

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

Thirteenth meeting of the Conference of the Parties
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DRAFT REVISION OF RESOLUTION CONF. 12.7 AND
DRAFT DECISIONS OF THE CONFERENCE OF THE PARTIES

Prepared by the working group on sturgeons, at the request of Committee II.

RECALLING Resolution Conf. 10.12 (Rev.), adopted by the Conference of the Parties at its 10th meeting (Harare, 1997) and amended at its 11th meeting (Gigiri, 2000), and Resolution Conf. 11.13, adopted by the Conference of the Parties at its 11th meeting;

AWARE that sturgeons and paddlefish of the Order Acipenseriformes represent a valuable renewable biological and economic resource that in recent years has been affected by such negative factors as illegal fishing and illegal trade, regulation of water flow and decrease in natural spawning sites;

NOTING the need for further research and the importance of scientific monitoring of the status of stocks and an understanding of their genetic structure as the basis for sustainable fisheries management;

CONSIDERING that Eurasian range States of Acipenseriformes species are in need of funds and technical assistance in order to develop regional management and monitoring programmes for conservation, habitat protection, and the combating of illegal fishing and trade;

RECALLING that Article VI, paragraph 7, of the Convention provides that specimens of species listed in the Appendices may be marked to assist in identifying them;

CONSIDERING that the labelling of all caviar in trade would be a fundamental step towards the effective regulation of trade in specimens of sturgeons and paddlefish;

NOTING that, in order to assist the Parties in identifying legal caviar in trade, marking should be standardized and that particular specifications for the design of labels are fundamental, should be generally applied and should also take into account marking systems currently in place and anticipated technological advances in marking systems;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

URGES the range States of species in the Order Acipenseriformes to:

- a) encourage scientific research and ensure adequate monitoring of the status of stocks¹ to promote the sustainability of sturgeon and paddlefish fisheries through appropriate management programmes;
- b) curtail the illegal fishing of and trade in sturgeon and paddlefish specimens by improving the provisions in and enforcement of existing laws regulating fisheries and export, in close collaboration with the CITES Secretariat, ICPO-Interpol and the World Customs Organization;

¹ The term 'stock' is regarded, for the purposes of this Resolution, to be synonymous with 'population'.

- c) explore ways of enhancing the participation of representatives of all agencies responsible for sturgeon and paddlefish fisheries in conservation and sustainable-use programmes for these species; and
- d) promote regional agreements between range States of sturgeon and paddlefish species aiming at proper management and sustainable utilization of these species;

RECOMMENDS, with regard to regulating trade in sturgeon products, that:

- a) ~~that~~ range States license legal exporters of specimens of sturgeon and paddlefish species and maintain a register of such persons or companies and provide a copy of this register to the Secretariat by 30 November each year. upon request—The Secretariat should distribute this information via a Notification to the Parties ;
- b) Each importing, exporting and re-exporting Party should establish, where consistent with national law, a registration system for processing and repackaging plants in its territory and provide to the Secretariat the list of these facilities and their official registration codes. The list should be updated as needed. A copy of the list should be provided to the Secretariat by 30 November each year. The Secretariat should distribute this information via a Notification to the Parties;
- b) ~~that~~ importing countries be particularly vigilant in controlling all aspects of the trade in specimens of sturgeon and paddlefish species, including the unloading of sturgeon specimens, transit, re-packaging, re-labelling and re-exports;
- e) ~~that~~ Parties monitor the storage, processing and re-packaging of specimens of sturgeon and paddlefish species in Customs free zones and free ports, and for airline and cruise line catering;
- e) ~~that~~ Parties ensure that all their relevant agencies cooperate in establishing the necessary administrative, management, scientific and control mechanisms needed to implement the provisions of the Convention with respect to sturgeon and paddlefish species; and
- f) ~~that~~ Parties consider the harmonization of their national legislation related to personal exemptions for caviar, to allow for the personal effects exemption under Article VII, paragraph 3, of the Convention and consider limiting this exemption to no more than 250 grams of caviar per person;
- g) range States intending to authorize exports in a given year of specimens of Acipenseriformes species from shared stocks that were obtained in a preceding year must inform the Secretariat by 31 January of the nature and quantities of the specimens still held in stock and, having done so, export remaining stocks of caviar by 31 March at the latest. Parties should not import caviar harvested in a preceding year if it is exported after 31 March of the following year;
- h) no re-export of caviar should be authorized more than 18 months after the date of issuance of the relevant original export permit; and
- i) Parties should supply to the Secretariat, on a regular basis, copies of all export permits and re-export permits issued to authorize trade in caviar.

