

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



Thirty-third meeting of the Animals Committee
Geneva (Switzerland), 12 – 19 July 2024

Regulation of trade

DEFINITION OF THE TERM “APPROPRIATE AND ACCEPTABLE DESTINATIONS”

1. This document has been prepared by the Secretariat.
2. At its 19th meeting (CoP19; Panama City, 2022), the Conference of the Parties adopted Decisions 19.164 to 19.166 on *Appropriate and acceptable destinations* as follows:

Directed to the Secretariat

19.164 *The Secretariat shall:*

- a) *issue a Notification to the Parties within one year of the close of the 19th meeting of the Conference of the Parties, inviting feedback on experience with using the guidance documents and other information provided on the CITES webpage “Appropriate and acceptable destinations”, and*
- b) *report on this feedback to the Animals Committee and the Standing Committee for their consideration and recommendations, as appropriate.*

Directed to the Animals Committee

19.165 *The Animals Committee shall review the report from the Secretariat on feedback from Parties called for in Decision 19.164 and make recommendations, as appropriate, for consideration by the Standing Committee.*

Directed to the Standing Committee

19.166 *The Standing Committee shall review the report from the Secretariat and any comments and recommendations coming from the Animals Committee on feedback from Parties called for in Decision 19.164 and make recommendations, as appropriate, for consideration by the Conference of the Parties at its 20th meeting.*

Background

3. To assist Parties in fulfilling the obligations of Article III, paragraphs 3 b) and 5 b) of the Convention and paragraph 2 a) of Resolution Conf. 11.20 (Rev. CoP18) on *Definition of the term ‘appropriate and acceptable destinations’*, the Conference of the Parties adopted [Non-binding guidance for determining whether a proposed recipient of a living specimen is suitably equipped to house and care for it](#) at its 18th meeting (CoP18; Geneva, 2019).
4. As reported in document [CoP19 Doc. 48](#) and in accordance with Decision 18.152, the Secretariat created a dedicated webpage to make this guidance available and to compile other reference materials, published references, best practice examples, examples of Parties’ appropriate and acceptable destination findings and suitably equipped to house and care for living specimens’ findings, and other relevant information, as

supplied by Parties and organizations in response to Notification to the Parties [No. 2019/070](#). Parties and relevant organizations are invited to continue submitting additional materials to the Secretariat for inclusion on this webpage.

5. The Conference of the Parties further adopted [Non-binding guidance for determining whether a proposed recipient of a living specimen of African elephant and/or southern white rhinoceros is suitably equipped to house and care for it](#) at its 19th meeting (CoP19; Panama City, 2022), as well as [Non-binding best practice guidance on how to determine whether “the trade would promote in situ conservation”](#).
6. The CITES webpage on appropriate and acceptable destinations was updated to include the new guidance documents that were adopted at CoP19.

Implementation of Decisions 19.164 and 19.165

7. To implement Decision 19.164, paragraph a), the Secretariat issued Notification to the Parties [No. 2023/135](#) on 27 November 2023 inviting Parties to provide feedback on experience with using the guidance documents and other information provided on the CITES webpage “Appropriate and acceptable destinations” by 29 February 2024.
8. At the time of writing (May 2024), only two responses had been received from the following Parties: New Zealand and Zimbabwe.

Summary of responses and feedback on experience with using the guidance documents

9. New Zealand and Zimbabwe both indicated that the guidance provided was useful. In particular, it helps the importing State to provide detailed feedback to an applicant and to rationalize its view and decision, which will help to provide transparency and consistency. New Zealand stated that “the guidance for assessment methodology sets out some expectations for what the importing State should consider, which was useful and saved time”. The list of possible forms of benefits, although not exhaustive, was backed up with examples, reference documents from the International Union for Conservation of Nature (IUCN), and best practice, creating a contextual picture of what should be expected in an application to trade in southern white rhinoceros and elephants.
10. Zimbabwe indicated that it has not exported elephants and rhinoceros since 2019, but that previous exports recognized the principles and ethos of the non-binding guidelines. Ecological assessments, covering the essential elements of the non-binding guidelines, were carried out before exports took place and exports of live elephants and rhinoceros were informed by the welfare of the animals in transit and at the destination. Zimbabwe stated that the proceeds from such transactions have greatly benefited *in-situ* conservation programmes, through financing management programmes and providing a safe off-shore gene bank of genetic resources.
11. New Zealand provided an example to explain how the non-binding guidance was used for a pre-application proposal concerning the import of an initial batch of southern white rhinoceros (*Ceratotherium simum*), as part of a larger programme to establish an *ex situ* population of the species outside of its natural range. A key consideration for the New Zealand Management and Scientific Authorities was whether the proposed trade would meet the *in situ* conservation criterion. In particular, New Zealand noted that the main financial contribution of the draft proposal was a payment to maintain the existing *ex situ* captive breeding programme where the animals were sourced, rather than supporting *in situ* conservation efforts for rhinoceros in the wild. They concluded that the proposed trade did not appear to provide a clear direct or indirect non-monetary benefit for *in situ* conservation of rhinoceros in the wild.
12. New Zealand noted from this experience that the Management and Scientific Authorities of the State of export should play a significant role in advising the Management and Scientific Authorities of importing State(s) in determining if the proposed export will have substantial *in situ* conservation benefits. The exporting Management and Scientific Authorities are best placed to know local conditions and what resources are needed most for *in situ* conservation programmes. In the case described, the New Zealand CITES Authorities found it was extremely useful to talk directly to the CITES Authorities of the exporting Party.

