

Conf. 9.6

(Rev. CoP16)*

Trade in readily recognizable parts and derivatives

RECALLING Resolutions Conf. 1.5, paragraph 3¹, Conf. 1.7², Conf. 2.18², Conf. 4.8, Conf. 4.24², Conf. 5.9, Conf. 5.22, paragraph c), Conf. 6.18², Conf. 6.22, last paragraph, and Conf. 7.11², adopted by the Conference of the Parties at its first, second, fourth, fifth, sixth and seventh meetings (Bern, 1976; San José, 1979; Gaborone, 1983; Buenos Aires, 1985; Ottawa, 1987; Lausanne, 1989), relating to readily recognizable parts and derivatives;

RECOGNIZING that Article I of the Convention defines a 'specimen' as including readily recognizable parts and derivatives of animals and plants but does not define the term 'readily recognizable', which is therefore subject to differing interpretations by the Parties;

NOTING that the trade in parts and derivatives regulated by one Party is therefore not always subject to regulation in others;

ACKNOWLEDGING that, under Articles III, IV and V of the Convention, Parties may allow import of CITES specimens from other Parties only upon presentation of CITES documentation;

CONSIDERING that proper monitoring of and reporting on trade in ranched specimens are only possible if all importing countries consider all products of the operation to be readily recognizable;

RECOGNIZING that the species or genera of coral from which coral sand and coral fragments [as defined in the Annex of Resolution Conf. 11.10 (Rev. CoP15)³] are derived cannot be readily determined;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. AGREES that the term 'readily recognizable part or derivative', as used in the Convention, shall be interpreted to include any specimen which appears from an accompanying document, the packaging or a mark or label, or from any other circumstances, to be a part or derivative of an animal or plant of a species included in the Appendices, unless such part or derivative is specifically exempted from the provisions of the Convention;
2. RECOMMENDS that:
 - a) Parties consider all products of ranching operations to be readily recognizable; and
 - b) importing Parties that require that CITES export permits or re-export certificates accompany imports of parts and derivatives do not waive that requirement when such parts and derivatives are not considered to be readily recognizable by the exporting or re-exporting Party;
3. AGREES also that:
 - a) coral sand and coral fragments [as defined in the Annex of Resolution Conf. 11.10 (Rev. CoP15)³] are not considered readily recognizable and are therefore not covered by the provisions of the Convention; and
 - b) urine, faeces and ambergris that has been naturally excreted are waste products and are therefore not covered by the provisions of the Convention; and

* Amended at the 11th meeting of the Conference of the Parties, corrected by the Secretariat following the 14th and 15th meetings; amended by the Secretariat in compliance with Decision 14.19 and with the decisions adopted at the 61st meeting of the Standing Committee; and further amended at the 16th meeting of the Conference of the Parties.

¹ Note from the Secretariat: repealed by Resolution Conf. 9.25 (Rev.), itself replaced by Resolution Conf. 9.25 (Rev. CoP18).

² Note from the Secretariat: repealed by the adoption of document Com. 9.14.

³ Corrected by the Secretariat following the 12th, 14th and 15th meetings of the Conference of the Parties: originally referred to Resolution Conf. 11.10, later corrected to Resolution Conf. 11.10 (Rev. CoP12), then to Resolution Conf. 11.10 (Rev. CoP14).

4. REPEALS the Resolutions, or parts thereof, listed hereunder:
- a) Resolution Conf. 4.8 (Gaborone, 1983) – *Treatment of Exports of Parts and Derivatives without Permit from a Party to Another which Deems them Readily Recognizable*;
 - b) Resolution Conf. 5.9 (Buenos Aires, 1985) – *Control of Readily Recognizable Parts and Derivatives*;
 - c) Resolution Conf. 5.22 (Buenos Aires, 1985) – *Criteria for the Inclusion of Species in Appendix III* – recommendation c); and
 - d) Resolution Conf. 6.22 (Ottawa, 1987) – *Monitoring and Reporting Procedures for Ranching Operations* – the paragraph under RECOMMENDS.