing, recommendations for some source codes, which in some cases would result in a significant departure from current practice. There is disagreement within the working group on the application of ranching and the use of its associated source code 'R', and working group members also failed to reach consensus on source codes applying to plant specimens that are artificially propagated and animals that are bred in captivity.

PRODUCTION SYSTEMS AND SOURCE CODES

Based on historical information, including the Convention and CITES resolutions, the purpose of source codes on CITES permits is threefold. First, they provide information on how the specimen in trade was produced (e.g. harvested from the wild, bred in captivity, artificially propagated). Second, they indicate whether a CITES document was issued under Article III, IV or V, or whether it was issued under one of the exemptions provided in Article VII. Third, as noted in Resolution Conf. 12.3 (Rev. CoP13) on Permits and Certificates, "the data carried on permits and certificates must supply maximum information, as much for export as for import, to allow verification of the conformity between the specimens and the document."

As evident from the history on this subject, the Parties, through the Plants and Animals Committees, have been attempting to relate production systems to a corresponding source code for some time. The Parties have acknowledged that CITES definitions of source codes are not fully understood and are not being used appropriately or consistently by all Parties.

Through the significant discussions carried out to date, it appears that the Parties have agreed on three basic principles:

a)   although there is a wide range of production systems in use, creating a number of new source codes for such systems would be confusing and not necessarily helpful;

b)   if new source codes were necessary, the additions should be kept to an absolute minimum; and

c)   source codes themselves do not indicate non-detriment findings, but reflect information that should be used in making non-detriment findings.

A recurring topic in several of the documents produced on this topic, particularly documents AC20 Inf. 15 and PC14 Doc.15 Annex, is whether source codes should also reflect a level of conservation value. It is important to recall that the Convention requires Parties to make a finding on whether the trade in question is detrimental to the species in the wild, not whether it provides a conservation benefit for the species. We should keep in mind that source codes are merely descriptors of the origin of specimens in trade and are not used to connote positive or negative biological impacts and do not supplant the necessary biological review (i.e. non-detriment and legal acquisition findings) by exporting countries.

Parties should recognize that, provided that the exporting Party makes the appropriate non-detriment findings, a properly-executed CITES document, regardless of the source code used, indicates that the specimens identified on that document have entered international trade in accordance with CITES. Based on this, it would be more effective to have a limited number of source codes that are clearly described so Parties consistently and properly use the codes to reflect, in general, where the specimen originated from and under which Article of the Convention (Article III, IV, V or VII) the CITES document was issued. It is also important that source codes contribute data for meaningful analysis of trade, such as for the Review of the Appendices or the Review of Significant Trade.

With these factors in mind, we present the following alternatives for addressing source codes, which represent input from the working group members. Whereas the descriptions provided were drafted to be as clear and specific as possible, we have provided specific examples of when each source code should be used. Such a list, presumably an annex to Resolution Conf. 12.3 (Rev. CoP13), would provide some examples, but would not be an exhaustive list reflecting all potential circumstances when a code might be used. Based on the recommendations adopted by the working group, a chart can be developed to show the majority of production systems or variations to those systems currently identified by Parties, with examples of each, and indicating specific source codes for production systems so that the Parties can quickly determine what source code to use for a system not previously identified.

Recommendations

Source codes C, A and D

Current use of C: Resolution Conf. 12.3 (Rev. CoP13) recommends that source code C be used when trade involves:

Animals bred in captivity in accordance with Resolution Conf. 10.16 (Rev.), as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5 (specimens of species included in Appendix I that have been bred in captivity for non-commercial purposes and specimens of species included in Appendices II and III).

Current use of A: Resolution Conf. 12.3 (Rev. CoP13) recommends that source code A be used when trade involves:

Plants that are artificially propagated in accordance with Resolution Conf. 11.11 (Rev. CoP13), paragraph a), as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5 (specimens of species included in Appendix I that have been propagated artificially for non-commercial purposes and specimens of species included in Appendices II and III).

Current use of D: Resolution Conf. 12.3 (Rev. CoP13) recommends that source code D be used when trade involves:

Appendix-I animals bred in captivity for commercial purposes and Appendix-I plants artificially propagated for commercial purposes, as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 4.

