

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

Eighth Meeting of the Conference of the Parties

Kyoto (Japan), 2 to 13 March 1992

Interpretation and Implementation of the Convention

THE TRADE IN WILD-CAUGHT ANIMAL SPECIMENS

This document has been prepared by the United States of America

1. Article IV, paragraph 2(a), requires that a Scientific Authority of the State of export advise that an export will not be detrimental to the survival of a species listed in Appendix II, prior to the issuance of an export permit for specimens of such a species.
2. Many Parties have not been able to effectively design and implement scientifically based management plans for species listed in Appendix II. When there is sufficient scientific information on which to base a management plan and to make a finding of "no detriment" under Article IV, wild-caught animals may be used for commercial purposes. Such utilization of wildlife is appropriate while, at the same time, species should not be traded at levels that their populations can not sustain.
3. There is cause for serious concern that the international commercial trade in wild-caught animals is contributing to the decline in the wild of some species listed in Appendix II.
4. It appears that many Parties either: have not designated a Scientific Authority, as required by Article IX, paragraph 1(b); issue permits without the Scientific Authority findings required by Article IV; or lack the necessary technical information and expertise to make findings of non-detriment required before permits may be issued. In such cases, trade is potentially detrimental to species' populations both in the country of export and in neighbouring habitat countries.
5. Article IV, paragraph 3, requires that a Scientific Authority in each Party monitor export permits granted and actual exports, with the goal of limiting exports in order to maintain species throughout their range at a level consistent with their role in their ecosystems and well above the level at which they might become eligible for inclusion in Appendix I.
6. Resolution Conf. 4.7 notes that many Parties exporting Appendix-II wildlife are unable to implement Article IV, paragraph 3, effectively and recognizes that all Parties benefit from management of Appendix-II species that ensures the continued availability of these resources.
7. Resolution Conf. 6.1 established the Animals Committee and directed it to: establish a list of those animal taxa included in Appendix II which are considered to be significantly affected by trade; review and assess all available biological and trade information; and formulate recommendations for remedial measures for those species for which trade is believed to be having a detrimental effect.
8. Although some significant-trade projects are underway or have been carried out, the necessary projects for Appendix-II species are not being undertaken nor recommendations being implemented at a rate that would allay concerns that irreparable harm to species may occur, which may necessitate their transfer to Appendix I.
9. This paper proposes the adoption of the annexed draft resolution, which was prepared by the Animals Committee and is being submitted at its request.

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

The Trade in Wild-Caught Animal Specimens

ACKNOWLEDGING that international concern has been focused on serious conservation problems which currently exist in the trade in wild-caught birds;

RECOGNIZING that further examination of these problems by the Animals Committee, in fulfilment of the responsibilities assigned to it by Resolution Conf. 6.1, adopted at the sixth meeting of the Conference of the Parties (Ottawa, 1987), has revealed that these problems are representative of difficulties in the implementation of the Convention for animal species in general;

RECALLING that Article IV, paragraph 2(a), of the Convention requires as a condition for granting an export permit that the Scientific Authority of the State of export has advised that such export will not be detrimental to the survival of the species concerned;

RECALLING also that Article IV, paragraph 3, requires the Scientific Authority to monitor exports of Appendix-II species and to advise the Management Authority when to limit such exports in order to maintain such species throughout their range at a level consistent with their role in the ecosystem;

RECALLING that Resolution Conf. 2.6 adopted at the second meeting of the Conference of the Parties (San José, 1979) provides a mechanism by which any Party deeming any Appendix-II or -III species to be traded in a manner detrimental to the survival of that species may consult directly with the Management Authority of the country involved with the assistance of the Secretariat if required and take stricter domestic measures where appropriate;

RECALLING that Resolution Conf. 4.7 adopted at the fourth meeting of the Conference of the Parties (Gaborone, 1983) notes that many Parties exporting Appendix-II wildlife are not effectively implementing Article IV, and recognizes that all Parties benefit from management of Appendix-II species that ensures the continued availability of these resources;

RECALLING that in adopting Resolution Conf. 6.1, the Parties established the Animals Committee with the charge that it: establish a list of those animal taxa included in Appendix II which are considered as being significantly affected by trade, and review and assess all available biological and trade information, including mortality in capture and pre-export handling of live animals exported under the Convention, and formulate recommendations for remedial measures for those species for which trade is believed to be having a detrimental effect;

CONCERNED that the necessary population assessments, monitoring programme, and appropriate remedial measures for Appendix-II species are not always being undertaken in order to maintain species at levels above which they might become eligible for inclusion in Appendix I;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS

- a) that the Animals Committee, in consultation with the Secretariat, identify problems with respect to the implementation of Article IV, which may be operating to the detriment of species;
- b) that the Animals Committee, after consultation with the relevant Parties, recommend to the Secretariat appropriate remedial measures for the solution of the identified problems;
- c) that the Party concerned be required to demonstrate, within 90 days, to the satisfaction of the Secretariat, a substantial commitment to implementing the recommendations of the Animals Committee;
- d) that upon failure of a Party to introduce and implement remedial measures or implement the necessary procedures to discharge its responsibilities under Article IV, paragraphs 2(a) and 3, within the 90-days period, the Secretariat will by notification to the Parties recommend that all Parties suspend trade in the affected species with that Party; and

- e) that reinstatement of trade in the affected species with the relevant Party will require that Party to make an application to the Secretariat and the Animals Committee providing sufficient evidence to demonstrate compliance with the requirements of Article IV, paragraphs 2(a) and 3; and

IMPLORES the Parties and all organizations interested in the utilization and conservation of wildlife to provide the necessary financial support to assist those Parties in need of assistance to ensure the maintenance of wild populations of species subject to significant international trade.