

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



Seventy-eighth meeting of the Standing Committee
Geneva (Switzerland), 3-8 February 2025

Compliance

Compliance matters

IMPLEMENTATION OF ARTICLE XIII AND RESOLUTION CONF. 14.3 (REV. COP19) ON
CITES COMPLIANCE PROCEDURES

1. This document has been prepared by the Secretariat.

Background

2. The general principles agreed by Parties in the *Guide to CITES compliance procedures* in the Annex to Resolution Conf. 14.3 (Rev. CoP19) on *CITES compliance procedures* states that the approach to the compliance procedure is *supportive and non-adversarial* with the aim of ensuring long-term compliance. Although compliance matters are handled as quickly as possible, the Standing Committee will consider such matters and ensure that compliance measures are applied in a fair, consistent and transparent manner.
3. Article XIII of the Convention stipulates that:
 1. *When the Secretariat, in the light of information received, is satisfied that any species included in Appendix I or II is being affected adversely by trade in specimens of that species or that the provisions of the present Convention are not being effectively implemented, it shall communicate such information to the authorized Management Authority of the Party or Parties concerned.*
 2. *When any Party receives a communication as indicated in paragraph 1 of this Article, it shall, as soon as possible, inform the Secretariat of any relevant facts insofar as its laws permit and, where appropriate, propose remedial action. Where the Party considers that an inquiry is desirable, such inquiry may be carried out by one or more persons expressly authorized by the Party.*
 3. *The information provided by the Party or resulting from any inquiry as specified in paragraph 2 of this Article shall be reviewed by the next Conference of the Parties which may make whatever recommendations it deems appropriate.*
4. Compliance matters handled under Article XIII cover a number of obligations under the Convention, particularly the designation of authorities (Article IX), permitting procedures and trade conditions (Articles III, IV, V, VI, VII and XV), domestic measures taken to enforce the Convention and handling of seized and confiscated specimens (Article VIII, paragraphs 1-5), and maintaining and submitting records of trade (Article VIII, paragraphs 6-7). In addition, paragraphs 29 and 30 of the Annex to Resolution Conf. 14.3 (Rev. CoP19) specifies the Resolutions under which the Standing Committee may recommend compliance measures.
5. The present document provides an update on the compliance matters discussed at the 77th meeting of the Standing Committee (SC77; Geneva, November 2023) for which separate documents were not produced for

the present meeting. It brings to the attention of the Committee information on matters related to trade in specimens of CITES-listed species that have not yet been identified as compliance matters under Article XIII but that appear to be emerging as potential compliance matters. The document also contains an update on other matters identified in document SC77 Doc. 33.1, including the proposed template for a compliance action plan. The Secretariat is reporting on the progress made by individual Parties that are currently concerned by the application of Article XIII in separate documents.

Update on compliance matters concerning the European Union and the United Kingdom of Great Britain and Northern Ireland (documents SC77 Doc. 33.1 and SC77 Doc. 33.8)

Regarding the implementation of Article VII, paragraph 4 of the Convention by the European Union and the United Kingdom of Great Britain and Northern Ireland

6. At SC77, the Standing Committee reviewed the potential compliance matter with respect to the United Kingdom regarding the registration of operations that breed Appendix-I animal species in captivity for commercial purposes. This was considered on the basis of the Secretariat's report to the Standing Committee in document [SC77 Doc. 33.1](#), in conjunction with the similar matter concerning the European Union based on the information contained in document [SC77 Doc. 33.8](#).
7. Following the discussion, the Committee determined by a vote of a simple majority of 11 votes that Article III and Article VII, paragraph 4, of the Convention were not being effectively implemented by the United Kingdom and the European Union with regard to the registration of operations that breed Appendix-I animal species in captivity for commercial purposes, in particular concerning two main elements:
 - a) the evidence that the parental stock had been obtained in accordance with relevant national laws and the provisions of the Convention (e.g. dated capture permits or receipts, CITES documents, markings, etc.); and
 - b) the primarily commercial nature of the operations breeding Appendix-I animal species in captivity.
8. The Committee noted that the United Kingdom expressed its sincere disappointment that a compliance case had been brought by the Secretariat and supported by a majority of the Standing Committee without identifying a single specific case of non-compliance in the United Kingdom. The Committee also noted the following statement by the delegation of the European Union: *The European Union and its Member States have provided detailed information with regard to the system in place in the European Union and compliance with the Convention and expressed the view that the report did not provide sufficient details about how the Secretariat came to the general conclusion in paragraph 87 a) of document SC77 Doc. 33.8.*
9. The Committee further noted the request by Mexico to include a recommendation for Parties to consider the implementation of Resolution Conf. 13.9 on *Encouraging cooperation between Parties with ex situ breeding operations and those with in situ conservation programmes*.
10. Finally, the Committee urged the CITES Management Authorities (MAs) of the European Union (and its Member States) and the CITES MA of the United Kingdom to ensure that facilities that are breeding specimens of Appendix-I listed species for commercial purposes be registered with the CITES Secretariat in accordance with the procedures established in Resolution Conf 12.10 (Rev. CoP15) on *Registration of operations that breed Appendix-I animal species in captivity for commercial purposes*. The Committee also recalled paragraph 8 of the same Resolution inviting Parties to restrict imports for primarily commercial purposes of captive-bred specimens of Appendix-I species to those produced by operations included in the CITES Register, and to reject any permit or certificate granted under Article VII, paragraph 4, if the specimens concerned do not originate from a registered facility and if the permit or certificate does not describe the specific identifying mark applied to each specimen.
11. The Committee did not request the United Kingdom or the European Union to submit a report to its subsequent meeting on the action taken following the determination of the Standing Committee. However, for information, the Secretariat is providing the following update on measures taken by the respective Parties following the recommendations of SC77 based on information provided by the Parties concerned.

Progress made by the United Kingdom of Great Britain and Northern Ireland

12. The following measures have been taken since SC77 to ensure facilities that are breeding specimens of Appendix-I listed species for commercial purposes be registered with the CITES Secretariat.
13. The United Kingdom CITES Authorities reviewed and refreshed the materials used to support facilities in applying to become a CITES-registered breeder under Resolution Conf. 12.10 (Rev. CoP15) and the administrative processes in place to manage registrations and their oversight post-registration. The authorities worked with the affected sectors to explain how the registration process would work and what the future requirements would be. The United Kingdom was also planning to introduce a legal provision to restrict the issuance of import and export permits for captive-bred specimens of Appendix-I listed species for commercial purposes to those bred in registered facilities (to be traded exclusively with source code D and purpose code T). This proposed approach would be part of a wider consultation on improvements to the CITES implementing legislation in the country. The United Kingdom was proposing a transitional period for this requirement before a cut-off date, which would be determined once the feedback received as part of the consultation had been assessed. This would allow for a reasonable timeframe for all facilities to apply to be registered and their applications to be reviewed by the national CITES authorities and processed by the CITES Secretariat in accordance with Resolution Conf. 12.10 (Rev. CoP15).
14. Ahead of the introduction of any legal requirement, the United Kingdom CITES Authorities have invited applications for registration and, at the time of writing, are assessing five applications expected to be submitted shortly to the CITES Secretariat.

