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

Nineteenth meeting of the Conference of the Parties
Panama City (Panama), 14 – 25 November 2022

Interpretation and implementation matters

General compliance and enforcement

ASIAN BIG CATS (FELIDAE SPP.)

1. This document has been prepared by the Secretariat, in consultation with the Chair of the Standing Committee.

Background

2. In Resolution Conf. 12.5 (Rev. CoP18) on Conservation of and trade in tigers and other Appendix-I Asian big cat species, paragraph 2 a), the Conference of the Parties instructs the Secretariat to:

   a) report to the Standing Committee and the Conference of the Parties on the status of Asian big cats in the wild, their conservation, and trade controls in place in Parties, using information provided by the range States on measures taken to comply with this Resolution and related relevant Decisions and any relevant additional information provided by relevant countries;

3. At its 18th meeting (CoP18, Geneva, 2019), the Conference of the Parties adopted Decisions 18.100 to 18.109 on Illegal trade in Asian big cats (Felidae spp.). At its 17th meeting (CoP17, Johannesburg, 2016), the Conference of the Parties adopted Decision 17.226 on Illegal trade in Asian big cats (Felidae spp.), which remains in effect. At its 14th meeting (CoP14, The Hague, 2007), the Conference of the Parties adopted Decision 14.69 on Captive-bred and ranched specimens, which also remains in effect. These Decisions are as follows:

   Directed to Parties

   18.100 Parties affected by illegal trade in Asian big cat specimens, in particular Parties identified in document CoP18 Doc. 71.1, are encouraged to take into consideration the information in Annex 4 to document CoP18 Doc. 71.1, and pursue enforcement efforts to address this illegal trade, including through the initiation of joint investigations and operations aimed at halting the members of organized crime networks across the entire illegal trade chain.

   18.101 Parties, in whose territory tourist markets exist that are contributing to illegal cross border trade involving Asian big cat specimens, are encouraged to strengthen law enforcement cooperation with their neighbouring Parties to target such illegal trade.

   18.102 Parties in whose territories there are facilities keeping Asian big cats in captivity referred to in Decision 18.108, paragraph a) are invited to welcome a mission from the Secretariat, to visit these facilities.

   18.103 All Parties that have made seizures of tiger skins since the 17th meeting of the Conference of the Parties are encouraged to share images in accordance with Resolution Conf 12.5 (Rev. CoP18) on Conservation of and trade in tigers and other Appendix-I Asian big cat species, paragraph 1 l) by 31 December 2019 and all Parties are encouraged to share images of any skins seized hereafter within 90 days of such seizure.
18.104 Parties are encouraged, in accordance with their national regulations, to share samples of tiger specimens from living animals, seized animals or products that could contain tiger DNA with the Czech Republic national focal point for use in the genetic research project TigrisID which is focusing on the development of novel techniques to facilitate tackling illegal trade in tiger specimens.

18.105 Parties, in particular those mentioned in section 3.1.5 of Annex 4 to document CoP18 Doc. 71.1, are encouraged to take serious consideration of the concerns regarding illegal trade in leopard parts and derivatives as outlined in Annex 4 to document CoP18 Doc. 71.1 and take measures to address these.

18.106 Consumer States of specimens from tiger and other Asian big cat species, are urged to take action to end demand for illegal tiger and other big cat parts and derivatives by working with relevant specialists such as consumer behaviour change, social marketing and communication experts to conduct targeted behaviour change initiatives ensuring initiatives are underpinned by sound evidence, are properly baselined, and have strong monitoring and evaluation built in, including appropriate metrics to assess efficacy; and adopting and implementing appropriate legislative and regulatory measures, to deter consumers from purchasing any illegal big cat products.

18.107 Parties are invited to report to the Secretariat on implementation of Decisions 18.100 to 18.106 in time for the Secretariat to report to the Standing Committee and the Conference of the Parties as per requirements in paragraph 2 a) of Resolution Conf. 12.5 (Rev. CoP18).