RECOMMENDS² further, with regards to catch and export quotas, that:

- a) Parties not accept the import of any specimens of Acipenseriformes species from stocks shared between different range States³ unless the Secretariat has confirmed that:

² At CoP13 it was agreed that this recommendation would not apply to those range States where there is no commercial caviar catch or export from shared stocks. It was also agreed, however, that the Secretariat or any Party would bring to the attention of the Standing Committee or Conference of the Parties any significant changes in the harvest of other sturgeon products from such stocks.

³ Quotas do not have to be established for specimens from endemic stocks, i.e. stocks not shared with other countries, and captive breeding or aquaculture operations. Quotas communicated for such specimens are voluntary quotas.

- i) export quotas for all specimens of Acipenseriformes species for that year have been established by the range States⁴ concerned and have been communicated by the Secretariat to the Parties by 31 December of the preceding year;
 - ii) the export quotas referred to in subparagraph i) have been derived from catch quotas agreed amongst States that provide habitat for the same stock of an Acipenseriformes species;
 - iii) catch quotas are based on an appropriate regional conservation strategy and monitoring regime for the species concerned; and
 - iv) ~~the Secretariat is satisfied that~~ catch and export quotas ~~are~~ have been agreed by all relevant range States, on the basis of information provided to ~~it~~ to the Secretariat by 30 November of the preceding year on the status of stocks of the species concerned and on the compliance by the range States with the provisions in subparagraphs i) - iii) above; and
- b) if a range State of a shared stock of a species of Acipenseriformes decides to reduce its quota established in accordance with this Resolution under stricter domestic measures, this shall not affect the quotas of the other range States of this stock;

URGES Parties to implement without delay the labelling of caviar in accordance with Annexes 1 and 2;

URGES further that range States cooperate with the Secretariat to implement, on a three-year cycle beginning in 2005, an evaluation by appropriate experts of the implementation of the regional conservation strategy and monitoring regime for stocks of Acipenseriformes species subject to the provisions under RECOMMENDS further, paragraph a) above and respond to the results accordingly.

CALLS UPON range States, importing countries and other appropriate experts and organizations such as the IUCN/SSC Sturgeon Specialist Group, in consultation with the Secretariat and the Animals Committee, to explore the development of a uniform DNA-based identification system for parts and derivatives and aquaculture stocks of Acipenseriformes species to assist in the subsequent identification of the origin of specimens in trade;

DIRECTS the Secretariat:

- a) in collaboration with range States and international organizations from both industry and the conservation community, to assist with the development of a strategy including action plans for the conservation of Acipenseriformes; and
- b) to provide assistance with securing financial resources from Parties, international organizations, United Nations specialized agencies, intergovernmental and non-governmental organizations and industry; and

~~REPEALS the Resolutions listed hereunder:~~

- ~~a) Resolution Conf. 10.12 (Rev.) (Harare, 1997, as amended at Gigiri, 2000) — Conservation of sturgeon; and~~
- ~~b) Resolution Conf. 11.13 (Gigiri, 2000) — Universal labelling system for the identification of caviar.~~

⁴ For States that do not have legislation to establish export quotas at the national level, export quotas communicated to the Parties are considered to be export quotas for the purposes of this Resolution only.

