

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

Thirteenth meeting of the Conference of the Parties
Bangkok (Thailand), 2-14 October 2004

DRAFT REVISION OF RESOLUTION CONF. 12.10
GUIDELINES FOR A PROCEDURE TO REGISTER AND MONITOR OPERATIONS
THAT BREED APPENDIX-I ANIMAL SPECIES FOR COMMERCIAL PURPOSES

This document has been prepared on the basis of document CoP13 Doc. 56.1 by a drafting group chaired by the Chairman of the Animals Committee and convened by the Chairman of Committee I.

RECALLING Resolution Conf. 8.15, adopted by the Conference of the Parties at its eighth meeting (Kyoto, 1992) and Resolution Conf. 11.14, adopted by the Conference of the Parties at its 11th meeting (Gigiri, 2000);

RECOGNIZING that Article VII, paragraph 4, of the Convention provides that specimens of Appendix-I animal species bred in captivity for commercial purposes shall be deemed to be specimens of species included in Appendix II;

RECOGNIZING ALSO that the provisions of Article III of the Convention remain the basis for permitting trade in specimens of Appendix-I species of animals that do not qualify for the exemptions of paragraphs 4 and 5 of Article VII;

NOTING that import of wild-caught specimens of Appendix-I species for purposes of establishing a commercial captive-breeding operation is precluded by Article III, paragraph 3 (c), as explained further in Resolution Conf. 5.10, adopted by the Conference of the Parties at its fifth meeting (Buenos Aires, 1985);

RECALLING that Resolution Conf. 10.16 (Rev.), adopted by the Conference of the Parties at its 10th meeting (Harare, 1997) and amended at its 11th meeting (Gigiri, 2000), establishes the definition of 'bred in captivity' and provides the basis for determining whether or not an operation is eligible to be considered for registration;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

DETERMINES that:

- a) the term 'bred in captivity for commercial purposes', as used in Article VII, paragraph 4, shall be interpreted as referring to any specimen of an animal bred to obtain economic benefit, including profit, whether in cash or kind, where the purpose is directed toward sale, exchange or provision of a service or any other form of economic use or benefit; whereas
- b) for Appendix-I species, Article VII, paragraph 5, shall be interpreted as referring to a specimen of an animal bred for non-commercial purposes where each donation, exchange or loan is not for profit and is conducted between two operations involved in a cooperative conservation programme that provides for the participation and/or support of one or more range States for the species concerned;

AGREES that the exemption of Article VII, paragraph 4, should be implemented through the registration by the Secretariat of operations that breed specimens of Appendix-I species for commercial purposes;

AGREES to the following procedure to register a captive-breeding operation for each Appendix-I listed animal species bred for commercial purposes;

AGREES ALSO that determination of whether or not to apply the exemptions in Article VII, paragraph 4, for the export of specimens of Appendix-I animals bred in captivity for commercial purposes remains the responsibility of the Management Authority of the exporting Party on the advice of the Scientific Authority that each operation complies with the provisions of Resolution Conf. 10.16 (Rev.);

RESOLVES that:

- a) an operation may only be registered according to the procedure in this Resolution, if specimens produced by that operation qualify as 'bred in captivity' according to the provisions of Resolution Conf. 10.16 (Rev.);
- b) the first and major responsibility for approving captive-breeding operations under Article VII, paragraph 4, shall rest with the Management Authority of each Party, in consultation with the Scientific Authority of that Party;
- c) the Management Authority shall provide the Secretariat with appropriate information to obtain, and to maintain, the registration of each captive-breeding operation as set out in Annex 1;
- d) the Secretariat shall notify all Parties of each application for registration following the procedure set out in Annex 2;
- e) Parties shall strictly implement the provisions of Article IV of the Convention with respect to specimens of species included in Appendix I originating from operations that breed such specimens in captivity for commercial purposes;
- f) registered captive-breeding operations shall ensure that an appropriate and secure marking system is used to clearly identify all breeding stock and specimens in trade, and shall undertake to adopt superior marking and identification methods as these become available;
- g) the Management Authority, in collaboration with the Scientific Authority, shall monitor the management of each registered captive-breeding operation under its jurisdiction and advise the Secretariat in the event of any major change in the nature of an operation or in the type(s) of products being produced for export, in which case the Animals Committee shall review the operation to determine whether it should remain registered;
- h) any Party within whose jurisdiction an operation is registered may unilaterally request the removal of that operation from the Register without reference to other Parties by so notifying the Secretariat, and, in this case, the operation shall be removed immediately;
- i) any Party believing that a registered operation does not comply with the provisions of Resolution Conf. 10.16 (Rev.) may, after consultation with the Secretariat and the Party concerned, propose that the Conference of the Parties delete the operation from the Register by a two-thirds vote of the Parties as described in Article XV of the Convention; and, once deleted, such an operation may only be reinstated in the Register by satisfying the procedure outlined in Annex 2; and
- j) the Management Authority shall satisfy itself that the captive-breeding operation will make a continuing meaningful contribution according to the conservation needs of the species concerned;

URGES that:

- a) Parties, prior to the establishment of captive-breeding operations for exotic species, undertake an assessment of the ecological risks, in order to safeguard against any negative effects on local ecosystems and native species;
- b) **Management Authorities work closely with captive-breeding operations to prepare the information required in Annex I of this resolution, or establish a support group with breeders and Government in order to facilitate the procedure; and**

- c) Parties provide incentives to their captive-breeding operations to register, such as faster processing of permit applications, issuance of a formal certificate of approval as an internationally registered breeding facility, or possibly reduced export permit fees;

ENCOURAGES:

- a) Parties to provide simple application forms (such as the one used by the Management Authority of Canada) and clear instructions to operations that wish to be registered; and
- b) importing countries to facilitate import of Appendix-I species from registered captive-breeding operations.

AGREES further that:

- a) Parties shall restrict imports for primarily commercial purposes, as defined in Resolution Conf. 5.10, of captive-bred specimens of Appendix-I species to those produced by operations included in the Secretariat's Register and shall reject any document granted under Article VII, paragraph 4, if the specimens concerned do not originate from such an operation and if the document does not describe the specific identifying mark applied to each specimen; and
- b) comparable documentation granted in accordance with the Convention by States that are not Parties to the Convention shall not be accepted by Parties without prior consultation with the Secretariat; and

REPEALS Resolutions Conf. 8.15 (Kyoto, 1992) and Conf. 11.14 (Gigiri, 2000) – Guidelines for a procedure to register and monitor operations breeding Appendix-I animal species for commercial purposes.

Annex 1

**Information to be provided to the Secretariat by the Management Authority
on operations to be registered**

1. Name and address of the owner and manager of the captive-breeding operation.
2. Date of establishment.
3. Species bred (Appendix I only).
4. Details of the number and age (if known or appropriate) of males and females that comprise the parental breeding stock.
 - Evidence of legal acquisition of each male and female, including receipts, CITES documents, capture permits, etc.
5. Operations located within range States must produce evidence that the parental stock was obtained in accordance with the relevant national laws (e.g. capture permits, receipts, etc.), or, if imported, in accordance with the provisions of the Convention (e.g. receipts, CITES documents, etc.).
6. Operations located in non-range States must produce evidence that the animals comprising the parental stock:
 - a) are pre-Convention specimens (e.g. relevant dated receipts or other acceptable proof of lawful acquisition);
 - b) have been derived from pre-Convention specimens (e.g. relevant dated receipts or other acceptable proof of lawful acquisition); or