Recommendations (not listed in order of preference):

Alternative 1. Eliminate source codes A and D; retain source code C, but expand its use to include specimens currently covered under source codes A and D. Resolution Conf. 12.3 (Rev. CoP13) would be amended to read as follows:

C – *Animals bred in captivity in accordance with Resolution Conf. 10.16 (Rev.);*
  – *Plants that are a) artificially propagated in accordance with Resolution Conf. 11.11 (Rev. CoP13);*
  – *Timber grown in monospecific plantations in accordance with Resolution Conf. 10.13 (Rev. CoP13); and*
  – *Parts and derivatives thereof.*

Basis for recommendation: Several members of the working group did not see a reason for the use of source codes C and D to differentiate captive-bred specimens on the basis of the purpose of individual transactions (commercial or non-commercial). It is their view that such a differentiation is seen as confusing, particularly if a Management Authority of an exporting country is expected to apply source code D to all commercial exports from a particular facility and use the code C for non-commercial exports from the same facility. In their view, the key issue (for Article VII paragraphs 4 and 5) is whether a specimen is genuinely captive-bred [as defined in Resolution Conf. 10.16 (Rev.)] or artificially propagated [as defined in Resolution Conf. 11.11 (Rev. CoP13)].

Likewise, they see no valid reason for differentiating between shipments of artificially propagated plants and captive-bred animals (currently source codes C and A) simply because of their taxon; both types of specimens are considered exempt under the Convention based on the same concept that they are derived from closed production systems that are intensively managed and maintained independently (with minimal augmentation) from wild populations.

Alternative 2. Retain source codes D and C, but a) expand the use of C to include specimens currently covered under source code A as well as timber produced in accordance with Resolution Conf. 10.13 (Rev. CoP13), and b) amend the use of D to include timber produced in accordance with Resolution Conf. 10.13 (Rev. CoP13). Resolution Conf. 12.3 (Rev. CoP13) would be amended to read as follows:

C   *Specimens exported under the provisions of Article VII, paragraph 5, which include:*
   – *Animals bred in captivity in accordance with Resolution Conf. 10.16 (Rev.) (of Appendix-I species only when they have been bred for non-commercial purposes);*
   – *Plants that are a) artificially propagated in accordance with Resolution Conf. 11.11 (Rev. CoP13) (of Appendix-I species only when they have been propagated for non-commercial purposes);*
   – *Timber grown in monospecific plantations in accordance with Resolution Conf. 10.13 (Rev. CoP13); and*
   – *Parts and derivatives thereof.*

D   *Specimens of Appendix-I species bred in captivity or artificially propagated for commercial purposes and exported under the provisions of Article VII, paragraph 4, which include:*
   – *Animals bred in captivity in accordance with Resolution Conf. 10.16 (Rev.);*
   – *Plants artificially propagated in accordance with Resolution Conf. 11.11 (Rev. CoP13);*
   – *Timber grown in monospecific plantations in accordance with Resolution Conf. 10.13 (Rev. CoP13); and*
   – *Parts and derivatives thereof.*

Basis for recommendation: Several members of the working group did not see a valid reason for differentiating between shipments of artificially propagated plants and captive-bred animals (currently source codes C and A) simply because of their taxon.

Some members of the working group believe that source code D should be retained, believing that both source codes C and D provide information other than whether the specimen was bred in captivity in accordance with Resolution Conf. 10.16 (Rev.). As noted at the beginning of this document, source codes indicate under which Article of the Convention (Article III, IV or V, or one of the exemptions provided for in Article VII) a CITES document was issued. The determination made by an exporting country of whether or not an Appendix-I specimen was 'bred in captivity for commercial purposes' or 'bred in captivity for non-commercial purposes' [as per Article VII paragraphs 4 and 5 and as defined in Resolution Conf. 12.10 (Rev. CoP13)] is not equivalent to, and is independent of, the finding made by the importing country that the Appendix-I specimen intended for import will not be used for 'primarily commercial purposes' [as per Article III paragraphs 3 (c) 5 (c) and as defined in Resolution Conf. 5.10)]. That is, the purpose of the *breeding* is not the same as the purpose of the *trade*, and individual transactions may either be commercial or non-commercial, but the nature of a captive-breeding or artificial propagation facility will remain either commercial or non-commercial. The envelopment of source code D by source code C also has the potential of undermining the Convention by limiting the ability of Parties to monitor and evaluate trade in Appendix-I species and ensure that it is in compliance with CITES. If source codes D and C are merged, an importing Party will be unable to determine under which exemption (Article VII paragraphs 4 or 5) the exporting Party issued the permit. Furthermore, information on which exemption was used will no longer be contained in the annual reports. The above description of D just reiterates the criteria for a specimen to be traded using this code.