Directed to the Secretariat

18.108 The Secretariat shall:

a) subject to external funding, undertake a mission to those Parties identified in document SC70 Doc. 51 and in whose territories there are facilities which may be of concern keeping Asian big cats in captivity, with the purpose of gaining a better understanding of the operations and activities undertaken by these facilities; and

b) report to the Standing Committee at its 73rd and 74th meetings on implementation of Decisions 18.107 to 18.108, paragraph a), and progress with regard to the missions concerned and formulate recommendations for consideration by the Standing Committee.

Directed to the Standing Committee

18.109 The Standing Committee at its 73rd and 74th meetings shall review the report and recommendations of the Secretariat concerning the implementation of Decisions 18.100 to 18.108 and determine whether any further time-bound, country specific measures are needed to strengthen the implementation of the Convention, of Decision 14.69 and of paragraph 1 h) of Resolution Conf. 12.5 (Rev. CoP18).

Directed to Parties with Asian big cat captive facilities

17.226 All Parties in whose territory there are facilities keeping Asian big cats in captivity are requested to:

a) review national management practices and controls that are in place for such facilities, to ensure that these management practices and controls are adequate to prevent Asian big cat specimens from entering illegal trade from or through such facilities;

b) ensure strict application of all management practices and controls implemented to regulate the activities of facilities that keep Asian big cats in captivity, including with regard to the disposal of specimens from Asian big cats that die in captivity; and

c) report to the Secretariat on progress with regard to the implementation of this Decision.
14.69 Parties with intensive operations breeding tigers on a commercial scale shall implement measures to restrict the captive population to a level supportive only to conserving wild tigers; tigers should not be bred for trade in their parts and derivatives.

4. In November 2020, the Secretariat provided an update to the Standing Committee on the implementation of the aforementioned Decisions and Resolution through information document SC2020 Inf. 12. Due to the challenges posed by the COVID-19 pandemic, the 73rd meeting of the Standing Committee (SC73, online, May 2021) had a reduced agenda which did not include illegal trade in Asian big cats. The Secretariat prepared document SC74 Doc. 36 in accordance with Resolution Conf. 12.5 (Rev. CoP18), paragraph 2. a), and Decision 18.108 paragraph b), for consideration by the Standing Committee at its 74th meeting (SC74, Lyon, March 2022).

5. The Secretariat issued Notification to the Parties No. 2020/039 of 29 April 2020, inviting Parties to report to the Secretariat as anticipated by Decision 18.107. Responses were received from eleven Parties and two non-governmental organizations. Some of the key aspects of the responses were briefly summarized in information document SC2020 Inf. 12. Information received in response to the Notification was subsequently used to inform the Secretariat’s reporting to SC74 and addressed in detail in document SC74 Doc. 36 (see Annex 2 to that document for the complete responses). Decision 18.107 can be deleted as recommended in paragraph 28 to the present document.

6. At SC74, the Standing Committee agreed a number of recommendations on Asian big cats (Felidae spp.), as presented in document SC74 Sum 6 (Rev. 1). The Committee:

   a) encouraged Parties to – where not yet done – implement regular monitoring and inspections of facilities keeping Asian big cats in captivity, by taking into consideration Decision 17.226 and implementing measures that will enable accurate record keeping for all tigers kept in captivity;

   b) encouraged Parties in whose territories captive breeding facilities identified as of concern in document SC70 Doc. 51 exist, to pay particular attention to the activities of these facilities in their implementation of Resolution Conf. 12.5 (Rev. CoP18) on Conservation of and trade in tigers and other Appendix-I Asian big cat species and Decision 17.226, and to take swift and decisive action concerning any unauthorized or illegal activities that may be detected;

   c) encouraged all Parties that have made seizures of tiger skins within their territories to implement Decision 18.103;

   d) encouraged Parties affected by illegal trade in Asian big cat specimens to remind their national authorities responsible for wildlife law enforcement about the field pocket Guide for law enforcement agencies to combat illegal trade in Asian big cat specimens, available electronically in the CITES Virtual College, and to request hard copies from the Secretariat, where needed, to be made available to relevant authorities;

   e) welcomed the funding from the United Kingdom of Great Britain and Northern Ireland for some of the Secretariat’s missions anticipated by Decision 18.108, paragraph a); and

   f) requested the Secretariat to work with the Standing Committee Chair to propose to CoP19 the renewal of Decisions 18.100 to 18.109, 17.226 and 14.69.