Annex 1

CITES guidelines for a universal labelling system for the trade in and identification of caviar

- a) The uniform labelling system applies to all caviar produced for commercial and non-commercial purposes, for either domestic or international trade, and is based on the application of a non-reusable label on each primary container.
- b) The following definitions apply in relation to trade in caviar:
- Caviar: processed roe of Acipenseriformes species.
 - Lot identification number: a number that corresponds to information related to the caviar tracking system used by the processing or repackaging plant.
 - Non-reusable label: any label or mark that cannot be removed undamaged or transferred to another container.
 - Pressed caviar: caviar composed of the roe of one or more sturgeon or paddlefish species, remaining after the processing and preparation of higher quality caviar.
 - Primary container: tin, jar or other receptacle that is in direct contact with the caviar.
 - Processing plant: facility in the country of origin responsible for the first packaging of caviar into a primary container.
 - Repackaging plant: facility responsible for receiving and repackaging caviar into new primary containers.
 - Secondary container: receptacle into which primary containers are placed.
 - Source code: letter corresponding to the source of the caviar, as defined by the relevant CITES resolutions (e.g. 'W' for wild or 'C' for captive bred).
- c) In the country of origin, the non-reusable label should be affixed by the processing plant to any primary container. This label must include, as a minimum: a standard species code as provided in Annex 2; the source code of the caviar; the ISO two-letter code for the country of origin; the year of harvest; the official registration code of the processing plant (e.g. xxxx); and the lot identification number for the caviar (e.g. yyyy), for instance:

HUS/W/RU/2000/xxxx/yyyy

- d) When no repackaging takes place, the non-reusable label referred to in paragraph c) above should be maintained on the primary container and be considered sufficient, including for re-export.
- e) A non-reusable label should be affixed by the repackaging plant to any primary container in which caviar is repackaged. This label must include, as a minimum: a standard species code as provided in the Annex; the source code of the specimen; the ISO two-letter code of the country of origin; the year of repackaging; the official registration code of the repackaging plant, which incorporates the ISO two-letter code of the country of repackaging if different from the country of origin (e.g. IT-wwwww); and the lot identification number, or CITES export permit or re-export certificate number (e.g., zzzz), for instance:

PER/W/IR/2001/IT-wwwww/zzzz

- f) When caviar is exported or re-exported, the exact quantity of caviar must be indicated on any secondary container in addition to the description of the content in accordance with international Customs regulations.

- g) The same information that is on the label affixed to the container must be given on the export permit or re-export certificate, or in an annex attached to the CITES permit or certificate.
- h) In the event of inconsistencies between information on a label and a permit or certificate, the Management Authority of the importing Party should contact its counterpart in the exporting or re-exporting Party as soon as possible to establish whether this was a genuine error arising from the complexity of information required by these guidelines. If this is the case, every effort should be made to avoid penalizing those involved in such transactions.
- ~~i) Each importing, exporting and re-exporting Party should establish, where consistent with national law, a registration system for processing and repackaging plants in its territory and provide to the Secretariat the list of these facilities and their official registration codes. The list should be updated as needed.~~
- j) Parties should accept shipments of caviar only if they are accompanied by appropriate documents containing the information referred to in paragraph c), d) or e).

NOTE: No revision of Annex 2 of Resolution Conf. 12.7 has been made by the working group.

DRAFT DECISIONS OF THE CONFERENCE OF THE PARTIES

Directed to Parties

- 13.xx In consultation with the CITES Secretariat and relevant experts, interested Party(ies) will assess the technical and legal feasibility to establish a database concerning trade in sturgeon specimens subject to annual quotas as outlined in Resolution Conf. 12.7 (Rev. CoP13). This database would be updated regularly and include for instance information on species, specimens, volumes exported as well as status of export quotas, and country, date of issuance and number of export permits and re-export certificates that are sent to the CITES Secretariat by relevant Parties. Pending results of the assessment and available funding submit interested Party(ies) a concept for a pilot project to the Standing Committee at its 54th meeting.
- 13.xx In accordance with the Standing Committee's decision regarding the concept referred to in Decision 13.xx, interested Party(ies) report on the outcome of the pilot project and recommendations on follow-up to the 14th meeting of the Conference of the Parties.

Directed to the Secretariat

- 13.xx Following and conditional to the Standing Committee's support to the concept for the pilot project referred to in Decision 13.xx and to the availability of funds, all relevant information and documentation shall be forwarded on regular basis to the experts in charge as approved by the Standing Committee at its 54th meeting;