Alternative 3.   Retain source codes C and A, and eliminate source code D. However, amend Resolution Conf. 12.3 (Rev. CoP13) to read as follows:

C   *Animals bred in captivity in accordance with Resolution Conf. 10.16 (Rev.), as well as parts and derivatives thereof.*

A   – *Plants that are a) artificially propagated in accordance with Resolution Conf. 11.11 (Rev. CoP13);*
   – *Timber grown in monospecific plantations in accordance with Resolution Conf. 10.13 (Rev. CoP13); and*
   – *Parts and derivatives thereof.*

Basis for recommendation: The current use of source code A has been slightly modified to include all plants covered under Resolution Conf. 11.11 (Rev. CoP13) and Resolution Conf. 10.13 (Rev. CoP13). Since both of these Resolutions define the criteria that must be met for a plant to be considered artificially propagated, there is no need to further amend source code A.

The basis for the recommendation to retain and expand the use of source code C and the eliminate source code D is described above in Alternative #1.

Alternative 4. Retain source codes C, A, and D, but amend Resolution Conf. 12.3 (Rev. CoP13) so that the use of D is as described in Alternative #2 above, the use of A is as described in Alternative #3 above, and the use of C is as follows:

C   *Animals bred in captivity in accordance with Resolution Conf. 10.16 (Rev.), as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5 (including specimens of species included in Appendix I only when they have been bred in captivity for non-commercial purposes).*

Issues that still need to be addressed

1.   The United Kingdom of Great Britain and Northern Ireland has noted that an issue that still requires consideration is the aquaculture or mariculture of some animals. Several Parties have noted some difficulties when attributing source codes to production systems for corals where asexual propagation systems seem to have more parallels to plant production systems than to those of other animals. In particular, it is often difficult to apply the definition of 'controlled environment' as defined in Resolution Conf. 10.16 (Rev).

2.   Regarding the inclusion of Resolution Conf. 10.13 (Rev. CoP13) into the description of code A, Canada and Germany believe it will be necessary to develop a clear definition of 'monospecific plantation' and criteria for differentiating such a system from other plantation systems, agroforestry systems and silvicultural practices. The United States of America is of the view that such a definition, if needed, should be incorporated in Resolution Conf. 10.13 (Rev. CoP13), not Conf. 12.3 (Rev. CoP13), and therefore, that it is more appropriate to refer this issue to the Plants Committee.

Source code F

Current use: Resolution Conf. 12.3 (Rev. CoP13) recommends that source code F be used when trade involves:

Animals born in captivity (F1 or subsequent generations) that do not fulfill the definition of 'bred in captivity' in Resolution Conf. 10.16 (Rev.), as well as parts and derivatives thereof.

Recommendations (not listed in order of preference):

Alternative 1. Retain source code F, but expand its use to include certain plant specimens currently categorized as source code W by amending Resolution Conf. 12.3 (Rev. CoP13) to read as follows:

F   –   *Animal specimens produced as the result of exchange of gametes in captivity, but that do not meet the other criteria outlined in Resolution Conf. 10.16 (Rev.) to qualify as 'bred in captivity';*
     –   *Plant specimens that were either:*
         a)   derived from cultivated parental stock, but grown in a naturalized environment (i.e. not under controlled conditions); or
         b)   derived from non-exempt seeds, cuttings, divisions, callus tissues, spores, or other propagules obtained from the wild, but grown under controlled conditions; and
     –   *Parts and derivatives thereof.*
     All such specimens are subject to the provisions of Article III, IV or V.

Basis for recommendation: The current use of source code F has been expanded to include plants. It also provides a clearer description of when this code is used as opposed to using source codes A, C, D or W.