Progress made by the European Union

15. The European Union (EU) has initiated legislative steps to ensure compliance with Resolution Conf. 12.10 (Rev. CoP15) and the associated SC77 recommendations. The letter from the EU is included in Annex 3 to the present document. The proposed changes to the implementing regulation, [Commission Regulation \(EC\) No 865/2006](#), briefly summarized below, are expected to be adopted at the beginning of 2025. At the time of writing, the draft amendments are being reviewed by the Council of the European Union and the European Parliament and are not publicly available.
16. The draft amendments to the implementing regulation include a new process for the registration of breeding operations wishing to be registered in the CITES Register which is managed by the MA in consultation with the Scientific Authority (SA) of the Member State in which the operation is located. The process follows the requirements contained in Resolution Conf. 12.10 (Rev. CoP15) and the criteria in Resolution Conf. 10.16 (Rev. CoP19) on *Specimens of animal species bred in captivity* regarding the term “bred in captivity”. In case of a change to the nature of the operation or the types of products produced for export, the operator must notify the MA who will in turn notify the Secretariat.
17. Additionally, the amendments include a provision according to which an MA can only grant an import or (re)export permit for commercial purposes for transactions of specimens listed in Appendix I to the Convention into or out of the EU, if the breeding facility has been included in the CITES Register of captive-breeding facilities. This new rule would apply after a transitional period ending on 31 December 2026 to enable the MAs in the EU Member States and the CITES Secretariat to process the expected large number of applications for registration.
18. In parallel to the work on amending the relevant legislation at the EU level, where possible and if required under national law, the EU Member States started working on national legislation and launched preparatory activities such as building capacities to process applications and raising awareness of the breeders about the upcoming changes. Finally, where their national legislation allows, the EU Member States already receive and process applications from breeding operations.
19. The EU reiterated that the controls in its internal market with respect to wildlife are well-monitored. In line with the EU Wildlife Trade Regulations, a valid EU certificate provided by the responsible MA is required for each commercial transaction in the EU’s internal market. In accordance with the Convention, any transaction involving specimens of species listed in Appendix I with a commercial purpose is prohibited unless an exemption applies. Trade in specimens bred in captivity constitutes such an exemption, and the EU has reported that it is subject to thorough control mechanisms in line with Resolution 10.16 (Rev. CoP19), including a requirement of a

permanent and individual marking. Applications are assessed on a case-by-case basis by the competent CITES authorities. The EU also reported that when a breeder applies for an EU certificate for an offspring, the legality of the breeding stock will be checked. The breeding stock (often breeding couple) will need to be covered by valid EU certificates. If the breeding stock itself was bred in captivity, the system in place is expected to ensure that those certificates were also only issued if it was clear that their breeding stock was obtained legally.

20. Finally, and beyond the amendments to the regulation, the European Union adopted in 2022 a [Guidance document on live animals bred in captivity under the EU Wildlife Trade Regulations](#) to help EU Member States and stakeholders implement the EU Wildlife Trade Regulations. The document provides guidance on the establishment of breeding stocks for captive breeding, the verification of legal origin of founder stocks that are non-detrimental to wild specimens, determination of source codes, and specific SA and MA roles.
21. The Secretariat notes that it has received an application from Italy for registration of an operation breeding four different species of tortoises included in Appendix I (see [Notification No. 2024/075](#)) which is under consideration in accordance with the procedure contained in Annex 2 of Resolution Conf. 12.10 (Rev. CoP15).

Concerning trade in Amazona imperialis, A. arausiaca and Cyanopsitta spixii

22. In the context of its consideration of the compliance matter related to the European Union, the Committee also considered the potential illegal trade of *Amazona imperialis*, *A. arausiaca* and *Cyanopsitta spixii* (all included in Appendix I) and invited the Secretariat to follow up with Brazil, Dominica and Germany regarding the cases identified in document [SC77 Doc. 33.8](#) and report back to the Standing Committee. In the paragraphs below, the Secretariat provides information with regard to the three species based on information it has received from Germany and Brazil. No additional information has been provided by Dominica.

Concerning the export of two specimens of A. imperialis and ten specimens A. arausiaca from Dominica

23. The Secretariat recalls that this matter concerns trade in 12 wild-caught specimens of two Appendix-I species of birds, authorized for export by the Ministry of Agriculture and Fisheries in Dominica and imported by Germany for scientific and captive-breeding purposes in March 2018, during a time when there was a recommendation to all Parties to suspend trade of CITES-listed species with Dominica for the lack of submission of annual reports.
24. Within the framework of the National Legislation Project, the Secretariat undertook a mission to Dominica in March 2024, which included a discussion on this matter with the MA of Dominica. Following the discussions held during the mission, the Secretariat sent an official letter to the MA of Dominica regarding this matter in September 2024, requesting additional information. At the time of writing, no answer has been received from Dominica.
25. The Secretariat also wrote to Germany requesting information about this matter and received a response on 5 December 2024. Germany stated *inter alia* that, in February 2018, Dominica's Ministry of Agriculture and Fisheries had sought Germany's urgent support to save its national bird species after Hurricane Maria, a category 5 storm, had caused massive habitat loss and severe stress to Dominica's forests and wildlife, critically threatening the endemic parrot species. Dominica's Ministry for Agriculture and Fisheries expressed serious concerns about the survival of the parrots, including those in captivity, which could not be adequately cared for locally. The government had initiated a conservation breeding programme with the long-term goal of restocking the local parrot population and preserving it for future generations, which had included establishing an *ex-situ* backup population outside Dominica's natural range. Dominica had also partnered with Germany's Association for the Conservation of Threatened Parrots e.V. (ACTP), a non-profit organization, to provide expertise and facilities for the programme.
26. According to Germany, the recommendation to suspend trade with regard to Dominica due to three years of non-reporting made Germany's decision to assist 'complicated'. However, Germany concluded that the purpose of the trade suspension was not to hinder emergency measures to save a species at imminent risk, and decided to support the programme by authorizing the import of the 12 birds. Germany further indicated that it had informed the CITES Secretariat about the import after the fact and submitted all relevant documentation, including import permits and the breeding programme agreement. Germany did not comment on the fact that the export permit had not been issued by the designated MA of Dominica, which was the Ministry of Health and Environment (now Ministry of Environment, Rural Modernization and Kalinago Upliftment).

27. In response to concerns raised at SC77, Germany also clarified that no request to return the birds had been received from Dominica and noted that, ahead of the transfer of 12 parrots from Dominica to Germany, Dominica and ACTP had signed a "*Parrot Breeding Programme Agreement*" (PBPA) ensuring that Dominica would retain ownership of all transferred parrots and their offspring. The PBPA stipulated that ACTP cannot transfer, sell, or trade the parrots, their eggs, or offspring without written consent from both Dominica and Germany. The agreement ensures the parrots remain the property of Dominica and can be returned at any time upon request. The import permit issued for the transfer included conditions based on the PBPA, including a prohibition on commercial activity.
28. The Secretariat notes that concerns remain that the export was not authorized by the officially designated CITES MA of Dominica, and that the imports were accepted despite the recommendation to Parties to suspend trade of CITES-listed species with Dominica.

