

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



Twenty-sixth meeting of the Plants Committee
Geneva (Switzerland), 5 – 9 June 2023

Regulation of trade

Exemptions and special trade provisions

DRAFT ROADMAP FOR A REVIEW OF CITES PROVISIONS
RELATED TO TRADE IN SPECIMENS OF ANIMALS AND PLANTS NOT OF WILD SOURCE

1. This information document has been submitted by the Secretariat and prepared by Belgium and Canada as the co-chairs of the Standing Committee Working Group on the *Review of CITES provisions related to the trade in specimens of animals and plants not of wild source* in relation to agenda item 23.*
2. The co-chairs of the Standing Committee Working Group prepared the draft Road Map as a step wise approach towards addressing the working groups mandate.
3. The draft Road Map was shared with the members of the Working Group with a specific request to identify matters, in addition to Step 1, question c), that require insights of the Animals and Plants Committees. The co-chairs will provide an oral update to the Animals and Plants Committees based on responses received during the respective meetings.

* *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

Review of CITES Provisions related to trade in specimens of animals and plants not of wild source

In implementation of Decision 19.179ⁱ and Decision 19.180ⁱⁱ, the Working Group overall aims:

To develop a common understanding of modern trade in animal specimens that have been bred in captivity and plant specimens that are artificially propagated and how the provisions of the Convention, in particular Article VII Paragraphs 4¹ and 5² should be applied to this trade.

Draft Roadmap

The Working Group Co-Chairs propose the Group address Decision 19.179 (and support Decision 19.180) in the following steps:

1. In order to better understand and characterize modern trade in specimens of animal and plant specimens not of wild source, participants are asked to consider the following questions aimed at elucidating each participant's understanding of this trade and the assumptions associated with this understanding. Parties should answer these questions within the context of their own country, organizations should answer according to their assumptions on how Parties implement trade in specimens of not wild source:
 - a. How has this trade evolved in your country since the Convention first came into force in 1975 or your country has joined the Convention?
 - b. Is the conservation risk for the wild populations associated with this trade lower, higher or similar to similar trade in wild specimens in your country? Why? Is your reply based on expert opinion, on observed trends in wild populations, other sources of information or other factors? Please elaborate and provide examples which support your point of view.
 - c. Does the conservation risk vary between plants or animals? Does it depend on the species? Type of specimen? Other characteristics?
 - d. Do you see a difference in risk for the wild populations when you compare in situ breeding (and subsequent trade) versus ex situ breeding (and subsequent trade)?
 - e. Has this trade in non-wild specimens had a positive or negative impact on trade in wild specimens of the same species, or no impact at all? Does that vary by species or type of specimen?
 - f. Do you see conservation benefits in captive breeding or artificial propagation? Please indicate yes or no and provide some elaboration and/or examples on why you replied in this way. Do you see a difference between in situ and ex situ captive breeding or artificial propagation?
2. At the same time, the working group is asked to examine Resolution Conf. 2.12 and identify the policy assumptions implicit in the initial implementation of Articles VII.4, VII.5 and the initial definition of "Bred in captivity". Canada had undertaken an initial overview which can be found in document [COP19_INF13](#), annex 2.
 - a. What are some the assumptions inherent in the Resolution and Article VII.4 and Article VII.5?
 - b. Do you consider that the Canadian document identifies the appropriate assumptions? Do you feel there are assumptions still missing? Do you consider that some assumptions have a greater impact on your understanding of the application of the Convention to this trade than others?
3. Based on your inputs, the working group Chairs will compile the responses and engage the Working Group in examining the identified policy assumptions within the context of the perceived or understood conservation risks. The aim would be to build a common understanding of the key conservation risks associated with this trade (including factors that might influence the perceived risk) and the original policy assumptions made regarding this trade and its relative risk.