For a plant specimen to be treated as artificially propagated, the specimen must have been grown under controlled conditions and from seeds, cuttings, divisions, callus tissues or other plant propagules that either are exempt or have been derived from cultivated parental stock, or produced in accordance with the exception provided in Resolution Conf. 11.11 (Rev. CoP13). The proposed amendment to include plants under F provides an opportunity to identify specimens derived from production systems with some component of cultivation in a controlled environment of either the parental stock or the progeny of wild plants. However, these are not completely closed systems as required to meet the definition of 'artificially propagated', nor do they represent the harvest of whole live plants from the wild for trade. Such an

approach identifies plants from these alternative production systems and would provide for a more meaningful analysis of trade.

      Alternative 2.   Eliminate source code F completely.

Basis for recommendation: It can reasonably be stated that under the Convention, only wild specimens (Articles III, IV and V) and specimens that qualify for exemptions contained in Article VII are recognized. The use of a code describing specimens not specifically defined by the Convention itself, in this case 'F', could be a source of on-going confusion to the Parties. If a specimen does not qualify for one of the exemptions provided for in Article VII, it should be traded under Article III, IV or V, depending on the Appendix in which it is listed. Whether the specimen is given a source code W or F is actually irrelevant. If source codes are to be used to indicate under which Article a specimen is being traded, the use of source code W should not imply that the specimen was directly removed from the wild. It would only mean that the specimen was not being traded under one of the exemptions of Article VII.

Source code R

Current use: Resolution Conf. 12.3 (Rev. CoP13) recommends that source code R be used when trade involves:

    Specimens originating from a ranching operation.

Recommendations (not listed in order of preference):

      Alternative 1.   Retain source code R, but limit its use by amending Resolution Conf. 12.3 (Rev. CoP13) to read as follows:

    R   _Specimens originating from a ranching operation for a species that was transferred from Appendix I to Appendix II in accordance with Resolution Conf. 11.16, and exported under the provisions of Article IV._

Basis for recommendation: From a review of documents presented at the 8th meeting of the Conference of the Parties (CoP8, Kyoto, March 1992) in regards to a proposed resolution on standardizing permits and certificates (adopted as Resolution Conf. 8.5, which has since been repealed and eventually replaced by Resolution Conf. 12.3 (Rev. CoP13), it appears that source code R was specifically created to refer to specimens that come from populations that were transferred from Appendix I to Appendix II subject to ranching. As previously noted and agreed to by the Parties, with the possible exception of R when its use is restricted to specimens from populations transferred from Appendix I to Appendix II in accordance with Resolution Conf. 11.16, source codes should not be used to indicate whether the proposed trade is non-detrimental or whether it provides a conservation benefit. However, as originally devised, source code R specifically relates to Resolution Conf. 11.16, which states, under _Regarding proposals to transfer populations from Appendix I to Appendix II for ranching_, such proposals must demonstrate that the ranching programme "must be primarily beneficial to the conservation of the local population". Furthermore, Parties with ranched populations that had been transferred from Appendix I to Appendix II must provide annual reports to the Secretariat in which, among other things, they must provide information on "conservation programmes and scientific experiments carried out in relation to the ranching operation or the wild population concerned".

While there is a variety of production systems that could be classified as 'ranching', each of these systems has different impacts on wild populations. The term 'ranching' is not found in the text of the Convention and is currently defined only in Resolution Conf. 11.16 on Ranching and trade in ranched specimens of species transferred from Appendix I to Appendix II.

If ranching as discussed in Resolution Conf. 11.16 and the application of source code R is to be extended to apply to Appendix-II species, the Parties need to consider whether, as is currently the case, the application of source code R should only be allowed for use for specimens from populations for which the Parties (at a CoP) have reviewed the ranching programme and been advised of the marking system to be used, types of specimens to be traded, etc., as per Resolution Conf. 11.16. If not, and if Resolution Conf. 11.16 remains applicable in cases of species being transferred from Appendix I to Appendix II subject to ranching, but specimens of species already in Appendix II can be exported under source code R based on a unilateral decision of the exporting country, the Parties must consider the confusion that

could arise from such a system as well as the potential for abuse already detected in the application of source code R to Appendix-II species. (At AC19, although it is not reflected in the record, members of the working group on production systems specifically raised a concern about the possible abuse of source code R for specimens of Appendix-II species that were merely harvested from the wild with no real relationship to the concept of 'ranching'.) If the Parties agree that source code R should be applied to species only after review and approval by the Conference of the Parties, for any Appendix-II species, then the Parties must consider whether such a system will be practicable given the current workload for a CoP, the frequency of CoPs (every three years), and the burden on proponents to prepare documentation.