Concerning Cyanopsitta spixii from Brazil

29. At SC77, Brazil noted specific concerns regarding the export of specimens of Spix's macaw (*Cyanopsitta spixii*) from facilities in Germany to India in 2023, despite the publication of [Notification to the Parties No. 2001/052 of 10 August 2001](#) that requests Parties not to issue import, export, or re-export permits for *C. spixii* without consulting with the Brazilian MA.
30. In September 2024, the Brazilian MA (Brazilian Institute of Environment and Renewable Natural Resources - IBAMA) provided a full report on the situation of specimens of *C. spixii* and more largely on the trade of Psittaciformes from Brazil. In its report, Brazil recalled that ACTP is not part of the official Spix's Macaw Population Management Programme as ACTP does not follow the rules of the Management Programme, does not account for the animals housed in its facilities, and does not recognize ICMBio (Brazil's CITES Scientific Authority) or the Brazilian State as the coordinator of the programme. In this context, the Secretariat notes that the Technical Cooperation Agreement (TCA 8/2019) signed exclusively between ICMBio and ACTP is no longer in force.
31. Brazil remained concerned that ACTP argues that "sales operations of certain specimens to other breeders are not considered commercial as the proceeds of the sales are reinvested in the research/conservation project" (para. 44 of document SC77 Doc. 33.8). Brazil also challenges ACTP's claim of a surplus in the Spix's macaw population, stressing that the population is still too small to justify any surplus or over-represented individuals, and that each specimen remains essential to the conservation programme, whether for breeding, release, research, or environmental education (especially since some released individuals do not survive).
32. Brazil reiterated that, despite the publication and maintenance of Notification No. 2001/052, the Brazilian authorities had never been consulted on the export of specimens of Spix's macaws from ACTP to a facility in India. Brazil added that no institution in India participates in the Spix's Macaw Population Management Programme. On November 5, 2023, ACTP issued a public statement claiming that the partnership with the Greens Zoological Rescue & Rehabilitation Center (GZRRC) in Gujarat, India, was communicated to the Brazilian government on 7 November 2022, and was duly recognized – a claim which Brazil disputes. For an institution to join the Management Programme, it is necessary to submit specific forms (as outlined in ICMBio Normative Instruction No. 5/2021) and sign a term of adhesion. None of these procedures were followed for the GZRRC.
33. On 12 April 2024, the MA of Brazil (IBAMA) received an email from the MA of Germany informing that ACTP had filed an application to export and re-export 70 specimens of Spix's macaw. Of these, 41 specimens were destined for Brazil, while 29 were destined for India. The 41 specimens destined for Brazil were intended for the reintroduction project in Curaçá, Bahia. The 29 specimens destined for India were destined for GZRRC. IBAMA was never consulted on this export and did not endorse the transfer of specimens to India, as GZRRC was not participating in the Spix's Macaw Population Management Programme. On 6 May 2024, the MA of Germany contacted IBAMA again via email with information that ACTP had updated its (re)export application, to increase the quantity of macaws from 70 to 101. Of these, 41 would still be sent to Brazil, but GZRRC would now receive 60 specimens instead of 29. According to the email, one of the main reasons for the export was that ACTP's facilities in Germany had reached their maximum capacity. IBAMA was asked if it could endorse these transactions. IBAMA replied that it endorsed the transactions intended for the reintroduction project in Curaçá, Bahia, but did not endorse the transactions intended for GZRRC in India.

34. During SC77, it was also mentioned that a large number of Spix's macaw specimens had been transferred from ACTP's facilities in Germany to other breeders within the European Union. Considering that Brazil had never been informed about these transfers, on 10 November 2023, the MA of Brazil requested the MA of Germany to provide as much information as possible about these transfers. On 26 March 2024, the MA of Germany sent two tables containing information about the transfer of 46 Spix's macaws from ACTP to various breeders within the European Union, located in Belgium, Denmark, and Slovakia. Germany also indicated that information about three additional Spix's macaws that were also transferred would be provided at a later date. In its report, the MA of Brazil requested that all transfers within the EU be promptly and transparently reported to the MA of Brazil.
35. On 4 April 2024, Brazil learnt that two specimens of Spix's macaw had been seized in Belgium during an attempt to export them to Cyprus. The specimens, identified by their numbers, had allegedly been stolen from a private breeder in Germany, who is reportedly a member of ACTP and keeps some of ACTP's animals privately. Brazil contacted the MA of Belgium and, on 7 August 2024, it was confirmed that the birds had indeed been seized and were being held at a zoo in Belgium. It was explained that the two Spix's macaws were to be returned to Germany in response to the owner's request. No additional information was received by Brazil on this matter since then.
36. Brazil noted that according to the species' Studbook, 315 Spix's macaws are held *ex situ* in different parts of the world, with the ACTP holding the largest population. Yet, such numbers appear to be inconsistent with the report sent by ACTP to Brazil in February 2024. Outside of the 11 specimens released in the wild in Brazil, according to ICMBio, specimens seem to be held in Belgium, Denmark, Germany, India, Singapore and Slovakia. According to Brazil, there may also be a breeding stock in Switzerland that has not been declared to Brazil and has not participated in the Spix's Macaw Population Management Programme.
37. Brazil remained concerned about the ongoing trade in *Cyanopsitta spixii* from operations which are not part of the Spix's Macaw Population Management Programme. In line with Notification No. 2001/052, the position of Brazil is that international transfers of Spix's macaws are to be authorized only if they are in accordance with the management plan and endorsed by the Brazilian government in the context of the Spix's Macaw Population Management Programme. No form of trade in Spix's macaws for commercial purposes is acceptable and all remaining individuals must be used in a unified and coordinated conservation effort aimed at reintroducing the species into the wild, through a programme led by partners whose sole objective is conservation and who recognize the Brazilian government as the coordinator of this process.
38. In its response of 5 December 2024 to the Secretariat, Germany provided detailed information regarding the situation of the specimens of *C. spixii* held in Germany and on instances of trade in the species with Qatar, Singapore and India. Germany provided the following data on *C. spixii* held by ACTP:

scientific name	common name	current number	total number	number of deaths	number of offspring
<i>Cyanopsitta spixii</i>	Spix's macaw	204	369	22	234

39. The following is an attempt to summarize the extensive information and documentation provided by Germany regarding the different exports:
- a) Exports to Qatar in 2015 and 2016: In 2015, ACTP had exported one Spix's macaw (#154), hatched in 2015, to a facility in Qatar and re-exported two additional Spix's macaws in the same transfer: specimen #6 originated from Brazil, imported by ACTP in 2009 and specimen #53 imported by ACTP from Switzerland in 2005. These transfers had been recommended by Brazil's programme coordinator, ICMBio. In 2016, Spix's macaw #59 was re-exported from ACTP to the same facility in Qatar due to aggressive behavior toward previous female partners, which prevented reproduction. The studbook keeper had decided against sending another female to ACTP as similar aggressive behavior was expected. The facility in Qatar was chosen as the new location for #59 due to its larger pool of potential female partners. The transfer was recommended by the studbook keeper.
- b) Exports to Singapore: In 2017, Spix's macaw #114 (hatched in Germany in 2008) had been exported to a facility in Singapore as an ambassador for the species. Another specimen had been sent to Singapore from the facility in Qatar. The export reportedly aimed to support fundraising efforts and advance the

reintroduction project scheduled for 2020 in Brazil. The German MA issued the export permit without prior formal consultation with Brazil, as the partners were closely collaborating, and Brazil later approved the initiative. The Brazilian ambassador to Singapore attended the opening of the Blue Macaw exhibition at the facility in Singapore. In 2021, both “ambassador macaws” had been returned to Germany and had now been transferred to a Spix’s macaw breeding programme partner in Belgium. One bird hatched from this pair while they were housed in Germany has been sent to Brazil in 2019 with 52 other specimens for reintroduction and breeding purposes at a newly built center in the Caatinga, and another bird hatched the same year was sent to Paira Daiza in Belgium in 2019.