7. As requested, the Secretariat worked with the Standing Committee Chair regarding the renewal of Decisions 18.100 to 18.109, 17.226 and 14.69. The Decisions were revised and updated to ensure that they remain current. Upon further review, the Secretariat also proposed to delete Decisions that have been implemented or that are redundant to Resolution Conf. 12.5 (Rev. CoP18) and to replace some of the Decisions with new draft decisions or amendments to Resolution Conf. 12.5 (Rev. CoP18). The revised and new draft decisions are presented in Annex 2 to the present document. The recommendations of the Secretariat formulated after consultation with the Standing Committee Chair are presented in paragraph 28 of the present document.

8. The Secretariat elaborates in more details below on the implementation of the Decisions outlined in paragraph 3 of the present document.
Conservation status of Asian big cats

9. Regarding the conservation status of Appendix-I Asian big cat species, in the current Red List of Threatened Species™ of the International Union for Conservation of Nature, tigers *Panthera tigris* are classified as "Endangered" and all other Asian big cats as "Vulnerable". The population trend for all Appendix-I Asian big cat species is considered to be decreasing.

10. Drawing upon the reporting received from Parties in response to Notification to the Parties No. 2020/039, the Secretariat summarized some of the key aspects regarding the conservation status of Asian big cats in document SC74 Doc. 36.

11. At its 18th meeting (CoP18, Geneva, 2019), the Conference of the Parties decided that the Appendix I listing for *Panthera leo persica* should be replaced by *Panthera leo* (populations of India) and adopted the taxonomic change to split the clouded leopard (*Neofelis nebulosa*) into two species: mainland clouded leopard (*Neofelis nebulosa*) and Sunda clouded leopard (*Neofelis diardi*). The Secretariat proposes to update the text in the preamble of Resolution Conf. 12.5 (Rev.CoP18) to reflect these taxonomic changes, as set out in Annex 1 to the present document.

Implementation of Decision 17.226

12. In document SC74 Doc. 36, the Secretariat summarized some of the key aspects regarding management practices and controls concerning facilities keeping Asian big cats in captivity as reported by Parties. The reports received shows that some Parties have good measures and practices in place that could be drawn upon by other Parties where such measures and practices do not yet exist.

13. The Standing Committee adopted recommendations reflected in paragraph 6 to encourage Parties to address Decision 17.226, notably to implement measures that will enable accurate record keeping for all tigers kept in captivity.

14. Parties are reminded of the provisions in Resolution Conf. 12.5 (Rev. CoP18) paragraph 1. h) which urges those Parties and non-Parties in whose territories there are facilities keeping tigers and other Asian big cat species in captivity to ensure that adequate management practices and controls are in place and strictly implemented, including with regard to the disposal of Asian big cats that die in captivity, to prevent parts and derivatives from entering illegal trade from or through such facilities.

15. Decision 17.226 remains current and since the activities to be undertaken by Parties are of a permanent nature, they could be incorporated in Resolution Conf. 12.5 (Rev. CoP18). In consultation with the Standing Committee Chair, the Secretariat therefore proposes to include these activities as an amendment to paragraph 1 h) in Resolution Conf. 12.5 (Rev. CoP18) as presented in Annex 1 to the present document. Should the Conference of the Parties agree to this amendment, Decision 17.226 can be deleted as recommended in paragraph 28 of the present document.

Implementation of Decisions 14.69, 18.102, 18.108 and 18.109

16. As required by Decision 18.108, the Secretariat kept the Standing Committee informed of developments concerning missions to those Parties identified in document SC70 Doc. 51 in whose territories there are facilities which may be of concern keeping Asian big cats in captivity. Due to COVID-19 measures limiting meetings and travel, the Secretariat was not able to conduct the missions in 2020 and 2021 as anticipated by Decision 18.108. The Secretariat has secured funding to undertake some of these missions and expects to be able to report to the 75th meeting of the Standing Committee on this matter.

17. The Secretariat notes that almost all Parties identified in document SC70 Doc. 51 have indicated that they are ready to welcome a mission from the Secretariat as anticipated by Decisions 18.102 and 18.108, paragraph a).

