

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



Interpretation and implementation of the Convention

Trade control and marking issues

TRANSPORT OF LIVE SPECIMENS

1. This document has been prepared by the Animals Committee, in consultation with the Plants Committee and the Secretariat.
2. In Resolution Conf. 10.21 on Transport of live animals, under the third DIRECTS, the Secretariat is directed "in consultation with the Animals and Standing Committees, to monitor the implementation of these recommendations and of other aspects of this Resolution and report its findings and recommendations at each meeting of the Conference of the Parties". The present report includes information on the implementation of Decisions 13.88 and 13.89 on Transport of live specimens. It is largely based on the activities of the Animals Committee and the Working Group on the Transport of Live Animals (TWG) it established which, as has been the practice for the past few years, took the lead on matters related to the implementation of Resolution Conf. 10.21. The Plants Committee collaborated in the implementation of Decision 13.89.

Implementation of Decision 13.88

3. At its 13th meeting (CoP13; Bangkok, 2004), the Conference of the Parties adopted Decision 13.88, directing the Animals Committee as follows:

The Animals Committee, in collaboration with interested non-governmental organizations and the Secretariat, shall:

- a) *develop recommendations regarding transport of live animals by road, rail or ship, and regarding cost-effective options for containers and packing materials for all means of transport to supplement, where necessary, the IATA Live Animals Regulations;*
 - b) *assist in identifying model practices concerning the transport and preparation for shipment of live wild animals, and develop recommendations to the Parties regarding the proper preparation, proper handling and transportation of live animals, particularly in exporting countries; and*
 - c) *report at the 14th meeting of the Conference of the Parties on the implementation of this Decision.*
4. At its 21st meeting (AC21; Geneva, May 2005), the Animals Committee re-established the TWG, chaired by Mr Peter Linhart, the observer from Austria, which was requested to continue working intersessionally. The TWG developed a schedule for implementing Decisions 13.88 and 13.89.
 5. With regard to paragraphs a) and b) of Decision 13.88, the TWG agreed to identify guides or model practices for modes of transport other than by air that could be used to replace the CITES transport guidelines. To avoid potential problems with new, duplicative or overlapping transport regulations (at national, regional or international level), the TWG considered specifically the work done by the International Air Transport Association (IATA) and the World Organisation for Animal Health (OIE). The TWG paid particular attention to the development of an OIE Web portal that would contain

references to existing country regulations and other guidelines applicable to modes of transport other than by air. The TWG recommended that the Secretariat notify Parties of the OIE Web portal once created as it would contain information that would be useful and pertinent for the transportation of live CITES-listed animals. The TWG also expressed interest in assessing whether the Parties found the OIE website useful and providing relevant feed-back to OIE.

6. At the 22nd meeting of the Animals Committee (AC22; Lima, July 2006), the Chairman of the TWG said that he had been in contact with OIE on recently published transport standards that the organization had developed. He advised that these standards could complement or replace the *CITES Guidelines for transport and preparation for shipments of live wild animals and plants* for certain modes of transport of live animals, and should be considered by the Animals Committee.
7. Based on the suggestions from the TWG, the Animals Committee decided to submit for consideration at CoP14 the following draft decisions regarding the transport of live animals for consideration by the Parties:

Directed to Parties

- 14.xx With regard to transport of live animals by means other than air, Parties should consider the *OIE Guidelines for the Transport of Animals by Sea* and the *OIE Guidelines for the Transport of Animals by Land* published in the *Terrestrial Animal Health Code* in instances when the *IATA Live Animals Regulations* are inappropriate, and to avoid potential problems with new, duplicate or overlapping regulations (national, regional or international).