- c) Exports to India: In 2023, 26 captive-bred Spix's macaws (source code "C" and purpose code "B") had been exported to a facility in India, GZRRC (no studbook number provided for these 26 individuals). The ownership of the birds had remained with ACTP and the export permit prohibited any commercial use of the specimens and their offspring. The transfer aimed to establish a second independent reserve population, improving biosecurity for the species' *ex-situ* conservation. Germany confirmed GZRRC's facilities were suitable for the species and obtained confirmation from the Indian Central Zoo Authority regarding appropriate care for the birds. The 26 macaws would remain part of the global studbook and would be available for breeding or reintroduction, if needed. ACTP's role under the 2016 Brazil-ACTP Technical Cooperation Agreement was to breed Spix's macaws for reintroduction into Brazil's Caatinga region, targeting at least 20 annual releases. Germany indicated that it had assumed that Brazil was informed of and had agreed to the export, based on documents from Brazil's conservation authority ICMBio and previous correspondence, and learned of Brazil's concerns only during SC77. According to the information provided by Germany, the breeding loan agreement between ACTP and GZRRC ensures the birds are used exclusively for conservation purposes. The intent of the second *ex-situ* population in India was to serve as a backup population in case of losses at ACTP.

40. With regard to the information provided by Brazil and Germany on the situation of the live specimens of *Cyanopsitta spixii*, certain discrepancies can be noted. For instance, Germany refers to the 2016 Brazil-ACTP Technical Cooperation Agreement which is no longer in force and the facility is no longer part of the official Spix's Macaw Population Management Programme; and further regarding the purpose and agreement by Brazil of the export of 26 specimens to the facility in India. The Secretariat suggests that Brazil and Germany engage on a way forward in order to come to an understanding of the conditions for breeding and exporting *Cyanopsitta spixii* from the facility in Germany, in compliance with Articles III and VII of the Convention, as well as with regard to the specimens held at GZRRC and at facilities in other countries within the European Union.
41. The Secretariat also invited Germany to provide information on steps taken to include ACTP and other facilities located in Germany in the CITES Register of captive-breeding facilities in line with the conclusions of SC77. In response, Germany indicated that: “ACTP e.V. is a German non-profit registered association which underlies national association law and scrutiny of national finance/tax authorities not allowing for commerciality, including prohibition of any profits made. So, commercialization is not possible for ACTP e.V. For other institutions in Germany, it is in principle possible to apply for registration in the context of Resolution Conf. 12.10 (Rev. CoP15). Germany has already started processing applications for registration of commercial breeding operations.”

Guidance on the chain of custody and the implementation of Resolution Conf. 12.10 (Rev. CoP15), paragraph 5 j)

42. In the context of its consideration of the compliance matters concerning the United Kingdom and the European Union at SC77, the Committee invited the Secretariat to submit for its consideration draft elements of guidance on the chain of custody required for demonstrating the legal acquisition of the parental stock, i.e., the chronological documentation, to the extent practicable and in accordance with applicable laws and records, of the transactions pertaining to the removal from the wild of a specimen and the subsequent ownership of that specimen. This draft guidance is contained in the Annex to document SC78 Doc. 47 on *Legal acquisition findings* as the guidance builds on the general guidance on LAF as contained in Resolution Conf. 18.7 (Rev. CoP19) on *Legal acquisition findings*.
43. The Committee further invited the Secretariat to submit for its consideration draft elements of guidance on standardized and objective criteria to implement the requirement stated in paragraph 5 j) of Resolution Conf. 12.10 (Rev. CoP15) to assist MAs in making the findings about the continuing meaningful contribution that the captive-breeding operation will make to the conservation needs of the species concerned. The Secretariat is reporting on activities undertaken to follow-up on this matter in document SC78 Doc. 61.2 on the

Implementation of paragraph 5 j) of Resolution Conf. 12.10 (Rev. CoP15), including recommendations made by the Animals Committee in this regard.

Update on other potential compliance matters raised in document SC77 Doc. 33.1

Viet Nam – Trade in timber and other species that have been illegally harvested or traded

44. At SC77, the Standing Committee agreed to renew the mandate of the Secretariat to continue its close communication and strengthened cooperation with Viet Nam to understand how the Viet Nam CITES authorities ensure that timber species are imported and re-exported in full compliance with the Convention. The Secretariat was requested to seek an invitation from Viet Nam to provide in-country assistance, conduct a second technical assessment and a verification mission to further investigate allegations related to Viet Nam's possible engagement in trade in timber that has been illegally harvested or traded, including timber that has been traded contrary to CITES provisions. Subject to the availability of external funds and human resources to conduct that work, the Secretariat was requested to present its findings and recommendations to the forthcoming Standing Committee meetings.
45. The Secretariat has been in close communication with Viet Nam since SC77 and has received an invitation to undertake a mission to the country in early 2025. The Secretariat has identified funding from the European Union for the mission and will report its findings and recommendations at the present meeting under agenda item 33.10.

Regarding trade in live animals to India

46. In document [SC77 Doc. 33.1](#), the Secretariat reported on concerns with regard to potential compliance matters on the import of live animals of CITES-listed species in India. The Standing Committee noted the Secretariat's report and requested the Secretariat to engage with India, as appropriate, to identify specific compliance issues and to report back to the Standing Committee.
47. Since SC77, the Secretariat has received additional allegations pertaining to illegal trade in live birds and animals to India. In one case, in March 2024, allegations referred to the smuggling of about 700 live animals and birds from the Bolivarian Republic of Venezuela to India in September 2023. Out of the total number of animals concerned, 516 specimens were alleged to be species included in the CITES Appendices, with 104 specimens belonging to five species included in Appendix I. The Secretariat liaised with the MAs of the Bolivarian Republic of Venezuela and India to request information on the matter. Information was received from both Parties, along with copies of export permits from the Bolivarian Republic of Venezuela and import permits from India. Permits showed that the export concerned captive-bred specimens (source code C) sent to a zoo (purpose code Z). Based on the information and documents provided, the Secretariat did not inquire further.
48. In another case, in May 2024, allegations referred to illegal trade in 90 live animals and birds of CITES-listed species from Mexico to India were mentioned in a Mexican national newspaper. Some of the species concerned are included in Appendix I. The importer was the Greens Zoological Rescue & Rehabilitation Center (GZRRC) in Gujarat. The article specifically mentioned the permit numbers of certain export permits issued by the Mexican MA. The Secretariat liaised with the MAs of Mexico and India to request information on the matter. Information was received from the MA of Mexico, confirming the validity of the permits mentioned in the article, indicating that the export concerned confiscated specimens (source code I) sent to a zoo (purpose code Z), and providing additional background information. No communication on this matter was received from the MA of India. The Secretariat invites the Standing Committee to note the information provided by Venezuela and Mexico.

Regarding trade in live birds from Suriname

49. Based on the information provided by the Secretariat at SC77, the Standing Committee noted the Secretariat's report regarding trade in live birds from Suriname and requested the Secretariat to engage with Suriname, as appropriate, to identify specific compliance issues and to report back to the Standing Committee.
50. Following SC77, the CITES Secretariat liaised with the MA of Suriname to obtain updated information concerning the seizure, in July 2023, by the Surinamese authorities of 29 specimens of *Anodorhynchus leari* (Lear's macaw) – a species included in Appendix I and endemic to Brazil. Suriname reported that a conviction was carried in this

case. One of the culprits was sentenced to a prison term of twelve months, eight of which were conditional after deduction of the time spent in pre-trial detention, a probation period of two years and a fine of SRD 5,000. Two other individuals were acquitted. This is the first conviction regarding illegal wildlife trade obtained in Suriname.