18. In consultation with the Standing Committee Chair as outlined in paragraph 30 of the present document, the Secretariat proposes that Decision 14.69 be retained and that Decisions 18.102, 18.108 and 18.109 be revised as proposed in Annex 2 to the present document.
Implementation of Decisions 18.100, 18.101 and 18.105

19. In document SC74 Doc. 36, the Secretariat summarized information from the responses to Notification No. 2020/039 regarding the measures and activities implemented by Parties to address illegal trade in specimens of Asian big cats. The Secretariat noted that activities undertaken to tackle this illegal trade are encouraging but stressed that more needs to be done. Continued seizures of Asian big cat specimens, including specimens that originated from captive breeding facilities, and the potential impact of this illegal trade on Asian big cat populations in the wild, are of concern. Further strengthened efforts therefore remain essential, and, range, transit and destination States affected by illegal trade in Asian big cats should actively pursue the full implementation of Resolution Conf. 12.5 (Rev. CoP18).

20. At SC74, the Standing Committee agreed the terms of reference and modus operandi for the CITES Big Cats Task Force as presented in Annex 2 to document CoP19 Doc. 67 on the CITES Big Cats Task Force. All Appendix-I Asian big cat species are included in the activities to be undertaken by the Task Force. The Task Force is expected to generate proposals to facilitate strengthened collaboration and targeted activities that will promote effective implementation and enforcement of the Convention to address illegal trade in big cat specimens and develop strategies and proposed actions to better deter, detect and address this illegal trade.

21. The Secretariat further noted that Resolution Conf. 12.5 (Rev. CoP18), paragraph 1. b) to d), already incorporates provisions that relates to the illegal trade in Asian big cat specimens, similar to Decisions 18.100, 18.101 and 18.105. In light of the activities to be conducted by the CITES Big Cats Task Force as outlined in its terms of reference and modus operandi, after discussion with the Standing Committee Chair, the Secretariat recommends that these Decisions be deleted as presented in paragraph 28 of the present document in order to provide a more focused and streamlined approach to addressing illegal trade in Asian big cats.

Implementation of Decision 18.103

22. At SC74, the Secretariat reported that the implementation of Decision 18.103 remained limited. In responses to Notification No. 2020/039, only one Party reported that it shared images as anticipated by the Decision. The Standing Committee encouraged all Parties that have made seizures of tiger skins within their territories to implement Decision 18.103. Tiger range States which have photographic identification databases for tigers and the capacity to identify tigers from photographs of tiger skins are listed in paragraph 14 in document SC70 Doc. 42.1.

23. In light of the above, it is proposed that Decision 18.103 be revised as proposed in Annex 2 to the present document.

Implementation of Decision 18.104

24. In document SC74 Doc. 36, the Secretariat summarized information received from Parties on their implementation of Decision 18.104 regarding the sharing of tiger specimen samples with the Czech Republic for use in the genetic research project TigrisID. In addition, the Czech Republic submitted information on the results of project TigrisID which was made available in information document SC74 Inf. 16. According to this document, project TigrisID, funded by the Czech Republic and implemented by the Forensic DNA Service Laboratory between 2018 and 2021, developed methods for the identification of tiger species and individual identification from different types of specimens of tiger parts and derivatives. The Czech Republic reported that analytical kits for these methods are available free of charge to CITES authorities of other countries upon request. Further, free testing of tiger samples is offered by the Forensic DNA Service Laboratory in Prague, Czech Republic, which includes testing any products that are of unknown origin and subject to investigative cases, as well as individual identification and determination of the DNA profile of tiger individuals. According to the information document, research on morphological and genetic identification of big cats led by the Charles University in Prague and the Czech Academy of Science was ongoing. The Secretariat has published the results of project TigrisID on the Wildlife forensics webpage maintained by the CITES Secretariat. The Secretariat welcomes the ongoing research undertaken in the Czech Republic and its generous offer of support to Parties concerning the provision of analytical kits and testing of tiger samples free of charge.

25. After discussion with the Standing Committee Chair, the Secretariat proposes to include a new paragraph in the preamble of Resolution Conf. 12.5 (Rev. CoP18) as presented in Annex 1 to the present document to recognize the importance of using forensic applications to the fullest extent possible in order to combat illegal
trade in specimens of tigers and other Appendix-I Asian big cat species. For the same purpose it is proposed that Decision 18.104 be deleted and replaced with new draft decision 19.AA as presented in Annex 2 to the present document. This will further also facilitate that Parties continue to support genetic research projects focusing on the development of techniques to tackle illegal trade in specimens of Asian big cat species.