Alternative 2. Retain source code R and allow its use for Appendix-II species by amending Resolution Conf. 12.3 (Rev. CoP13) to read as follows:

R *Specimens originating from a ranching operation and exported under the provisions of Article IV.*

Basis for recommendation: While the present description of 'ranching' is too inclusive and potentially subject to misinterpretation and abuse, restricting use of the source code R to ranched specimens that have been transferred to Appendix II in accordance with Resolution Conf 11.16 would be too restrictive. Such restriction would fail to acknowledge the widespread use of ranching as a legitimate management regime for a wide range of Appendix-II species. It would also fail to acknowledge populations of Appendix-I species that were initially included in Appendix II pursuant to the ranching Resolution, but were subsequently transferred to Appendix II through a split-listing, or populations that were never listed in Appendix I of the Convention. An example of the latter is the saltwater and freshwater crocodile populations of Papua New Guinea for which operational ranching schemes had been established partly with international assistance even before guidelines and a definition for 'ranching' was discussed and adopted at the third meeting of the Conference of the Parties in 1981. Furthermore, restricting the use of source code R, as proposed, would seriously undermine the efforts of the IUCN/SSC Crocodile Specialist Group in its collaboration with like-minded government agencies of crocodilian range States to review, support and endorse existing ranching programmes, and to further develop sustainable-use management systems for Appendix-II crocodilians based on ranching.

Alternative 3. Eliminate source code R from Resolution Conf. 12.3 (Rev. CoP13).

Basis for recommendation: Ranching is a production system based on the removal of specimens from the wild. It does not always have a higher level of conservation value than other systems under which specimens are collected from the wild, and therefore, there is no reason to treat it differently from other such systems. If a Party makes a proper finding of no detriment when issuing a CITES document, the importing Party will know that the international movement of that specimen did not have a negative impact on the species. The use of either R or W would reflect the same conditions (i.e. the export of a specimen that was removed from the wild, legally acquired, and the export of which is not detrimental to the survival of the species); there does not appear to be a reason to have two codes that reflect the same situation.

With regard to the use of R for species downlisted from Appendix I to Appendix II, there is probably no need to use a source code to identify specimens from these populations. Currently, there are only two species where some populations have been downlisted to Appendix II because they met the criteria in Resolution Conf. 11.16. Of these populations, all specimens within the particular country of the transferred population have been downlisted and there is no distinction between ranched specimens and specimens collected directly from the wild (i.e. no country has both Appendix-I Nile crocodiles and Appendix-II Nile crocodiles). Since all specimens from a country that has downlisted a population in accordance with Resolution Conf. 11.16 are considered specimens of a species included in Appendix II, and the current practice of these Parties is to use the source code R for either ranched specimens or wild-collected specimens, the use of source code R does not provide any worthwhile data. Therefore, the use of source code W would be more appropriate for all of these downlisted specimens. Since there is only a limited number of Parties that have downlisted populations, trade data on the number of specimens that are being traded owing to a downlisting under Resolution Conf. 11.16 can be determined through evaluating data obtained from annual reports based on the species and country of export. The source code would not provide any additional data.

Source code W

Current use: Resolution Conf. 12.3 (Rev. CoP13) recommends that source code W be used when trade involves:

Specimens taken from the wild.