51. In the course of 2024, the Secretariat received further allegations pertaining to illegal trade in live birds concerning Suriname. On 22 March 2024, the authorities of Suriname wrote to the Secretariat, having received information about a seizure in Sri Lanka of more than 300 birds exported from Suriname, which was published by the Sunday Times (Sri Lanka) on 7 January 2024. In the article, Sri Lankan customs officials were quoted allegedly explaining that the birds had been placed in “safe custody”, due to the “lack of documents and permits”. In their letter, the Suriname authorities informed the Secretariat that, despite having contacted Sri Lanka and various organizations regarding the matter, they had not received any information concerning this case. In September 2024, the Secretariat wrote to the MA of Sri Lanka inviting to respond to the request for information by Suriname. Sri Lanka has not responded to this query. In this context, the Secretariat notes that Sri Lanka has reported the import of over 1,200 live specimens of about 20 different bird species (including 68 specimens of *Ara macao*) in its annual report with purpose code B (breeding in captivity) from Suriname in 2022, whereas Suriname has not reported any corresponding exports in its annual report.
52. Through the Compliance Assistance Programme (CAP), the Secretariat has assisted Suriname *inter alia* on the collaboration between the MA and the SA and strengthening the SA in the country. Under the CAP, the SA of Suriname has received training and has prepared scientifically based non-detriment Findings (NDFs) for four species that had previously been selected in the Review of Significant Trade (RST) process. The NDFs were submitted to SC77 by the MA of Suriname in document [SC77 Doc. 35.2, Annex 2d](#). The Secretariat notes with concern, however, that in its cover letter submitting the NDFs, the MA specifically highlighted that it did not support the SA's recommendation for a zero-export quota included in the NDF for *Ara chloropterus* (see page 24 of [SC77 Doc. 35.2, Annex 2d](#)) and preferred a voluntary export quota of 250 specimens. The Standing Committee encouraged the MA to follow the advice of the SA until further studies could justify a sustainable quota to be agreed with the Chair of the Animals Committee.
53. During this work with the SA of Suriname, the Secretariat became aware of the fact that the MA had established “harvest quotas” in 1995 for a wide range of species, many of them CITES-listed. It is unclear whether there is any domestic demand for these species (other than for captive-breeding facilities). The Secretariat is concerned that there is a lack of scientifically sound NDFs for the species exported from Suriname. The scientific basis for the establishment of the harvest quotas is unclear and, according to information from Suriname, the majority of these quotas has not been reviewed since 1995. In many cases, including in the case of all bird species, the harvest quotas are set at levels that are far higher than the number of specimens exported. This practice of setting high quotas is not limited to birds; some examples of the harvest quotas compared to the actual levels of exports are included in the table below:

Species	App.	Harvest quota	Average annual trade as reported by exporter (2016 to 2021) – live	Average annual trade as reported by importer (2016 to 2022) – live
<i>Forpus passerinus</i>	II	3,474	126	33
<i>Saimiri sciureus</i>	II	1,000	43	50
<i>Aratinga pertinax</i>	II	2,033	171	114
<i>Amazona ochrocephala</i> *	II	580	70	94
<i>Iguana iguana</i>	II	42,800	297	290
<i>Amazona amazonica</i> *	II	3,600	807	686
<i>Pionus menstruus</i>	II	1,125	129	111
<i>Ara macao</i>	I	100	13	16

**Amazona ochrocephala* and *Amazona amazonica* are nationally protected species.

Source: data obtained from the CITES Authorities in Suriname, November 2024, combined with information from the CITES Trade Database, extracted in November 2024.

54. In addition, the Secretariat notes that a number of Parties have reported imports of live specimens of wild caught *Ara macao* (App. I) from Suriname for commercial purposes. According to the CITES Trade database, imports of a total of over 450 live specimens of *Ara macao* with source code W for commercial purposes (purpose code T) were reported by 24 importing Parties between 1995-2021. Suriname has entered a reservation for this species and therefore can export the species in accordance with Article XV of the Convention and Resolution Conf. 4.25 (Rev. CoP19) on *Reservations*. In paragraph 1 of this Resolution, the Conference of the Parties recommends that any Party that has entered a reservation with regard to a species included in Appendix I treat that species as if it were included in Appendix II for all purposes, including documentation and control. As noted above, the annual harvest quota for this species was established in 1995 and has not been revisited since then. The total exports (including with purpose codes Z and B) of live specimens of the *Ara macao* reported by Suriname in the period 1995-2022 is 2,188 live specimens according to the CITES Trade database, i.e. an average of about 80 specimens per year (importer reported are 1,988 over the same period). The Secretariat is concerned about the high level of trade in a species included in Appendix I, including for commercial purposes, to Parties with no reservation in place. Such trade, according to Article II of the Convention, “must only be authorized in exceptional circumstances”, and the responsibility for ensuring compliance with the Convention resides also with the importing Parties.
55. The above information regarding non-reported exports to Sri Lanka, the lack of scientifically sound NDFs for export of species, and relatively high numbers of specimens exported of a species included in Appendix I is concerning. This is further compounded by the statement of the MA indicating its preference not to follow the advice of its SA. Together, these factors raise concerns about Suriname potentially serving as a source or transit country for illegal trade in bird species, and about exports that may have been authorized in violation of Articles III and IV of the Convention, particularly but not solely for Psittaciformes. Based on the above, the Secretariat is of the view that it should continue to keep close communication and strengthen the cooperation with Suriname on these matters. It also recommends seeking an invitation from Suriname to provide in-country assistance, conduct a technical assessment and a verification mission to understand how the CITES authorities ensure that live bird specimens are legally acquired and traded in full compliance with the provisions of the Convention, particularly Articles III and IV.

Potential new compliance matters

Potential compliance matter related to export of Macaca fascicularis from Cambodia

56. The species/country combination *Macaca fascicularis*/Cambodia was selected under the RST in animal specimens reported as produced in captivity at the 32nd meeting of the Animals Committee (AC32; Geneva, June 2023) and retained at its 33rd meeting (AC33; Geneva, July 2024) with concerns about the production rate of captive-bred specimens. More details are provided in document SC78 Doc. 35.1 on *Implementation of Resolution 17.7 (Rev. CoP19)*. Additional information on this matter is also included in document SC78 Doc. 38.1 on *Enforcement matters: Report of the Secretariat*. The Secretariat further notes that various instances of illegal and potential illegal trade in *M. fascicularis* are under investigation in the Lao People’s Democratic

Republic and Myanmar, as reported in document SC78 Doc. 33.8 on *Application of Article XIII in the Lao People's Democratic Republic*.

57. The Secretariat has received credible information concerning the illegal export of specimens of wild caught live *M. fascicularis* from Cambodia, exported with permits issued under source code C. The information provided indicates that over 50,000 animals have been laundered through one facility in just two years (2019-2021). The Secretariat is concerned by this information, especially considering the number of specimens in question. According to data in the CITES Trade database, the main importers (and quantities) of live specimens of *M. fascicularis* from Cambodia during the period 2014-2023 were the United States of America (59,742), Japan (21,607), China (7,120), Canada (2,136) and the Republic of Korea (1,948).
58. The Standing Committee may wish to invite any Party importing live specimens of *M. fascicularis* to exercise due diligence in accordance with Resolution Conf. 11.3 (Rev. CoP19) on *Compliance and enforcement* to ensure that no imports are accepted in violation of the Convention, particularly Articles IV and VII. The Secretariat is of the view that in addition to the ongoing review by the Animals Committee, the Secretariat should strengthen the cooperation with Cambodia on these matters and seek an invitation from Cambodia to provide in-country assistance, conduct a technical assessment and a verification mission to understand how the CITES authorities ensure that live *M. fascicularis* are traded in compliance with the provisions of the Convention, particularly Articles IV and VII.