Implementation of Decision 18.106

26. In its preamble, Resolution Conf. 12.5 (Rev. CoP18) recalls that Resolution Conf. 17.4 on Demand reduction strategies to combat illegal trade in CITES-listed species urges Parties where there is a significant market for illegally traded wildlife products to develop strategies to reduce the demand for illegal products of wild animals and plants through demand reduction campaigns and to enhance, as appropriate, policy, legislation and law enforcement in this regard, and emphasizes the importance for Parties to develop such plans for Asian big cats.

27. In document SC74 Doc. 36, the Secretariat summarized information received from Parties regarding activities undertaken to reduce demand for illegal tiger and other Asian big cat specimens. Although these examples of activities undertaken are welcomed, continued and further scaled up efforts to reduce demand for illegal tiger and other big cat specimens are needed. Decision 18.106 remains current, and the activities to be undertaken by Parties in this regard are of a permanent nature and therefore better suited to be incorporated in Resolution Conf. 12.5 (Rev. CoP18). In consultation with the Standing Committee Chair, it is therefore proposed to amend Resolution Conf. 12.5 (Rev. CoP18), by including a new sub-paragraph d) under paragraph 5 in the Resolution as presented in Annex 1 to the present document. The Secretariat notes that the legislative and regulatory aspects of Decision 18.106 are already captured in the provisions of paragraph 1 a) of Resolution Conf. 12.5 (Rev. CoP18). Therefore, should the Conference of the Parties agree to the amendment of the Resolution as proposed, Decision 18.106 can be deleted as recommended in paragraph 28 of the present document.

Recommendations:

28. The Conference of the Parties is invited to:

a) adopt the amendments to Resolution Conf. 12.5 (Rev. CoP18) on Conservation of and trade in tigers and other Appendix-I Asian big cat species contained in Annex 1 to the present document;

b) retain Decision 14.69 as presented in Annex 2 to the present document;

c) adopt draft decision 19. AA as presented in Annex 2 to the present document;

d) adopt Decisions 18.102, 18.103, 18.108 and 18.109 as revised and presented in Annex 2 to the present document; and

PROPOSED AMENDMENTS TO RESOLUTION CONF. 12.5 (REV. COP18)
ON CONSERVATION OF AND TRADE IN TIGERS
AND OTHER APPENDIX-I ASIAN BIG CAT SPECIES

Proposed new language is presented in underline and deleted language is presented in strikethrough font

... NOTING that wild populations of tigers and other Asian big cat species (snow leopard, *Uncia uncia*, mainland clouded leopard, *Neofelis nebulosa*, Sunda clouded leopard, *Neofelis diardi*, all subspecies of leopard *Panthera pardus* within its Asian range, and Asiatic lion, *Panthera leo persica* (populations of India) are threatened by the combined effects of poaching and habitat loss caused by disturbance, fragmentation and destruction;

COMMENDING the positive actions taken by some range and consumer States to address the illegal trade in tiger specimens and to facilitate cooperation with other Parties, but NOTING that measures are required to address illegal trade in specimens of all Appendix-I Asian big cat species;

RECOGNIZING the importance of using forensic applications to the fullest extent possible in order to combat illegal trade in specimens of tigers and other Appendix-I Asian big cat species.

CONSCIOUS that the driving forces behind the illegal killing of tigers and other Asian big cats and the illegal trade in specimens thereof vary from region to region and may include financial gain from the sale of live specimens, parts and derivatives, protection of people living in Asian big cat habitats and protection against or response to the predation of livestock;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. URGES:

   ... h) those Parties and non-Parties in whose territories there are facilities keeping tigers and other Asian big cat species in captivity to ensure that adequate management practices and controls are in place and strictly implemented to regulate the activities of these facilities, including measures that will enable accurate record keeping for all Asian big cats kept in captivity as well as for the disposal of specimens from Asian big cats that die in captivity, to prevent parts and derivatives from entering illegal trade from or through such facilities, and that these management practices are regularly reviewed to ensure that they are adequate to prevent Asian big cat specimens from entering illegal trade from or through such facilities;

   ...