¹ 4. *Specimens of an animal species included in Appendix I bred in captivity for commercial purposes, or of a plant species included in Appendix I artificially propagated for commercial purposes, shall be deemed to be specimens of species included in Appendix II*

² 5. *Where a Management Authority of the State of export is satisfied that any specimen of an animal species was bred in captivity or any specimen of a plant species was artificially propagated, or is a part of such an animal or plant or was derived therefrom, a certificate by that Management Authority to that effect shall be accepted in lieu of any of the permits or certificates required under the provisions of Article III, IV or V.*

4. Building on the above mentioned common understanding, the Working Group can examine the risks and policy assumptions to review how the current suite of resolutions addresses those risks and incorporates those assumptions, and if modernization of the suite of resolutions (aimed fundamentally at the implementation of Articles VII.4 and VII.5) is required in line with the risks identified. You can find references to certain relevant resolutions in [SC74 Doc 56](#), acknowledging however that this document is focussed mostly on animals and therefore does not provide an exhaustive list of relevant resolutions. To achieve this, the Working Group members, reflecting on the discussions on points 1-3 above, would be asked to consider the following questions in your particular country context as this will influence your understanding of the current suite of resolutions.
 - a. Do you apply the provisions of Article VII.4 and/or VII.5 Appendix I specimens of animal or plant specimens not of wild source and if so, how are they applied?
 - b. Do you consider it necessary to implement Article VII.4 and/or VII.5 the same for plants or animals or are they implemented differently?
 - c. Do you make NDFs for animal or plant specimens not of wild source and how do they differ from the NDFs made for wild source specimens of the same or similar species?
 - d. Do you make legality findings LAFs for animal or plant specimens not of wild source and how do they differ from the legality findings made for wild source specimens of the same or similar species?
 - e. Are breeding operations or nurseries in your country established with founder stock that are (partially or entirely) of wild source or, alternatively, established with founder stocks of any other source (not wild)? Are these operations maintained without augmentation from the wild? Is there augmentation of the parental stock from other source besides wild sources? Or is it rather a closed loop system, where only offspring is used as addition for the parental stock? If you have a mix of breeding operations or nurseries, is it possible to give an estimation of how much you rely on the influx of wild sourced specimens?
 - f. Do you require an import permit for Appendix I specimens of animal or plant specimens not of wild source?
 - g. Do you apply stricter domestic measures on the import or export of plants or animals not of wild source and if so, provide details?
 - h. Do you implement CITES Registration for Appendix I plant species (R.C. 9.19) or Appendix I animal species (R.C. 12.10). Provide details on how you implement registration including any pro/cons on the registration process.

5. Based on this determination, provide recommendations to address ambiguities and inconsistencies in the current CITES resolutions or to recommend a new resolution to the Standing Committee.

ⁱ 19.179 Decision directed to: Standing Committee, in consultation with the Animals and Plants Committees

The Standing Committee shall:

- a) in consultation with the Animals and Plants Committees, develop specific terms of reference including modus operandi and a roadmap as appropriate, to guide the continuation of the review of trade in specimens of both CITES-listed animals and plants not of wild source;
- b) continue to consider amendments to Resolution Conf. 10.16 (Rev. CoP19) and Resolution Conf. 12.3 (Rev. CoP19), as well as any amendment to other Resolutions concerning provisions on trade in specimens of both CITES-listed animals and plants not of wild source, taking into account findings and suggestions in document SC74 Doc. 56 and any related comments and recommendations from the Standing Committee, Parties, the Secretariat or other stakeholders;
- c) review issues and challenges in the application of the Convention for trade in non-wild specimens of both CITES-listed animal and plant species, in particular key elements that may contribute to the uneven application of Article VII, paragraphs 4 and 5, and consider the scientific advice and guidance from the Animals and Plants Committees on the need for implementing these Articles differently for either animal specimens from species bred in captivity or plant specimens that are artificially propagated; and
- d) make recommendations for addressing these issues and challenges, including amendments to existing Resolutions or development of a new Resolution or Decisions to address these issues and challenges, for consideration at the 20th meeting of the Conference of the Parties.

ⁱⁱ 19.180 Decision directed to: Animals and Plants Committees

In support of the Standing Committee's implementation of Decision 19.179, the Animals and Plants Committees shall, separately and together in their joint session:

- a) consider the key elements in the current implementation of Article VII paragraphs 4 and 5 for animals and plants, respectively, in the current applicable Resolutions;
- b) determine if there is a need to implement Article VII paragraphs 4 and 5 differently for either animal specimens from species bred in captivity or plant specimens that are artificially propagated than what is outlined in existing Resolutions, and provide their recommendations to the Standing Committee in time for its 78th meeting; and
- c) provide any other scientific advice and guidance on CITES provisions concerning trade in non-wild specimens of CITES-listed animal and plant species to the Standing Committee upon request and as appropriate.