

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

Seventh Meeting of the Conference of the Parties

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Interpretation and Implementation of the Convention

Marking of Specimens

SPECIMEN IDENTIFICATION AND MARKING REQUIREMENTS FOR TRADE IN
LIVE ANIMALS, PARTS AND DERIVATIVES OF LOOK-ALIKE TAXA

This document has been prepared and is submitted by Australia.

1. Preface

In submitting a draft resolution (Annex) on this subject, Australia seeks an acceptance by the Conference of the Parties to the Convention of principles on which to base marking and identification of look-alike specimens to assist in regulating international trade. Marking and identification systems adopted by the Conference of the Parties must be practical, administratively possible by all Parties and offer an acceptable level of security.

2. Background and Fundamental Principles

The inclusion of higher taxa in Appendix II of the Convention while listing endangered representatives of those same taxa in Appendix I has required the Conference of the Parties to address the problem of applying differential regulatory controls on international trade in live animals, parts and manufactured products of morphologically similar, or 'look-alike' species. (Resolutions Conf. 2.11, 2.12, 2.14, 2.30, 3.15, 4.13, 4.14, 4.15, 5.12, 5.13, 5.16, 6.9, 6.11, 6.12, 6.13, 6.14, 6.15, 6.16, 6.17 and 6.22 all relate to issues concerned with regulating trade in specimens of look-alike species.)

The ability to apply differential regulatory controls on specimens of look-alike species or material which is otherwise not readily recognizable relies on the development and implementation of a system for readily identifying such material.

The production, by CITES, of an Identification Manual provides a means of verifying the true identity of many CITES specimens. However, the ability of control officers to interpret the Manual and hence the extent to which it is used is not uniform among Parties.

The requirements and methods for identifying individual specimens of live animals differ from those of parts and derivatives. Although it may be practical to identify individual specimens of certain live animals, there is a stage in the manufacturing process of parts and derivatives beyond which it is neither feasible nor necessarily appropriate to provide identification.

The problems associated with readily identifying parts and derivatives of look-alike species are different and more complex than those applying to live animals.

The regulation of international trade in certain endangered wildlife is enhanced significantly by a suitable identification system. However, to be successful and achieve the desired level of control such an identification system should be easy to implement, secure and relatively cost-effective.

2. Look-alike Problems

In addressing the identification problems of look-alike species it is necessary to determine the extent of the problem by compiling lists of taxa which are considered to present identification problems. These lists would include live specimens, parts and derivatives of species which are morphologically similar, and/or subject to an export quota or an approved ranching/captive-breeding operation.

The variety in size and types of products and the magnitude of international trade in such products may necessitate the judicious use of Article I of the Convention which defines the term 'specimen' to include in the case of animal species included in Appendices I and II any readily recognizable part or derivative thereof. Resolution Conf. 6.15 abolishes the requirement to mark cut pieces of raw ivory below 20 cm long and less than 1 kg in weight. Similarly, a requirement to mark worked pieces of African elephant ivory is both impractical and may devalue certain items. In this respect it may be necessary for the Conference of the Parties to recognize there is a stage in the commercial use of wildlife beyond which regulation ceases to function as a tool for conserving of the wild resource.

Adequate controls applied at the primary levels of initial production processing and manufacture should overcome the need to regulate commercial trade in minor derivatives which cannot be easily and accurately identified.

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Marking Requirements for Trade in Specimens of Look-Alike Taxa

RECOGNIZING that Article VII, paragraph 4, of the Convention specifically provides for regulated international trade in specimens of species included in Appendix I that have been bred in captivity;

RECOGNIZING also that the Conference of the Parties has established the right of a Party to trade commercially in specimens derived from an approved ranching operation (Resolution Conf. 3.15, adopted at the third meeting of the Conference of the Parties, New Delhi, 1981) or an annual export quota (Resolution Conf. 4.13, adopted at the fourth meeting of the Conference of the Parties, Gaborone, 1983);

AWARE that specimens of wild populations of taxa subject to ranching, captive-breeding operations or export by annual quota must be deemed to be specimens of look-alike species and must be tagged or otherwise marked to facilitate the application of differential regulatory controls;

CONSCIOUS that in order to achieve the desired objectives any system of marking specimens derived from ranching, captive-breeding operations or taken under an annual export quota must be practical and able to be implemented readily by all Parties;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

AGREES that marking of live animals is a separate issue, requiring a different approach to the problem of marking requirements for accurately identifying parts and derivatives;

ENDORSES the principle that, providing adequate controls are applied at the production state (farming, ranching or wild harvesting) and manufacturing processes there is a point beyond which regulation of trade in manufactured articles ceases to function as a tool for conserving the wild resource;

ACKNOWLEDGES that, where the domestic laws of a particular Party require the application of stricter domestic measures with respect to marking and identification standards for manufactured products involving Convention taxa, individual Parties may apply such measures, which should not be mandatory on other Parties. Details of such marking systems are to be transmitted to the Secretariat for the information of other Parties;

RECOMMENDS

- a) that all skins of Convention taxa, subject to ranching and captive-breeding operations, annual export quotas or "look-alike" provisions, that enter trade bear a uniquely numbered non-reusable tag, indelible stamp or such other mark as endorsed by the Animals Committee of CITES;
- b) that where specimens of look-alike species are processed or further manufactured to an end product, the Management Authority of a Party, in consultation with the Animals Committee, agree to the judicious use of the term "readily recognizable" with respect to identifying very small parts and manufactured derivatives of the species;

- c) that states in which processing or manufacturing of products derived from look-alike species occurs shall make provision for processors/manufacturers to maintain records to satisfy the Management Authority under relevant legislation that such specimens have been legally acquired in accordance with the requirements of the Convention; and
- d) that Parties transmit summarized information required in a) and c) to the Secretariat in accordance with the reporting requirements of Article VIII of the Convention; and

DIRECTS

- a) the Animals Committee to compile a list of look-alike species and their parts and derivatives; and
- b) the Animals Committee to address further the issue of marking requirements for the identification of specimens of look-alike species for the purpose of developing practical marking strategies and systems for consideration by the Conference of the Parties.