Directed to the Animals Committee

- 14.xx The Animals Committee, in consultation with the Secretariat, should:
 - a) participate in the regular meetings of the Terrestrial Animal Health Standards Commission of the World Organisation for Animal Health (OIE) and in the ongoing reviews of the *OIE Guidelines for the Transport of Animals by Sea*, the *OIE Guidelines for the Transport of Animals by Land* and, if appropriate, the *OIE Guidelines for the Transport of Animals by Air*;
 - b) collaborate with OIE in the development of its Web portal with information on national regulations and other guidelines applicable to modes of transport for live animals other than by air, and verify its pertinence to the CITES Parties;
 - c) examine new or additional references for transport of live animals;
 - d) develop a Notification to the Parties for circulation by the Secretariat, requesting that the Parties provide the Animals Committee, through the Secretariat, with copies of their national legislation for transport of live animals by road, rail or ship before the 24th meeting of the Animals Committee for analysis; and
 - e) report on the implementation of this decision at the 15th meeting of the Conference of the Parties including, where appropriate, proposals to amend the Resolution on Transport of live specimens.
8. The financial implications for the adoption of the draft decision directed to the Animals Committee, proposed in paragraph 7, are estimated to be USD 5,000 per year for attending meetings and collaborating with OIE. These additional expenses need to be taken into consideration when agreeing the Trust Fund budget.

Implementation of Decision 13.89

9. At CoP13, the Conference of the Parties also adopted Decision 13.89, directing the Animals Committee as follows:

The Animals Committee, in consultation with the Plants Committee and the Secretariat, shall:

- a) *undertake a review of Resolution Conf. 10.21 on Transport of live animals, in order to inter alia:
 - i) *revise the requirements regarding the collection, submission and analysis of data on mortality and injury or damage to health in transport of live animals, domestic measures directed to Parties, and reporting obligations;*
 - ii) *incorporate references to the transport of live plants; and*
 - iii) *clarify how IATA manuals and regulations can be mechanisms through which up-to-date guidance on the transport of live animals and plants of CITES-listed species can be provided, replacing the CITES Guidelines for the transport and preparation for shipment of live wild animals and plants; and**
- b) *report at the 14th meeting of the Conference of the Parties on the implementation of this Decision.*

10. At AC21, the Animals Committee agreed that its Chairman should liaise with the Chairman of the Plants Committee with regard to proposed new wording for Resolution Conf. 10.21 in compliance with Decision 13.89, paragraph a), and that the TWG could take the lead in redrafting Resolution Conf. 10.21. A suggestion made at that meeting to reintroduce a recommendation to report in annual reports on transport-related mortality of live animals was declined by the Animals Committee. Levels of mortality during transport were recognized to be generally low. Given that mortality was likely to occur mainly before or – to a lesser extent – after transport itself, it was felt that it was sufficient to address it on a case-by-case basis. The AC Chairman also stated that the issue of mortality could only be looked at in the context of transboundary transport.
11. In a joint session (PC16/AC22; Lima, July 2006), the Animals and Plants Committees established a joint working group on transport of live specimens, and Mr Peter Linhart was appointed as its Chairman. The working group produced a draft text of a revised resolution on transport of live specimens, which was noted by the Animals and Plants Committees. The two committees finalized the revision intersessionally.
12. The financial implications for the adoption of the proposed revision of Resolution Conf. 10.21 would mostly have to be borne by the Parties. An estimated USD 5,000 annually would be required for the proposed participation of a representative of the Animals and Plants Committees in meetings of the Live Animals and Perishables Board of IATA. These additional expenses would need to be reflected in the Trust Fund budget.
13. The proposed revision by the Animals Committees of Resolution Conf. 10.21, in consultation with the Plants Committee and the Secretariat, is presented in the Annexes to this document for adoption by the Conference of the Parties. Annex 1 shows the proposed changes to Resolution Conf. 10.21 and Annex 2 the clean version of the draft resolution.
14. In case the revision of Resolution Conf. 10.21 is adopted as suggested, the Conference of the Parties is invited to agree to the following amendment to the second RESOLVES in Annex 2 to Resolution Conf. 11.1 (Rev. CoP13) on Establishment of committees:

RESOLVES further that the Animals and Plants Committees shall also deal with issues related to the transport of live animals and plants