- c) were acquired from the range State(s) in accordance with the provisions of the Convention (e.g. receipts, CITES documents, etc.).
7. **Where actual documentation is difficult to obtain, the Management Authority may accept signed affidavits supported by other documents (e.g. dated receipts) in lieu of documents required under paragraph 6 a) through c) above until the 14th meeting of the Conference of the Parties. The Management Authority may also consult with range States of the species concerned in order to validate affidavits and supporting documents.**
 8. Current stock (numbers, by sex and age, of progeny held in addition to parental breeding stock above).
 9. Information on the percentage mortalities and, where possible, on the percentage mortalities in the different age groups and between males and females.
 10. Documentation showing that the species has been bred to second-generation offspring (F2) at the facility and a description of the method used.
 11. If the operation has only bred the species to the first generation, documentation showing that the husbandry methods used are the same as, or similar to, those that have resulted in second-generation offspring elsewhere.
 12. Past, current and expected annual production of offspring and, where possible, information on:
 - a) the number of females producing offspring each year; and
 - b) unusual fluctuations in the annual production of offspring (including an explanation of the probable cause).
 13. An assessment of the anticipated need for, and source of, additional specimens to augment the breeding stock to increase the genetic pool of the captive population in order to avoid any deleterious inbreeding.
 14. Type of product exported (e.g. live specimens, skins, hides, and/or other body parts).
 15. Detailed description of the marking methods (e.g. bands, tags, transponders, branding, etc.) used for the breeding stock and offspring and for the types of specimens (e.g. skins, meat, live animals, etc.) that will be exported.
 16. Description of the inspection and monitoring procedures to be used by the CITES Management Authority to confirm the identity of the breeding stock and offspring and to detect the presence of unauthorized specimens held at or incorporated within the operation or provided for export.
 17. Description of the facilities to house the current and expected captive stock, including security measures to prevent escapes and/or thefts. Detailed information should be provided on the number and size of breeding and rearing enclosures, egg incubation capacity, food production or supply, availability of veterinary services and record-keeping.
 18. Description of the strategies used by the breeding operation, or other activities, that contribute to improving the conservation status of wild population(s) of the species.
 19. Assurance that the operation shall be carried out at all stages in a humane (non-cruel) manner.
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Annex 2

Procedure to be followed by the Secretariat before registering new operations

1. For all applications:
 - a) review each application for registration to verify that it meets the requirements of Annex 1; and
 - b) notify all Parties of each application for registration and provide full information (specified in Annex 1) on the operation to any Party that requests it.
 - c) **disseminate, together with Notifications to the Parties proposing new captive-breeding operations to be added to the registry, details of the specific marking method (and the identifying codes or prefixes used by the captive breeding operation, where possible) used by the registered captive-breeding operation.**
2. Any Party wishing to do so must comment on the registration of an operation within a period of 90 days from the date of notification by the Secretariat.
3. If any Party objects to the registration, or expresses concern about the application, the Secretariat shall refer the documentation to the Animals Committee, which shall respond to these objections within 60 days. Then, the Secretariat shall facilitate a dialogue between the Management Authority of the Party submitting the application and the Party or Parties objecting to the registration, and shall provide the recommendations of the Animals Committee, and allow a further 60 days for resolution of the identified problem(s).
4. If the objection is not withdrawn or the identified problem(s) not resolved, the application shall be postponed until it is decided by a two-thirds majority vote at the following meeting of the Conference of the Parties, or by postal procedures equivalent to those set forth in Article XV.
5. For applications involving species already on the Secretariat's Register, refer such applications to experts for advice on their suitability only in cases where there are significant new aspects or other reasons for concern.
6. When satisfied that an application meets all requirements in Annex 1, publish the name and other particulars of the operation in its Register.
7. When an operation is not accepted for registration, provide the relevant Management Authority with a full explanation of the reasons for rejection and indicate the specific conditions that must be met before it can be resubmitted for further consideration.

DRAFT DECISION OF THE CONFERENCE OF THE PARTIES

Directed to the Standing Committee

The Standing Committee shall examine the issue of international trade in Appendix-I species from non-registered captive-breeding operations and report at the 14th meeting of the Conference of the Parties.

[Note: The United States of America has proposed a similar draft decision in document CoP13 Inf. 61*].

* *Corrected by the Secretariat after the meeting.*