Suggested improvements and further clarifications

13. New Zealand noted that although Article III, paragraph 3 b), of the Convention puts the onus on the Scientific Authority of the State of import to determine if the proposed recipient of a living specimen of an Appendix-I species is suitably equipped to house and care for it, the *Non-binding guidance* does not make clear whether the Scientific or Management Authority (or both) makes that determination for elephants or rhinoceros, some of which may be Appendix I and some Appendix II, depending on where they come from and if they are captive-bred or of wild origin.
14. New Zealand is seeking clarification if 'securing long-term populations of species in natural ecosystems and habitats' would encompass donations to, or purchases from, privately-owned, but fenced, game parks within range States – or whether these would be considered *ex situ* programmes.
15. New Zealand expressed concerns about the potential for an applicant to use a one-off significant donation to a range State programme to secure the 'approval' of the Management Authority of the exporting/importing State. The list of possible forms of *in situ* conservation benefits (see document CoP19 Doc. 48, Annex 1) indicates that any financial contribution should have the aim of securing long-term populations of species in natural ecosystems and habitats. The examples provided suggest that any *in situ* conservation programme should meet the biodiversity management goals for the species concerned. Although this implies that *in situ* conservation requires more than just a one-off donation to an existing programme, the guidance does not explicitly exclude this. New Zealand would like to see clearer guidance on this.
16. Concerning the specific guidance for elephants and southern white rhinoceros, New Zealand noted that there is no mention of "sustainably" (in "suitably equipped to house and care for it") in document CoP19 Doc. 48. It suggests including it to reflect the wording of Article III, paragraph 3 b) of the Convention. The Secretariat notes that Article III, paragraph 3 b), does not address "sustainability" and that the long-term sustainability of maintaining the facility and the care of the animals is included in Section A of the guidance in document CoP19 Doc. 48 (Annex 2).
17. In the proposal considered by the New Zealand Scientific and Management Authorities, New Zealand was primarily a transit country, with the majority of the shipment to be re-exported to a final destination country once quarantine requirements had been satisfied. New Zealand noted that it is not clear whether the final destination country should also be required to provide assurance that their proposed facilities are suitably equipped to house and care for the animals and that they are satisfied that there are substantial *in situ* conservation benefits from the overall trade, before the shipment leaves the exporting country rather than consider this only at the time they were receiving the animals from New Zealand. If the final destination country declined the importation of most of the animals, the zoo in New Zealand would end up with more animals than they could manage sustainably in the long-term, and subsequent shipments would likely be halted. The Secretariat notes that if specimens are just transiting through New Zealand on their way to a final destination country, then indeed the final destination country is the importing country and it is for that country to demonstrate that the end recipient(s) is/are suitably equipped to care for the specimens.
18. Zimbabwe suggested that further clarification may be required on item 4 [Section A 4. Animal well-being paragraph a)] on issues relating to appropriate group size, composition and social structures under animal well-being.

Conclusions

19. The Secretariat thanks New Zealand and Zimbabwe for their responses to Notification to the Parties No. 2023/135 and notes that both respondents indicated that they found the guidance useful and of assistance when making a determination on proposed trade in African elephant and southern white rhinoceros.
20. The low number of responses may be due to the limited period of time for Parties to have tested the guidance material since it was made available and it is noted from the trade database that there has been very little trade in live African elephants or southern white rhinoceros since CoP19. It is also recalled that, in November 2019, Botswana, the Democratic Republic of the Congo, Eswatini, Namibia, South Africa, the United Republic of Tanzania, Zambia and Zimbabwe, communicated their reservation with respect to "the update of the references to the Resolutions mentioned in annotation 2 relating to the populations of *Loxodonta africana* in Botswana, Namibia, South Africa and Zimbabwe" as notified in paragraph 4 of Notification to the Parties No. 2019/052 of 3 October 2019. In addition, Zimbabwe furthermore communicated that it reserved its right not to be bound by Resolution Conf. 11.20 (Rev. CoP18) on *Definition of the term 'appropriate and*

acceptable destinations'. Botswana, the Democratic Republic of Congo, Eswatini, Namibia, the United Republic of Tanzania and South Africa all declared furthermore not to be in a position to implement Resolution Conf. 11.20 (Rev. CoP18) for *Loxodonta africana* (African elephant) and *Ceratotherium simum simum* Southern white rhinoceros populations.

21. It is the Secretariat's assessment that no amendments to the guidance are required at this point in time and that Decisions 19.164 and 19.165 have been implemented and can be deleted. The Animals Committee may wish to consider whether these Decisions can be deleted in light of the above.

Implementation of Resolution Conf. 11.20 (Rev. CoP18)

22. In the context of the changes to Resolution Conf. 11.20 (Rev. CoP18) on definition of the term 'appropriate and acceptable destinations' adopted at CoP18, the Secretariat was approached in March 2024 by the Management Authority of an importing Party seeking advice in line with paragraph 2 of the Resolution. The Secretariat made the information provided by the Party available to the Members of the Animals Committee and the IUCN African Elephant Specialist Group and asked them to provide their advice on whether this transfer is an 'exceptional circumstance' and if so, to determine *in situ* conservation benefits of the transaction. The responses to the consultation from the Animals Committee and the African Elephant Specialist Group were made available to the Management Authority of the importing Party for its consideration.

Recommendations

23. The Animals Committee is invited to:
 - a) consider the points raised in paragraphs 13 to 21 and, if necessary, make recommendations for consideration by the Standing Committee; and
 - b) agree that Decisions 19.164 and 19.165 have been implemented and can be proposed for deletion to the Conference of the Parties.