COMMENTS FROM THE SECRETARIAT

- A. With regard to the draft decision in paragraph 7 of this document, directed to the Animals Committee, the Secretariat wishes to draw the attention of the Conference of the Parties to the CITES National Legislation Project under which virtually all Parties have submitted national legislation pertaining to CITES. With the assistance of a consultant, the relevant provisions on transport could be extracted from those legislative texts and analysed. General legislative guidance regarding the transport of live specimens in the context of CITES could also be developed and shared with the Animals Committee. Consequently, the Secretariat proposes to change paragraph d) in the draft decision as follows:
- d) review at its 24th meeting the following documents from the Secretariat: i) an analysis of the Parties' legislative provisions on the transport of live animals by road, rail and ship contained in materials gathered under the CITES National Legislation Project; and ii) draft legislative guidance for the transport of live specimens; and

It is estimated that the analysis would cost USD 10,000, which would need to be reflected in the Trust Fund budget.

- B. The Secretariat concurs with the proposed revision of Resolution Conf. 10.21, noting that the draft resolution in Annex 1 to this document would benefit from further editing to avoid repetition and improve the language in certain instances. The Secretariat also observes that the draft decision directed to the Parties in paragraph 7 of this document could be incorporated in the draft resolution. The Secretariat therefore proposes that a working group be established at the present meeting to review the draft resolution.

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Revision of Resolution Conf. 10.21 on Transport of live animals

[Version marked with proposed amendments: proposed new text is underlined;
text to be deleted is ~~crossed out~~]

Resolution Conf. ~~10.21~~14.XX on Transport of live ~~animals~~ specimens

RECALLING Resolution Conf. ~~9.23~~10.21, adopted at the ~~ninth~~10th meeting of the Conference of the Parties (~~Fort Lauderdale, 1994~~ Harare, 1997), relating to the transport of live specimens on Transport of live animals;

CONSIDERING that the Convention, in Articles III, IV ~~and V and VII~~, requires Management Authorities to be satisfied, before granting export permits, or re-export or travelling exhibition certificates, that specimens will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment;

NOTING that the revised version of the *Guidelines for Transport and Preparation for Shipment of Live Wild Animals and Plants*, adopted at the second meeting of the Conference of the Parties (San José, 1979), has been communicated to all Parties;

MINDFUL of the fact that implementation of these Guidelines depends on action to be taken at the national level, and within international organizations and conferences competent to regulate conditions of carriage;

CONSIDERING that air transport is the preferred method for transporting many live ~~wild~~ animals and plants and that there are special requirements necessitated by air transport;

NOTING the extent to which, in the case of the transport of live animals, the IATA Live Animal Regulations correspond to the CITES Guidelines and that the IATA Regulations and, in the case of the transport of live plants the IATA Perishable Cargo Manual, are to be used for transport of live specimens and that the IATA Live Animal Regulations and the IATA Perishable Cargo Manual are amended annually and are therefore more quickly responsive to changing needs;

WHEREAS Article XIV, paragraph 1, permits any Party to adopt stricter domestic measures for the regulation of trade in all species, whether or not listed in the Appendices;

NOTING that, while there have been improvements in the transport of live animals and plants, mortality for certain species has not been reduced significantly, despite continuing efforts by the Parties to improve transport conditions, and that trade-related mortality in transport undermines the concept of sustainable trade;

MINDFUL that, because of a number of biological and other factors, some species are far more difficult to prepare and ship without risk of injury, damage to health or cruel treatment than others;

RECOGNIZING the important work of the Working Group on the Transport of Live Animals in advising the Parties and providing technical assistance in conjunction with the Secretariat;

~~NOTING the lack of regional representation of the Parties at meetings of the Working Group on the Transport of Live Animals;~~

RECOGNIZING the need to address the transport of all live specimens;

AGREEING that the effective implementation of ~~Article IV, paragraph 2 (c)~~, Articles III, IV, V and VII of the Convention necessitates further specific evaluation of ~~the problem~~ transportation issues, analysis of information and recommendations to the Parties for remedial or corrective action;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

DIRECTS the Animals and Plants Committees to deal with matters related to the transport of live animals specimens;

RECOMMENDS that:

- a) suitable measures be taken by the Parties to promote the full and effective use by Management Authorities of the Guidelines for Transport and Preparation for Shipment of Live Wild Animals and Plants IATA Live Animal Regulations (for animals) and the IATA Perishable Cargo Manual (for plants) for the preparation and transport of live specimens and that they be brought to the attention of exporters, importers, transport companies, carriers, freight forwarders, inspection authorities and international organizations and conferences competent to regulate conditions of carriage by air, land and sea or inland waterways;
- b) Parties invite the above organizations and institutions to comment on and amplify these Guidelines, the IATA Live Animal Regulations (for animals) and the IATA Perishable Cargo Manual (for plants), so as to promote their effectiveness;
- c) the regular communication of the CITES Secretariat and the Standing Committee with the Live Animals and Perishables Board of the International Air Transport Association (IATA) and with the board of directors of the Animals Transportation Association (AATA) be continued and that a relationship with the Animals Transportation Association (AATA) International Animal Health Organisation (OIE) and the International Plants Protection Convention (IPPC) be developed;
- d) for as long as the CITES Secretariat and the Standing Committee agree, the IATA Live Animals Regulations (for animals) and the IATA Perishable Cargo Manual (for plants) be deemed to meet the CITES Guidelines air transport requirements in respect of air transport;
- e) ~~except where it is inappropriate~~ where appropriate, the IATA Live Animal Regulations (for animals) and the IATA Perishable Cargo Manual (for plants) should be used as a reference to indicate suitable conditions for carriage by means other than air;
- f) the IATA Live Animal Regulations and the sections of the IATA Perishable Cargo Manual related to the transport of live plant specimens be incorporated into the domestic legislation or policies of the Parties;
- g) applicants for export permits or re-export or travelling exhibition certificates be notified that, as a condition of issuance, they are required to prepare and ship live specimens in accordance with the IATA Live Animal Regulations for transport by air and the CITES Guidelines for Transport of Live Specimens for carriage by means other than air and the IATA Perishable Cargo Manual;
- h) ~~to the extent possible~~ in compliance with national laws and policies, shipments of live animals specimens be examined and necessary action taken to ~~determine~~ ensure the well-being of the animals specimens by CITES-designated persons or airline transport company personnel during extended holding periods at transfer points;
- i) in compliance with national laws and policies where Parties to the Convention have designated ports of entry and exit, ~~animal~~ holding facilities for live animals and plants be provided; and
- j) ~~to the extent possible~~ in compliance with national laws and policies, Parties ensure that animal- and plant-holding facilities are open for inspection of shipments, with the concurrence of the transport company, by CITES-designated enforcement personnel or designated observers; and that any documented information be made available to the appropriate authorities and transport companies;

URGES all Parties that permit imports of live animals: ~~to maintain records of the number of live specimens per shipment and of mortalities in transport of species listed in the Appendices; to note obvious causes of mortality, injury or damage to health; and to provide these data relating to the previous calendar year along with their annual reports;~~

DECIDES that non-submission of these data will be noted in a report from the Secretariat to the Standing Committee;

DIRECTS ~~the~~ the Animals Committee and the Plants Committee, in consultation with the Secretariat:

- ~~a) to establish the format for the presentation of data on mortality and injury or damage to health in transport; and~~
- ~~b) to conduct a systematic review of the scope and causes of the mortality and injury or damage to health of animals during the shipment and transport process and of means of reducing such mortality and injury or damage to health;~~
 - ~~i) the review should include a process for making recommendations to the Parties designed to minimize mortality, on the basis of consultation with exporting, importing, re-exporting and transit countries, IATA and AATA, and additional information from scientists, veterinarians, zoological institutions, trade representatives, carriers, freight forwarders and other experts; and~~
 - ~~ii) these recommendations should be focused on individual species and countries of export, import, re-export or transit where appropriate, particularly those that have significant high mortality rates in transport, and should be designed to provide positive solutions to identified problems;~~

DIRECTS the Secretariat:

- ~~a) to convey these recommendations to the exporting, importing or re-exporting Parties concerned, IATA and AATA after they have been approved by the Standing Committee; and~~
- ~~b) in consultation with the Animals and Stand ing Committees, to monitor the implementation of these recommendations and of other aspects of this Resolution and report its findings and recommendations at each meeting of the Conference of the Parties;~~
- a) to participate in meetings of the Live Animals and Perishables Board of the International Air Transport Association (IATA) in order to amplify or update the *IATA Live Animal Regulations* and the *IATA Perishable Cargo Manual*;
- b) to examine new or additional references for transport of live specimens and incorporate them into Resolution Conf. 14.XX, if appropriate;
- c) to examine developments related to the transport of live plant specimens and incorporate them into Resolution Conf. 14.XX, if appropriate; and
- d) to regularly examine high mortality shipments of live specimens and make recommendations to relevant Parties, exporters, importers and transport companies on how to avoid this in the future;

ENCOURAGES the Secretariat, Parties and relevant organizations to assist in the distribution and increase public awareness of the *IATA Live Animal Regulations* and the *IATA Perishable Cargo Manual*;

INVITES non-governmental organizations, particularly veterinary, scientific, conservation, welfare and trade organizations with expertise in the shipment, preparation for shipment, transport, care or husbandry of live ~~animals~~ specimens, to provide the necessary financial, technical and other assistance to those Parties in need of and requesting such assistance to ensure the effective implementation of the provisions of the Convention for the transport and preparation for shipment of live ~~animals~~ specimens subject to international trade;

NOTES that in order to improve implementation of the *IATA Live Animal Regulations* and the *IATA Perishable Cargo Manual* by the Parties there is a need for greatly increased awareness of the Regulations and Manual through:-

- ~~a) more effective methods of training of personnel of airlines~~ transport companies, exporters and enforcement agencies; and

b) ~~improved methods of liaison and information; and~~

REPEALS Resolution ~~Conf. 9.2310.21 (Fort Lauderdale, 1994) — Transport of Live Specimens(Harare, 1997) — Transport of live animals.~~

DRAFT RESOLUTION FOR ADOPTION BY THE CONFERENCE OF THE PARTIES

Revision of Resolution Conf. 10.21 on Transport of live animals

[Clean version]

Resolution Conf. 14.XX on Transport of live specimens

RECALLING Resolution Conf. 10.21, adopted at the 10th meeting of the Conference of the Parties (Harare, 1997) on Transport of live animals;

CONSIDERING that the Convention, in Articles III, IV, V and VII, requires Management Authorities to be satisfied, before granting export permits, or re-export or travelling exhibition certificates, that specimens will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment;

NOTING that the revised version of the *Guidelines for Transport and Preparation for Shipment of Live Wild Animals and Plants*, adopted at the second meeting of the Conference of the Parties (San José, 1979), has been communicated to all Parties;

MINDFUL of the fact that implementation of these Guidelines depends on action to be taken at the national level, and within international organizations and conferences competent to regulate conditions of carriage;

CONSIDERING that air transport is the preferred method for transporting many live animals and plants and that there are special requirements necessitated by air transport;

NOTING the extent to which, in the case of the transport of live animals, the *IATA Live Animal Regulations* and, in the case of the transport of live plants the *IATA Perishable Cargo Manual*, are to be used for transport of live specimens and that the *IATA Live Animal Regulations* and the *IATA Perishable Cargo Manual* are amended annually and are therefore more quickly responsive to changing needs;

WHEREAS Article XIV, paragraph 1, permits any Party to adopt stricter domestic measures for the regulation of trade in all species, whether or not listed in the Appendices;

NOTING that, while there have been improvements in the transport of live animals and plants, mortality for certain species has not been reduced significantly, despite continuing efforts by the Parties to improve transport conditions, and that trade-related mortality undermines the concept of sustainable trade;

MINDFUL that, because of a number of biological and other factors, some species are far more difficult to prepare and ship without risk of injury, damage to health or cruel treatment than others;

RECOGNIZING the important work of the Working Group on the Transport of Live Animals in advising the Parties and providing technical assistance in conjunction with the Secretariat;

RECOGNIZING the need to address the transport of all live specimens;

AGREEING that the effective implementation of Articles III, IV, V and VII of the Convention necessitates further specific evaluation of transportation issues, analysis of information and recommendations to the Parties for remedial or corrective action;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