Potential compliance matter related to trade reported from Guyana by importing Parties

59. On 14 February 2024, the MA of Togo wrote to the MA of Guyana to request confirmation of the validity of two export permits for 12 golden lion tamarins (*Leontopithecus rosalia*, App. I) and 20 hyacinth macaws (*Anodorhynchus hyacinthinus*, App. I) declared as exported from Guyana as captive-bred specimens. It was subsequently confirmed that the birds were in fact Lear's macaw (*Anodorhynchus leari*, App. I) wrongly identified as hyacinth macaws. On 16 February 2024, Guyana confirmed that the two permits had not been issued by the MA; that Guyana is not a range State for the two species (as both are endemic to Brazil); and that there were no operations breeding these species in the territory of Guyana.
60. In response to a further enquiry of the Secretariat, Togo provided information on the seizure of the specimens and the enforcement actions taken in April 2024. It was also confirmed that, thanks to the cooperation of Brazil and Togo, the specimens had been repatriated to Brazil and released. The MA of Guyana responded that a search in the CITES Trade Database had raised certain questions pertaining to transactions (mainly of live mammals and birds) reported by importing countries as exported from Guyana:
 - species reported as captive-bred for which Guyana does not have any registered breeding operation;
 - exports that appear to fill the national quota in a one-time export, when Guyana does not export many specimens of the species concerned;
 - exports which have never been authorized by the Management Authority; or
 - differences in the source codes used.
61. The United Nations Environment Programme – World Conservation Monitoring Centre confirmed that there no discrepancies in the data due to errors. The MA of Guyana reached out to the Parties concerned (Bangladesh, Cyprus, Indonesia, Oman and Sri Lanka), requesting information on these instances of trade attributed to Guyana. No information has been provided in response to date.
62. The Secretariat is concerned by the discoveries made by the MA of Guyana in the CITES Trade database and the possible use of fraudulent permits. Information from the importing Parties could help Guyana in clarifying any discrepancy in these trade records and ensure that all trade was conducted in compliance with the provisions of the Convention, particularly Articles III and IV. In the absence of clarifications, potential instances of illegal trade may need to be considered and addressed accordingly.

Regarding trade in oceanic whitetip shark (Carcharhinus longimanus)

63. In May 2024, the Secretariat received a letter from Maldives regarding potential compliance matters related to trade in oceanic whitetip shark (*Carcharhinus longimanus*). The letter indicated that trade in this species seems to be occurring without CITES permits, or with CITES permits that appear to have been issued without the required legal acquisition findings (LAFs). Maldives were concerned by the level of trade in this species, by the fact that the CITES trade data indicates that the harvest of the specimens occurs in exclusive economic zones (EEZs) when the species biology and previous fisheries data indicate that they are predominantly caught in areas beyond national jurisdiction (ABNJ), by the apparent default of LAFs, and by potential illegal trade.
64. Specifically, Maldives indicated that some Parties, including Indonesia, Kenya, Oman, Senegal, Seychelles, Sri Lanka and Yemen appear to issue CITES export permits for this species without adequate LAFs for the specimens authorized for export. The basis for this concern was that these Parties are members of Regional Fisheries Management Organisations (RFMOs) that have measures in place prohibiting or regulating the take of the species, and/or are Parties to the Convention on Migratory Species (CMS) under which the species is included in Appendix I, and/or have stricter domestic measures covering this species.
65. With the consent of Maldives, in July 2024, the Secretariat brought the letter to the attention of the Parties mentioned above for their information and possible action. The Secretariat has not received a response from any of these Parties and has not been informed of any action being taken in this regard. In this context, the Secretariat notes that, during the discussions on RST at AC33, questions were raised regarding LAFs for CITES Appendix-II aquatic species that may be subject to other regulations, including but not limited to regulations by Regional Fisheries Bodies or other international agreements. The Animals Committee agreed to invite Parties to note that questions were raised (see summary record [AC33 SR](#), p. 17).
66. The Secretariat notes that Article IV, paragraph 6 of the Convention concerning introduction from the sea of specimens of species included in Appendix II does not require the MA to “satisfy itself that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora” as the specimens are taken beyond national jurisdiction, where the laws of that State do not apply.
67. At the request of Maldives, the Secretariat brings this matter to the attention of the Standing Committee for its information but notes that neither the Standing Committee nor the Secretariat has a mandate to assess compliance with RFMO resolutions or with any other international agreement, including but not limited to CMS. On the contrary, the Secretariat is of the view that the Convention provides the tools necessary to ensure that specimens of ocean whitetip sharks – or any other CITES-listed species – are traded in accordance with the Convention, including through the making of appropriate LAFs.

Update on other matters identified in document SC77 Doc. 33.1

Regarding guidance on the scope and application of recommendations to suspend trade

68. At SC77, the Standing Committee requested the Secretariat to prepare a draft decision for submission to the 20th meeting of the Conference of the Parties directing the Standing Committee, in collaboration with the Secretariat, to prepare draft guidance on the scope and application of recommendations to suspend trade and to consider developing standardized language for recommendations to suspend trade. The Secretariat has prepared a draft decision on this issue as contained in Annex 1 to the present document.

Regarding the development and adoption of a compliance action plan template

69. At SC77, the Standing Committee further instructed the Secretariat to develop a standard template to assist the Parties in the preparation of compliance action plans requested in accordance with paragraph 29 h) of Resolution Conf. 14.3 (Rev. CoP19) on *CITES compliance procedures*, building upon the plan developed by Mexico with the assistance of the Secretariat.
70. The Secretariat has prepared the draft template contained in Annex 2 for consideration of the Committee at the present meeting. The template is building on the compliance action plan developed by Mexico with the support of the Secretariat and draws upon the template for National Ivory Action Plans, as well as other sources.

71. The Secretariat proposes that the template be referred to in paragraph 29 h) of Annex 1 to Resolution Conf. 14.3 (Rev. CoP19) on *CITES compliance procedures* and included as an additional annex to the Resolution as set out in Annex 2 to the present document.

Recommendations

72. The Secretariat notes that its work on compliance matters, including the Compliance Assistance Programme, is made possible through the generous contributions of the European Union, Switzerland and the United Kingdom of Great Britain and Northern Ireland. The Secretariat appreciates the support provided in this regard.

73. With respect to the compliance matters and potential compliance matters discussed above as well as the other issues identified at SC77, the Secretariat proposes the following recommendations for the consideration of the Standing Committee.

