

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

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Forty-ninth meeting of the Standing Committee  
Geneva (Switzerland), 22-25 April 2003

Interpretation and implementation of the Convention

RESCUE OF LIVE SPECIMENS IN SPECIAL CIRCUMSTANCES

1. This document has been prepared by the Secretariat.
2. The Conference of the Parties, at its 12th meeting (Santiago, 2002), considered a draft resolution by Kenya (in document CoP12 Doc. 63) that sought to direct the Secretariat to establish a system to facilitate the rescue of great apes from war zones.
3. In its written comments on the draft resolution, the Secretariat stated its belief that whilst the concerns raised by Kenya were valid the suggested solutions were not practical and were contrary to fundamental provisions of the Convention. The draft resolution was discussed at the meeting of the Conference of the Parties and it was noted that apes were not the only species to be affected by the circumstances described in Kenya's document. Kenya offered to withdraw the draft resolution and substituted two draft decisions.
4. The Conference of the Parties adopted the Decisions, as follows:

Directed to the Standing Committee

*12.98 The Standing Committee shall, at its 49th meeting, consider the recommendations prepared by the Secretariat following Decision 12.99 and, if they are acceptable, have them communicated to the Parties.*

Directed to the Secretariat

*12.99 The Secretariat shall examine the options available to Parties, and other relevant organizations, to facilitate the rescue and rehabilitation of specimens of CITES-listed species in special circumstances, such as periods of war or civil unrest, when a Party's designated Management Authority's ability to respond is seriously impaired. It should prepare recommendations that can be considered by the Standing Committee at its 49th meeting.*

5. The Secretariat, in its comments on document CoP12 Doc. 63, identified the option of a State nominating of its own accord another body to act as its Management Authority. Although this option would comply with the provisions of the Convention, the Secretariat acknowledges that, for a variety of reasons, it might be impractical to implement.
6. All other options available to Parties and other relevant organizations that were examined by the Secretariat would require the deliberate avoidance of the provisions of the Convention or intentional disregard for the sovereignty of the State in which the specimen is located.

7. The Secretariat believes, therefore, that no specific recommendations can be issued. However, it has been able in the past to provide practical advice to prospective importing countries faced with these problems. It suggests that Parties be encouraged to seek advice from the Secretariat on a case-by-case basis.