DIRECTS the Animals and Plants Committees to deal with matters related to the transport of live specimens;

RECOMMENDS that:

- a) suitable measures be taken by the Parties to promote the full and effective use by Management Authorities of the *IATA Live Animal Regulations* (for animals) and the *IATA Perishable Cargo Manual* (for plants) for the preparation and transport of live specimens and that they be brought to the attention of exporters, importers, transport companies, carriers, freight forwarders, inspection authorities and international organizations and conferences competent to regulate conditions of carriage by air, land and sea or inland waterways;
- b) Parties invite the above organizations and institutions to comment on and amplify the *IATA Live Animal Regulations* (for animals) and the *IATA Perishable Cargo Manual* (for plants), so as to promote their effectiveness;
- c) the regular communication of the CITES Secretariat and the Standing Committee with the Live Animals and Perishables Board of the International Air Transport Association (IATA) and with the board of directors of the Animals Transportation Association (AATA) be continued and that a relationship with the International Animal Health Organisation (OIE) and the International Plants Protection Convention (IPPC) be developed;
- d) for as long as the CITES Secretariat and the Standing Committee agree, the *IATA Live Animal Regulations* (for animals) and the *IATA Perishable Cargo Manual* (for plants) be deemed to meet CITES air transport requirements;
- e) where appropriate, the *IATA Live Animal Regulations* (for animals) and the *IATA Perishable Cargo Manual* (for plants) should be used as a reference to indicate suitable conditions for carriage by means other than air;
- f) the *IATA Live Animal Regulations* and the sections of the *IATA Perishable Cargo Manual* related to the transport of live plant specimens be incorporated into the domestic legislation or policies of the Parties;
- g) applicants for export permits or re-export or travelling exhibition certificates be notified that, as a condition of issuance, they are required to prepare and ship live specimens in accordance with the *IATA Live Animal Regulations* and the *IATA Perishable Cargo Manual*;
- h) in compliance with national laws and policies, shipments of live specimens be examined and necessary action taken to ensure the well-being of the specimens by CITES-designated persons or transport company personnel during extended holding periods at transfer points;
- i) in compliance with national laws and policies where Parties to the Convention have designated ports of entry and exit, holding facilities for live animals and plants-be provided; and
- j) in compliance with national laws and policies, Parties ensure that animal- and plant-holding facilities are open for inspection of shipments, with the concurrence of the transport company, by CITES-designated enforcement personnel or designated observers; and that any documented information be made available to the appropriate authorities and transport companies;

DIRECTS the Animals Committee and the Plants Committee, in consultation with the Secretariat:

- a) to participate in meetings of the Live Animals and Perishables Board of the International Air Transport Association (IATA) in order to amplify or update the *IATA Live Animal Regulations* and the *IATA Perishable Cargo Manual*;
- b) to examine new or additional references for transport of live specimens and incorporate them into Resolution Conf. 14.XX, if appropriate;

- c) to examine developments related to the transport of live plant specimens and incorporate them into Resolution Conf. 14.XX, if appropriate; and
- d) to regularly examine high mortality shipments of live specimens and make recommendations to relevant Parties, exporters, importers and transport companies on how to avoid this in the future;

ENCOURAGES the Secretariat, Parties and relevant organizations to assist in the distribution and increase public awareness of the *IATA Live Animal Regulations* and the *IATA Perishable Cargo Manual*;

INVITES non-governmental organizations, particularly veterinary, scientific, conservation, welfare and trade organizations with expertise in the shipment, preparation for shipment, transport, care or husbandry of live specimens, to provide the necessary financial, technical and other assistance to those Parties in need of and requesting such assistance to ensure the effective implementation of the provisions of the Convention for the transport and preparation for shipment of live specimens subject to international trade;

NOTES that in order to improve implementation of the *IATA Live Animal Regulations* and the *IATA Perishable Cargo Manual* by the Parties there is a need for greatly increased awareness of the Regulations and Manual through more effective methods of training of personnel of transport companies, exporters and enforcement agencies; and

REPEALS Resolution Conf. 10.21 (Harare, 1997) – Transport of live animals.