

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

Interpretation and implementation of the Convention

Exemptions and special trade provisions

Personal and household effects

AMENDMENTS TO RESOLUTION CONF. 12.9

1. This document has been submitted by Ireland (on behalf of the Member States of the European Community).

Background

2. At the 12th meeting of the Conference of the Parties (Santiago, 2002), documents CoP12 Doc. 54.1 and Doc. 54.2 were submitted by the Secretariat and Venezuela respectively. These documents led to the adoption of Resolution Conf. 12.9 on Personal and household effects.
3. Ireland, on behalf of the Member States of the European Community, believes that the control on personal and household effects, as well as tourist souvenirs, requires a significant allocation of enforcement resources and personnel as also stated in document CoP12 Doc. 54.1. In fact, although many Parties invest huge financial resources into enforcement of the Convention at borders and implement regular information campaigns directed to travellers about the purposes and requirements of the Convention, there are large amounts of seizures of specimens of little or no conservation value. Moreover, the enforcement personnel is distracted by activities regarding personal effects with detriment to activities into matters that present an higher risk of illegal trade.
4. Furthermore it appears difficult to explain to a common citizen that heavy fines have to be imposed for some specimen that he/she have found stranded on beaches of tropical seas.
5. Therefore, Ireland, on behalf of the Member States of the European Community, is submitting this proposal in order to amend Resolution Conf. 12.9 by adding the following to the current list of dead specimens, parts and derivatives of Appendix-II species that do not require export or import permits, or re-export certificates, for personal or household effects except where the quantity exceeds the specified limits:
  - a) dead coral specimens, as defined in Resolution Conf. 11.10 (Rev. CoP12), of *Helioporidae*, *Scleractinia*, *Milleporidae*, *Stylasteridae* and *Tubiporidae* spp. with the exception of *Antipatharia* spp. (black corals) – up to six pieces per person; and
  - b) shells of giant clam (*Tridacnidae* spp.) – one specimen (i.e. one intact shell or two matching halves) not exceeding 1 kilogram per person. The meat is not included in this exemption.

Black corals (*Antipatharia* spp.) are excluded because they are collected under water by professionals to be sold commercially, whereas the other corals are found regularly on the beaches of tropical seas.

In arriving at the numeric total of six pieces of coral, account was taken of the possibility that coral pieces can break in personal luggage. Some consideration was given to the suggestion of a maximum weight limit. It did not prove possible to arrive at a workable formulation in this regard

prior to submission of the proposals. However, the Member States would be open to suggestions in this regard when the proposal is considered by the Conference.

6. Moreover, Resolution Conf. 12.9 requests the Secretariat to develop a process for consideration of specimens of personal and household effects of Appendix-II species which may be exempted from permitting requirements according to Article VII, paragraph 3, of the Convention. This request derives from interventions made during discussions in Committee II at the 12th meeting of the Conference of the Parties.
7. Ireland, on behalf of the Member States of the European Community, believes that the Standing Committee and not the Secretariat should be given the role to develop a process for adding further taxa to the list of exempted specimens. Therefore it is also submitting a draft decision directed to the Standing Committee for this purpose and proposing at the same time the deletion of the paragraph under REQUESTS of Resolution Conf. 12.9.
8. Accordingly, Ireland, on behalf of the Member States of the European Community, is submitting the amendments to Resolution Conf. 12.9 that appear in Annex 1 and the draft decision that appears in Annex 2.

#### COMMENTS FROM THE SECRETARIAT

- A. The Secretariat supports the proposed revision of Resolution Conf. 12.9, paragraph b) but suggests that the species be listed either in the order found in the Appendices or in alphabetical order.
- B. The Secretariat also supports the draft decision and proposed deletion from Resolution Conf. 12.9 of the paragraph under REQUESTS.

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Amendments to Resolution Conf. 12.9 on Personal and household effects

1. **Add to paragraph b) under RECOMMENDS, the following new subparagraphs v) and vi):**
  - v) Specimens of dead corals, as defined in Resolution Conf. 11.10 (Rev. CoP12), of *Helioporidae*, *Scleractinia*, *Milleporidae*, *Stylasteridae* and *Tubiporidae* spp. excluding *Antipatharia* spp. (black corals) – up to six pieces per person;
  - vi) shells of giant clam (*Tridacnidae* spp.) – one specimen (i.e. one intact shell or two matching halves) not exceeding 1 kilogram per person. The meat is not included in this exemption.
2. **Delete the paragraph under REQUESTS.**

DRAFT DECISION OF THE CONFERENCE OF THE PARTIES

Directed to the Standing Committee

Regarding personal and household effects

- 13.xx The Standing Committee, in consultation with the Secretariat, range States, other Parties and relevant organizations, shall develop a process for consideration of specimens of personal and household effects of Appendix-II species which may be exempted from permitting requirements according to Article VII, paragraph 3, of the Convention.