

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

Regulation of trade

DISPOSAL OF CONFISCATED SPECIMENS

1. This document has been prepared by the Secretariat.
2. At its 17th meeting (CoP17; Johannesburg, 2016), the Conference of the Parties adopted Resolution Conf. 17.8 on *Disposal of illegally traded and confiscated specimens of CITES-listed species*, merging the contents of Resolutions Conf. 9.9 on *Confiscation of specimens exported or re-exported in violation of the Convention*, Conf. 9.10 (Rev. CoP15) on *Disposal of confiscated and accumulated specimens* and Conf. 10.7 (Rev. CoP15) on *Disposal of confiscated live specimens of species included in the Appendices*, which have been repealed
3. At its 18th meeting (CoP18; Geneva, 2019), the Conference of the Parties adopted Decisions 18.159 to 18.163 on *Disposal of confiscated specimens* instructing the Secretariat to continue compiling information on existing networks and resources on the management of seized and confiscated live animals, make it available to Parties, and subject to funding, provide materials that may assist in the implementation of Annex 3 to Resolution Conf. 17.8.
4. At its 19th meeting (CoP19; Panama, 2022), the Conference of the Parties adopted Decisions 19.169 to 19.174 on *Disposal of confiscated specimens*, as follows:

Directed to Secretariat

19.169 *The Secretariat shall:*

- a) *continue to collect information on existing networks and resources on the management of seized and confiscated live animals and make it available to Parties on the CITES website.*
- b) *subject to the availability external funding, develop and make available materials that may assist Parties in implementing Annex 3 to Resolution Conf. 17.8 (Rev. CoP19) on Disposal of illegally traded and confiscated specimens of CITES-listed species, as needed; and*
- c) *report to the Standing Committee on the implementation of this Decision.*

Directed to Parties

19.170 *Parties are encouraged to make use of the information and materials made available by the Secretariat on the CITES webpage dedicated to the disposal of illegally traded and confiscated specimens.*

Directed to Parties and relevant stakeholders.

19.171 *Parties and relevant stakeholders that have not already done so are invited to share with the Secretariat information on existing networks and resources on the management of seized and confiscated live animals in place in their country, including any action plans, protocols, regulatory*

measures, standard operating procedures developed to coordinate actions among public authorities, and guidelines for the management of specific species or genera.

19.172 *Parties, governmental, intergovernmental, and non-governmental organizations and other entities are invited to provide financial and/or technical assistance, as relevant, for the implementation of Decision 19.169, paragraph b).*

Directed to the Standing Committee

19.173 *The Standing Committee shall consider the report submitted by the Secretariat under Decision 19.169 and make recommendations, as appropriate.*

Directed to Standing Committee

19.174 *The Standing Committee shall review Question 7 of the “Decision Tree Analysis – Captivity” in Annex 1 to Resolution Conf. 17.8 (Rev. CoP19) with attention to ensuring there are no grounds for concern that any transfer of Appendix I species will stimulate further illegal or irregular trade or benefit those involved in the illegal or irregular transaction that gave rise to confiscation and recommend revisions to the 20th meeting of the Conference of the Parties as appropriate.*

5. At the 77th meeting of the Standing Committee (SC77; Geneva, November 2023), the Secretariat reported on progress of the implementation of Decision 19.169, including the updating of the dedicated [page](#) on the disposal of illegally traded confiscated specimens on the CITES website and the continued collection of information on existing networks and resources on the management of seized and confiscated live animals. With regard to Decision 19.171, the Secretariat noted that it had not received the information requested from Parties or relevant stakeholders. With regard to Decision 19.172, the Secretariat reported that it received partial funding from the European Union towards the implementation of Decision 19.169, paragraph b) (see document SC77 Doc. 56). Since then, the Secretariat has received additional funding from the United States of America for the implementation of Decision 19.169, paragraph b).
6. The Secretariat issued Notification to the Parties No. 2023/130 of 24 November 2023, inviting comments on a number of SC77 documents and agenda items, including document SC77 Doc. 56 on *Disposal of confiscated specimens*.
7. The Secretariat received comments from the United States of America. In response to Decision 19.174, they suggested an amendment to Question 7 of the ‘Decision Tree Analysis – Captivity’ in Annex 1 to Resolution Conf. 17.8 (Rev. CoP19). The proposed revised Question 7 emphasizes the importance of assessing commercial facilities that breed these species, ensuring that transfers do not lead to new illegal activities or benefit those involved in previous illegal transactions. The Party stressed that transfers should not undermine the objectives of the confiscation and should be conducted under strict conditions to avoid stimulating trade that could threaten wild populations. The proposed revision is included in the Annex to the present document for consideration by the Standing Committee.
8. The Secretary also received comments from three organizations: Born Free Foundation, Species Survival Network and Wildlife Conservation Society. These comments highlighted that the management of confiscated specimens is crucial for law enforcement, compliance, animal welfare and the conservation of endangered species. They considered that the development of national action plans, as outlined in Annex 3 to Resolution Conf. 17.8, was essential for effective management and disposal of these specimens. However, the organizations noted that few Parties had developed such plans to date. One of the organizations also suggested creating a short survey or organizing a workshop to discuss challenges with defining and managing confiscated specimens, recommending that the Standing Committee discuss this issue and consider further recommendations.
9. In fulfilment of Decision 19.169, the Secretariat has continued its work to compile information on existing networks and resources related to the management of seized and confiscated live animals, which is available on the dedicated page on [Disposal of live confiscated specimens](#) on the CITES website facilitating access to relevant tools and data that promote more effective management of confiscated live specimens.
10. The page contains useful resources, links to networks and guidance on the following categories:
 - Regional and national guidelines on the management of seized and confiscated live animals;
 - Specific guidelines on captivity;

