

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

RETURN TO THE WILD OF CONFISCATED LIVE ANIMALS
OF SPECIES INCLUDED IN APPENDICES II AND III

The attached draft resolution (Annex) has been prepared and is submitted by the Netherlands.

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Return to the Wild of Confiscated Live Animals of Species Included in Appendices II and III

RECALLING that according to Article VIII, paragraph 4(b), of the Convention, confiscated animals shall, after consultation with the State of export (not necessarily the State of origin), be returned to that State at the expense of that State, or to a rescue centre or such other place as the Management Authority deems appropriate and consistent with the purpose of the Convention;

RECALLING that Article VIII, paragraph 4(c), of the Convention, leaves open the possibility for the Management Authority to obtain the advice of a Scientific Authority or of the Secretariat;

RECALLING Resolution Conf. 4.17, adopted at the fourth meeting of the Conference of the Parties (Gaborone, 1983), on the Re-export and Sale of Confiscated Specimens;

RECALLING that Resolution Conf. 4.18, adopted at the fourth meeting of the Conference of the Parties (Gaborone, 1983), asks the Parties not having done so yet, to make legislation in order to charge the costs of returning confiscated live specimens to the State of export, to the guilty importer and/or to the carrier;

RECALLING Resolution Conf. 7.6, adopted at the seventh meeting of the Conference of the Parties (Lausanne, 1989), about the Return of Live Animals of Appendix-II or -III Species;

NOTING that shipments of Appendix-II or -III live animals often include large quantities of specimens for which in general no detailed data about provenance are available;

CONSIDERING that specimens once in trade no longer form part of the reproducing wild population of the species concerned, and biologically can be considered dead;

CONCERNED that releasing (confiscated) specimens into an existing population in the wild only will result in disturbing the existing ecological equilibrium and cause the death of most or all introduced specimens and possibly also of a number of residents;

CONCERNED further that releasing (confiscated) specimens of unknown, but possibly multiple, provenance into a resident wild population will cause genetic pollution with unknown effects;

AWARE that animals in trade may harbour parasites and diseases absent in wild populations, and thus pose a threat to the health of any wild population;

CONCERNED that the continued well-being of wild populations may be threatened by the re-introduction into the wild of confiscated (or captive-bred) specimens;

CONSIDERING that, in general, the species listed in Appendices II and III are not in imminent danger of extinction;

RECALLING that the 22nd Meeting of the IUCN Council in Gland, Switzerland on September 4, 1987 approved an IUCN position statement on translocation of living organisms, which specifically addresses introductions, re-introductions and re-stocking, and provides guidelines for such practices;

CONVINCED that the ultimate objective of the Convention is the continued existence of wild populations in their natural habitat;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS

- a) that the Management Authorities contemplating the return of confiscated live specimens of animals of Appendix-II or -III species consult with and obtain binding advice of their own Scientific Authorities and, if possible, of those of the State of export of the confiscated animals, before taking any decision on the return of any specimens;
- b) that the Secretariat be informed about any intention to re-introduce confiscated specimens into the wild and ask the advice by postal procedure of any other Party to the Convention and the pertinent IUCN/SSC Specialist Group;
- c) that the advice received by the Secretariat be brought to the attention of the Parties concerned;
- d) that the IUCN guidelines and the advice of other Parties to the Convention and of the pertinent IUCN/SSC Specialist Group (if extant) be fully taken into consideration, especially when re-introduction of specimens into the wild is contemplated in areas where the same taxon still occurs in the wild;
- e) that the Management Authorities and Scientific Authorities involved in international trade in confiscated live specimens of animals of Appendix-II or -III species for the purpose of their return to the wild be very restrictive in authorising such trade and at least ensure the imposition of an adequate quarantine period before releasing any specimens; and
- f) that Parties search for alternative destinations for confiscated live specimens in conformity with the purpose of the Convention.