Recommendation:

Retain source code W, but amend Resolution Conf. 12.3 (Rev. CoP13) to read as follows:

W *Specimen removed from a 'wild population' (as defined in Resolution Conf. 9.24 (Rev. CoP13) – Annex 5) or from a feral population, regardless of the length of time the specimen is maintained in captivity or under controlled conditions prior to entering international trade.*

Basis for recommendation: Source code W remains the default source code. If the source of a specimen is one that does not allow the use of one of the other codes, based on the recommended uses of those codes, the specimen should be traded under source code W. As recommended, this code should also be used for specimens removed from feral populations. There has been significant discussion over the years on how to treat feral populations of a listed species. The Parties have agreed that the addition of source codes should be discouraged. It should be obvious that if a species is not native to the country of export and has been exported under source code W, the specimen must be from a feral population within that country. The addition of a source code for this purpose does not provide any additional data that could not be obtained from other information on the face of a permit.

In discussions the United States of America has had with other Parties, it appears that some Parties avoid the use of source code W out of fear that importing countries will not accept the shipments because of the assumption that removal of specimens from the wild is always detrimental to the species. This may be one reason for a number of Parties using source code R for Appendix-II specimens other than those from ranching operations of populations transferred from Appendix I to Appendix II. The discussion of harvest production systems and any outcomes from such discussion should emphasize to the Parties that a permit correctly issued, whether with source code W or some other code, indicates that the activity is non-detrimental (i.e. sustainable). It is not 'bad' to issue an export permit with source code W, nor is it inappropriate to accept a shipment that has source code W. If a Party questions the validity of a document or the basis of the finding required to issue the document, the Party should contact the exporting country and the Secretariat to discuss the issue further.

Other issues that still need to be addressed

As previously noted, the United Kingdom has expressed concern about which source code should be used for maricultured or aquacultured fish, clams and corals.

Other source codes

Additional codes are currently identified in Resolution Conf. 12.3 (Rev. CoP13) for specimens of unknown origin (U), pre-Convention specimens (O), and confiscated or seized specimens (I). There has been no disagreement or controversy involving these codes, but we recommend that Resolution Conf. 12.3 (Rev. CoP13) be amended as follows, for clarity:

Source code U

Current Use: Resolution Conf. 12.3 (Rev. CoP13) recommends that source code U be used when trade involves:

Source unknown (must be justified).

Recommendation for amendment

U *Specimens for which the source is unknown. Any document issued with a source code U should justify its use on the face of the document.*

Source code O

Current use: Resolution Conf. 12.3 (Rev. CoP13) recommends that source code O be used when trade involves:

Pre-Convention specimens.

Recommendation for amendment:

O *Specimens that meet the criteria for pre-Convention under Article VII, paragraph 2, and Resolution Conf. 13.6. This source code may be used in conjunction with a second code.*

Source code I

Current use: Resolution Conf. 12.3 (Rev. CoP13) recommends that source code I be used when trade involves:

Confiscated or seized specimens.

Recommendation for amendment:

I *Specimens, confiscated or seized because they were traded in contravention of CITES, that are being re-exported to the government or a government-associated institution in the country of export or another country for legal, prosecutorial, educational or scientific purpose. This code should be used in conjunction with a second code.*

Note: the 'I' code should not be used once the specimen re-enters commercial trade as allowed under Resolution Conf. 10.7; the second code associated with the initial re-export should be used to identify the source of the specimen.

Basis for recommendation: While this code currently exists in Resolution Conf. 12.3 (Rev. CoP13), the guidelines for its use are vague. It appears from discussions at CoP8 [see document Com. II 8.10 (Rev.)] that the use of this code was primarily for the re-export to the country of export for legal or prosecutorial purposes of specimens that were seized or confiscated because they were in international trade in contravention to the Convention,. In addition, it appears from these discussions that the source code I was intended for use just for the initial re-export of the specimens, and not for the 'life' of the specimen. It is our recommendation that this code not be used in situations where a specimen, which was traded in contravention of CITES or some stricter domestic measure, is re-entering international trade under the provisions of Resolution Conf. 10.7.

It is hereby proposed that, when the source code I is used, a second source code also be used to identify more clearly the actual source of the specimen. In some cases, the actual source of the specimen is unknown and source code U would be used. However, in many cases the actual source of the specimen is known, and a more descriptive code should be used. With the inclusion of a second source code, a specimen that was initially re-exported with source code I but is re-entering international trade under provisions of Resolution Conf. 10.7 would be referred to by the actual source of the specimen instead of source code I.