- Specific guidelines on the return of specimens to the country of export for release to the wild;
- Specific guidelines on euthanasia; and
- Species specific guidelines and best practices (cheetahs, pangolins, barbary macaque).

11. In order to encourage the use of these materials, the Secretariat suggests including a reference in Resolution Conf. 17.8 (Rev. CoP19). A suggested text for a new paragraph 5 of the Resolution is proposed in the Annex to the present document. Considering that species-specific guidance is only available for a few species and that Decision 19.169 has not yet been fully implemented, the Secretariat suggests maintaining Decisions 19.169, 19.171 and 19.173.

Recommendations

12. The Standing Committee is invited to:

- a) submit to the Conference of the Parties the two amendments of Annex 1 to Resolution Conf. 17.8 (Rev. CoP19) on *Disposal of illegally traded and confiscated specimens of CITES-listed species* as contained in the Annex to the present document;
- b) propose to maintain Decisions 19.169, 19.171 and 19.173 to the Conference of the Parties; and
- c) propose the deletion of Decisions 19.170, 19.172 and 19.174 as they have been implemented.

DRAFT AMENDMENTS TO RESOLUTION CONF. 17.8 (REV. CoP19) ON *DISPOSAL OF ILLEGALLY TRADED AND CONFISCATED SPECIMENS OF CITES-LISTED SPECIES*

New text is underlined and deleted text is in ~~strike through~~.

New paragraph 5 under **Regarding the disposal of confiscated live specimens:**

5. ENCOURAGES Parties to make use of the information and materials on the disposal of live confiscated specimens made available on the CITES website;

Annex 1 CITES guidelines for the disposal of confiscated live animals.

Question 7: Is there a commercial facility breeding this Appendix-I species, is that facility interested in the specimens, and are there no grounds for concern that transfer will stimulate further illegal or irregular trade?

As discussed above, captive-bred offspring of Appendix-I species offer the potential for commercial breeders to breed animals in captivity to replace wild-caught animals as a source for trade. These breeding programs must be carefully assessed and approached with caution. It may be difficult to monitor such programs, and they may unintentionally, or intentionally, stimulate trade in wild animals. ~~The conservation potential of this transfer, or breeding loan, must be carefully weighed against even the smallest risk in stimulating trade which would further endanger the wild population of the species. Answer: Yes: Execute agreement and transfer. No: Destroy and dispose of carcass as described above.~~ In all circumstances, the confiscating authority should be satisfied that: 1) those involved in the illegal or irregular transaction that gave rise to confiscation cannot obtain the animals or their offspring; 2) the transfer does not compromise the objective of confiscation; and 3) the transfer will not increase illegal, irregular or otherwise undesired trade in the species. The conservation potential of this transfer, or breeding loan, must be carefully weighed against even the smallest risk in stimulating trade that would further endanger the wild population of the species. As in the preceding instances, such transfer should be subject to terms and conditions agreed with the confiscating authority; in addition to those already suggested, it may be advisable to include terms that stipulate the types of record keeping the authority considers permissible.

Answer: Yes: Execute agreement and transfer, if legally permitted.
No: Destroy and dispose of carcass as described above.