74. The Standing Committee is invited to:

Regarding the implementation of Article VII, paragraph 4 of the Convention by the European Union and the United Kingdom of Great Britain and Northern Ireland

- a) note the progress made by the United Kingdom and the European Union and its Member States in ensuring that facilities that are breeding specimens of Appendix-I listed species for commercial purposes be registered with the CITES Secretariat in accordance with the procedures established in Resolution Conf. 12.10 (Rev. CoP15) on *Registration of operations that breed Appendix-I animal species in captivity for commercial purposes*;
- b) invite the European Union and the United Kingdom to provide a further update on the implementation of Article VII, paragraph 4 and the registration of captive breeding facilities to the Secretariat 90 days before SC81;
- c) recall paragraph 8 a) of Resolution Conf. 12.10 (Rev. CoP15) and invite Parties to restrict imports for primarily commercial purposes of captive-bred specimens of Appendix-I species to those produced by operations included in the CITES Register and to reject any permit or certificate if the specimens concerned do not originate from a registered facility;

*Regarding potential compliance matters related to trade in *Amazona imperialis*, *A. arausiaca* and *Cyanopsitta spixii**

- d) note that no further information or response has been provided by Dominica regarding the export of two specimens of *Amazona imperialis* and ten specimens of *A. arausiaca*;
- e) note the information provided by Brazil and Germany regarding the trade in *Cyanopsitta spixii* from Germany to Qatar, Singapore and India and invite Brazil and Germany to engage on a way forward, including with regard to the specimens of *C. spixii* held at the Greens Zoological Rescue & Rehabilitation Center (GZRRC) in India, and to report back to the Standing Committee at its 79th meeting;

Regarding trade in live animals to India

- f) note the information provided by India, the Bolivarian Republic of Venezuela and Mexico regarding the trade in live animals with purpose code Z to the facility of the Greens Zoological Rescue & Rehabilitation Center (GZRRC) in India;

Regarding trade in live birds from Suriname

- g) request the Secretariat to continue its close communication and strengthened cooperation with Suriname on a potential compliance matter related to trade in birds and other species and to seek an invitation from Suriname to provide, subject to the availability of external and human resources, in-country assistance, conduct a technical assessment and a verification mission to understand how the CITES Authorities ensure that live bird specimens are legally acquired and traded in full compliance with CITES; and present its findings and recommendations to a forthcoming meeting of the Standing Committee;

Regarding exports of Macaca fascicularis from Cambodia

- h) request the Secretariat to continue its close communication and strengthened cooperation with Cambodia to ensure that any trade in wild caught *Macaca fascicularis* and captive breeding of this species is conducted in compliance with the provisions of the Convention, in particular Articles IV and VII and seek an invitation from Cambodia to provide, subject to the availability of external and human resources, in-country assistance, conduct a technical assessment and a verification mission to understand how the CITES authorities ensure that trade and captive-breeding of *M. fascicularis* are compliant with the Convention; the Secretariat shall present its findings and recommendations to the forthcoming meeting of the Standing Committee;
- i) urge Parties importing live specimens of *M. fascicularis* to exercise due diligence in accordance with Resolution Conf. 11.3 (Rev. CoP19) on *Compliance and enforcement* to ensure that no imports are accepted in violation of the Convention, in particular Articles IV and VII;

Regarding trade reported from Guyana by importing Parties

- j) urge Parties to liaise with the CITES Management Authority for Guyana to verify the validity of any export permit or re-export/captive breeding certificate attributed to Guyana;
- k) request Bangladesh, Cyprus, Indonesia, Oman and Sri Lanka to support the CITES Management Authority of Guyana in verifying any necessary information in instances of trade of live specimens reported as imports from Guyana; and
- l) request the Secretariat to support the CITES Management Authority of Guyana to clarify the matters and follow-up with relevant Parties regarding the cases identified by Guyana, as needed;

Regarding guidance on the scope and application of recommendations to suspend trade

- m) consider and agree on the draft decision on the scope and application of a recommendation to suspend trade, contained in Annex 1 to the present document; and request the Secretariat to submit this for consideration by the Conference of the Parties; and

Regarding the development and adoption of a compliance action plan template

- n) consider and agree on the draft template of a compliance action plan contained in Annex 2 to the present document and request the Secretariat to submit it for consideration by the 20th meeting of the Conference of the Parties, together with amendment to paragraph 29 h) of Annex 1 to Resolution Conf. 14.3 (Rev. CoP19) on *CITES compliance procedures*, also contained in Annex 2 to the present document.

DRAFT DECISION ON
SCOPE AND APPLICATION OF A RECOMMENDATION TO SUSPEND TRADE

Directed to the Standing Committee, with the support of the Secretariat

20.XX With the support of the Secretariat, the Standing Committee shall consider the scope and application of a recommendation to suspend all trade (or trade for commercial purposes) in specimens of all CITES-listed species with a Party subject to a compliance procedure agreed in accordance with paragraph 30 of Resolution Conf. 14.3 (Rev. CoP19) on *CITES compliance procedures* and make recommendations to the Conference of the Parties for consideration at its 21st meeting.

DRAFT AMENDMENTS TO
RESOLUTION CONF. 14.3 (REV. COP19) ON *CITES COMPLIANCE PROCEDURES*

New text is underlined.

Insert in Annex 1, paragraph 29:

- h) request a compliance action plan to be submitted to the Standing Committee by the Party concerned identifying appropriate steps, a timetable for when those steps should be completed and means to assess satisfactory completion. The template contained in Annex 2 may be used as a basis for the compliance action plan to be submitted.

Insert a new Annex 2:

ANNEX 2
COMPLIANCE ACTION PLAN TEMPLATE

Introduction

Resolution Conf. 14.3 (Rev. CoP19) on *CITES compliance procedures*, in the section on *Measures to achieve compliance*, provides as follows in paragraph 29 of Annex 1:

If a compliance matter has not been resolved, the Standing Committee decides to take one or more of the following measures:

- h) request a **compliance action plan** to be submitted to the Standing Committee by the Party concerned identifying **appropriate steps**, a **timetable** for when those steps should be completed and **means to assess satisfactory completion**.

The following template is a guiding tool for Parties that are subject to an Article-XIII compliance process for which the Standing Committee has agreed on a set of recommendations for the Party to achieve compliance. The Action Plan is first and foremost intended to be a tool for the Party itself to ensure that the recommendations of the Standing Committee to the Party with regard to the compliance matter will be considered and addressed in an adequate and timely manner. The Action Plan will also assist Parties in monitoring progress and preparing progress reports to the Secretariat for onward reporting to the Standing Committee.

Any Party subject to an Article-XIII process is therefore invited to use the Action Plan template even if the Standing Committee has not requested the submission of an action plan in accordance with paragraph 29 of Annex 1 to the Resolution. It is important to keep in mind that the recommendations of the Standing Committee are addressed to the Party concerned, i.e. the Government of the State that is a Party to the Convention. They are not addressed to the CITES Management Authority. Therefore, the CITES Management Authority may need to consult with other entities of the Government on the actions to be taken to implement the recommendations as such entities need to be engaged and committed to achieve the goals of the action plan.

It is also important that relevant actors and stakeholders are consulted on the draft action plan before it is finalized and submitted to the CITES Secretariat, if so required.

The Action Plan template can be modified by the Party if additional fields are required to fit the circumstances of a particular Party. For instance, Parties that are also subject to a separate process under the Review of Significant Trade (RST) in Resolution Conf. 12.8 (Rev. CoP18) on *Review of Significant Trade in specimens of Appendix-II species* may incorporate the recommendations by the Animals or Plants Committee into the Compliance Action Plan, if appropriate.

Guidance

The following explanations are offered to assist in the development of a Compliance Action Plan.