5. RECOMMENDS that the consumer States of specimens from the tiger and other Asian big cat species:

   ...

   d) work with relevant specialists such as consumer behaviour change, social marketing and communication experts, to undertake evidence based targeted behaviour change initiatives, including establishing baselines and strong monitoring and evaluation mechanisms to assess its efficacy.
Directed to Parties, especially Appendix-I Asian big cat range States

14.69 Parties with intensive operations breeding tigers on a commercial scale shall implement measures to restrict the captive population to a level supportive only to conserving wild tigers; tigers should not be bred for trade in their parts and derivatives.

Directed to Parties

19.AA Parties are encouraged to:

   a) inform the Secretariat of genetic research projects undertaken in their territory focusing on the development of techniques to support addressing illegal trade in Asian big cat specimens, for this information to be made available to Parties;

   b) in accordance with their national regulations, share samples of Asian big cat specimens from living animals, seized animals or products that could contain DNA of Asian big cats with genetic research projects focusing on the development of techniques to address illegal trade in Asian big cat specimens; and

   c) take note that methods for the identification of tiger species and individual identification from different types of specimens of tiger parts and derivatives have been developed in the Czech Republic, and that analytical kits for use of these methods, as well as testing of tiger samples, are available to Parties free of charge.

18.102 (Rev. CoP19)

Parties in whose territories there are facilities keeping Asian big cats in captivity referred to in Decision 18.108 (Rev. CoP19), paragraph a) are invited to welcome a mission from the Secretariat, to visit these facilities.

18.103 (Rev. CoP19)

All Parties that have made seizures of tiger skins since the 17th meeting of the Conference of the Parties are encouraged to take note of the information on tiger range States which have photographic identification databases for tigers, and the capacity to identify tigers from photographs of tiger skins, as presented in paragraph 14 in document SC70 Doc. 42.1, and to share images in accordance with Resolution Conf 12.5 (Rev. CoP189) on Conservation of and trade in tigers and other Appendix-I Asian big cat species, paragraph 1 l) by 31 December 2019 and all Parties are encouraged to share images of any skins seized hereafter within 90 days of such seizure.

Directed to the Secretariat

18.108 (Rev. CoP 19)

The Secretariat shall:

   a) subject to external funding, undertake a mission to those Parties identified in document SC70 Doc. 51 and in whose territories there are facilities which may be of concern keeping Asian big cats in captivity, with the purpose of gaining a better understanding of the operations and activities undertaken by these facilities; and

   b) report to the Standing Committee at its 73rd and 74th meetings on implementation of Decisions 18.107 to 18.108, paragraph a), and progress with regard to the missions concerned and formulate recommendations for consideration by the Standing Committee.
Directed to the Standing Committee

18.109 (Rev CoP19)

The Standing Committee at its 73rd and 74th meetings shall review the report and recommendations of the Secretariat concerning the implementation of Decisions 18.100 to 18.108 (Rev. CoP19) and determine whether any further time-bound, country specific measures are needed to strengthen the implementation of the Convention, of Decision 14.69 and of paragraph 1 h) of Resolution Conf. 12.5 (Rev. CoP189).
TENTATIVE BUDGET AND SOURCE OF FUNDING
FOR THE IMPLEMENTATION OF DRAFT RESOLUTIONS OR DECISIONS

According to Resolution Conf. 4.6 (Rev. CoP18) on Submission of draft resolutions, draft decisions and other documents for meetings of the Conference of the Parties, the Conference of the Parties decided that any draft resolutions or decisions submitted for consideration at a meeting of the Conference of the Parties that have budgetary and workload implications for the Secretariat or permanent committees must contain or be accompanied by a budget for the work involved and an indication of the source of funding. The Secretariat proposes the following tentative budget and source of funding.

Draft decision 19.AA

Processing information received in accordance with draft decision 19.AA, paragraph a), would require some time from the Secretariat but should be a core part of the Secretariat’s work and accommodated within its regular work programme. Draft decision 19.AA paragraphs b) and c), does not have any budgetary or workload implications for the Secretariat or permanent committees.