

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

Forty-third meeting of the Standing Committee
Gigiri (Kenya), 8 April 2000

Implementation of the Convention in individual countries

DEMOCRATIC REPUBLIC OF THE CONGO

1. This document has been prepared by the CITES Secretariat.

Background

2. Decision 10.18 directs the Standing Committee Parties to advise whether the Parties, identified in Annex 1, paragraph 10, of document Doc. 10.31 (Rev.), whose national legislation is believed generally not to meet the requirements for implementation of CITES, must be subject to a recommendation to suspend trade.
3. Decision 10.64 directs the Standing Committee to “decide whether Decision 10.18, paragraph a), shall apply or not to the Parties in question”. This paragraph states “*all Parties should, from 9 June 1998, refuse any import from, and export and re-export to, these countries of CITES specimens, if so advised by the Standing Committee*”.
4. Regarding the Democratic Republic of the Congo, which is included in paragraph 10 of Annex 1 of document Doc. 10.31 (Rev.), the Standing Committee agreed at its 41st meeting to defer a decision until after a review of information at its 43rd meeting.
5. The Secretariat conducted a technical mission to this country in June 1999 in order to assist in the preparation of legislation to implement CITES. After this mission, the Government of Democratic Republic of the Congo submitted to the Secretariat two different draft laws; one in October 1999 and one in December 1999. The first draft was submitted by the CITES Management Authority and the second by the Minister of Environment.
6. On 14 March 2000, the Secretariat provided technical comments on the two drafts, with a view to ensuring that the provisions were integrated into a unified and coherent text, and to ensuring that all the requirements of CITES were covered by the new legislation.
7. On 28 March 2000, the Democratic Republic of the Congo enacted a Ministerial Decree that took into account the comments provided by the Secretariat, as the decree regulates import, export and re-export of live and dead animals and plants of all species listed in Appendices I, II and III of CITES as well as parts and derivatives thereof. This decree also specifies penalties for punishable offences and provides for the confiscation of CITES specimens involved in illegal trade.
8. The Secretariat acknowledges the efforts made by the Democratic Republic of the Congo to adopt adequate legislation, noting that the country has fully met the conditions established by the Standing Committee at its 41st meeting, pursuant to Decisions of the Conference of the Parties 10.18, paragraph a), and 10.64.

Recommendation

9. It is recommended that the Standing Committee decide that Decision 10.18, paragraph a), does not apply to the Democratic Republic of the Congo.