Terminology in the Compliance Action Plan template	Explanation
Header	It is important to refer to the Summary Record of the meeting in which the Standing Committee agreed to the recommendations. If the recommendations are amended/updated at subsequent meetings, the references in the Action Plan may need to be updated as well.
Area of work	The recommendations of the Standing Committee are often structured around certain areas of work, e.g. <i>Regarding national legislation; Regarding issuance of export permits; Regarding national coordination; Regarding law enforcement;</i> etc. These areas of work can be used to structure the elements of the Compliance Action Plan.
Recommendation of the Standing Committee	The text of each recommendation agreed by of the Standing Committee can be included in full in the Action Plan, if considered helpful. The recommendation can also be reformulated into a more concise goal if that will help the Party navigate the actions and the steps required to implement the recommendation of the Standing Committee – as long as the goal achieves the recommendation.
Steps/actions	With respect to each recommendation of the Standing Committee, Parties may identify several actions or steps to be taken to respond to the recommendation.
Timeline for implementation	It is important to provide a timeline for implementing the steps. Realistic timeframes (month and year) should be set for each element needed to complete the step/action corresponding to the Standing Committee recommendation
Means to assess satisfactory completion (milestones and indicators)	The means to assess satisfactory completion should follow naturally from the recommendations and the steps/actions devised to implement them. They can be formulated as indicators and in essence must provide a way to determine whether the step/action has been completed. If the achievement of a recommendation requires several steps, several milestones may be set with associated indicators to determine that the milestone has been met.
Leading national entity and other involved entities	The national entity (CITES Management Authority, Scientific Authority, customs, Ministry of Justice etc.) that will lead on and take responsibility for the implementation of the action should be identified. Where appropriate, additional involved entities should be included as well.
Costs, funding source	The estimated cost for implementation of each action as well as the funding source if external funding has been identified. The recommendations of the Standing Committee should ideally be possible to implement with existing means but, if external resources are required, this can be indicated here and in the next column. Identification of budget needs and gaps for implementation of selected actions is an important component for potential mobilization of external resources.
Comments (risks, assumptions, mitigation measures)	If there are certain assumptions or risks related to the completion of the action/steps, it should be noted in this column. With regard to the risks, a short explanation on how such will be mitigated should be included as well.

Compliance Action Plan Template

Compliance Action plan in response to the recommendations made by the Standing Committee at its XXth meeting as set out in the summary record SCXX SR, pages XX-XX.							
Area of work	Recommendation of the Standing Committee	Steps/Actions	Timeline for implementation	Means to assess satisfactory completion (milestones and indicators)	Leading national entity and other involved entities	Costs, funding source, partners	Comments (assumptions, risks, mitigation measures)



EUROPEAN COMMISSION
DIRECTORATE-GENERAL ENVIRONMENT
Directorate F – Green Diplomacy & Multilateralism
ENV.F.3 – Global Environmental Cooperation & Multilateralism
Head of Unit

Brussels,
ENV.F3/CITES Ares(2024)

Ms Ivonne Higuero
Secretary General of CITES
Palais des Nations
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Subject: Update on the implementation of the SC77 recommendations regarding the registration of operations that breed Appendix-I animal species in captivity for commercial purposes in the European Union

Dear Secretary-General,

With this letter I would like to inform you that the European Union (EU) has initiated comprehensive legislative steps to ensure compliance with Res. Conf. 12.10 and the associated recommendations of 77th CITES Standing Committee.

The proposed changes to Commission Regulation (EC) No 865/2006 ⁽¹⁾ (Implementing Regulation) described below are expected to be adopted at the beginning of 2025. The draft amendments are currently being scrutinised by the Council of the European Union and the European Parliament.

The draft Implementing Regulation (IR) provides for several amendments to implement the necessary changes. The draft IR includes a new article 54a of which paragraph 1 obliges the natural or legal person in charge of the breeding operation (operator) wishing to register to submit an application to the Management Authority (MA) of the Member State in which the operation is located. The application must include the information set out in Annex XIV to the draft IR being equivalent to the information requirements in Annex I to Res. Conf. 12.10. Additionally, as it has been the case already in the EU, an application must

⁽¹⁾ [Commission Regulation \(EC\) No 865/2006 of 4 May 2006 laying down detailed rules concerning the implementation of Council Regulation \(EC\) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein.](#)

meet all the requirements laid down by article 54a (1) points a to c. The latter conditions implement the criteria set out by Res Conf. 12.10 and 10.16 regarding the term “bred in captivity” and are already in force in the EU.

The MA may then submit the application according to article 54a (2) for registration to the Secretariat of the Convention, when, in consultation with the Scientific Authority (SA), it is satisfied that all the information set out in Annex XIV has been provided and that the requirements for registration set out in paragraph 1 are fulfilled, and that there are no other factors relating to the conservation of the species that militate against registration.

Article 54a (3) of the draft IR obliges an operator to notify the respective competent MA if the nature of operations or the type of products being produced for export changes, so the MA can inform the Secretariat to allow for an update of the registered information. If the conditions necessary for registering a breeding operation are no longer fulfilled, or upon a request by an operator, a MA will have the possibility to ask the Secretariat to remove a breeding operation from the Register.

A further amendment to the IR makes granting an import or (re)export permit for commercial purposes for transactions of specimens listed in Appendix I to the Convention into or out of the EU subject to the prior successful registration of the breeding facility. These new rules will apply to applications submitted after a transitional period ending on 31 December 2026 to enable the MAs in the EU Member States to process the expected large number of applications for registration.

In parallel to the work on amending the relevant legislation at the EU level, where possible and if required under national law, the EU Member States have started working on national legislation and launched preparatory activities such as building capacities to process applications and raising awareness of the breeders about the upcoming changes. Finally, where their national legislation allows, the EU Member States have been already receiving and processing applications from breeding operations.

I would like to remind on this occasion that internal trade within the EU is also subject to a high degree of control. In line with the EU Wildlife Trade Regulations, a valid EU certificate provided by the responsible MA is required for each commercial transaction on the EU’s internal market. EU certificates are valid throughout the EU making it a well-monitored system, both for trade within the EU and within a specific EU Member State. Concerning specimens of species listed in Appendix I, any transaction with a commercial purpose is prohibited unless an exemption applies. Trade in specimens bred in captivity constitutes such an exemption, subject to thorough control mechanisms in line with Resolution 10.16 (as per article 54 of the IR), including the requirement of a permanent and individual marking. Applications are assessed on a case-by case basis by the competent CITES authorities. When a breeder applies for an EU certificate for an offspring, a check will be done on the legality of the breeding stock. The breeding stock (often breeding couple) will need to be covered by valid EU certificates. If the breeding stock itself was born and bred in captivity, then the system in place ensures that those certificates were also only issued if it was clear that their breeding stock was obtained legally, i.e. comes from a breeding stock that was established in accordance with the legal provisions applicable to it at the time of acquisition and in a manner not detrimental to the survival of the species concerned in the wild.

Beyond established legislation, the European Commission adopted in 2022 a guidance document on live animals bred in captivity under the EU Wildlife Trade Regulations ⁽²⁾ to help EU Member States and stakeholders implement the EU Wildlife Trade Regulations in relation to live animal specimens born and bred in captivity. The guidance document instructs over elements such as the establishment of breeding stocks for captive breeding, verification of legal origin of founder stocks that are non-detrimental to wild specimens, determination of source codes, and specific SA and MA roles.

Yours sincerely,

e-signed
Cristina de Avila

Copy: CITES Secretariat - sofie.flensburg@cites.org
CITES Management Authorities in the EU Member States

⁽²⁾ COMMISSION NOTICE Guidance document on live animals bred in captivity under the EU Wildlife Trade Regulations: [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52022XC0811\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52022XC0811(01))