

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



Sixty-sixth meeting of the Standing Committee
Geneva (Switzerland), 11-15 January 2016

Interpretation and implementation of the Convention

Exemptions and special trade provisions

Implementation of the Convention relating to captive-bred and ranched specimens

REPORT OF THE SECRETARIAT

1. This document has been prepared by the Secretariat.

Background and structure of the document

2. At its 16th meeting (CoP16, Bangkok, 2013), the Conference of the Parties adopted Decisions 16.63 to 16.66 on *Implementation of the Convention relating to captive-bred and ranched specimens*, as follows:

Directed to the Secretariat

16.63 *The Secretariat shall:*

- a) *contingent on the availability of external funds, contract an appropriate expert or experts to:*
 - i) *evaluate the concerns identified in the examples in document [SC62 Doc. 26](#), Annex regarding trade in specimens claimed to be derived from captive breeding or ranching;*
 - ii) *review CITES annual report data for specimens recorded using source codes C, D, F and R;*
 - iii) *identify problems with CITES implementation associated with these examples;*
 - iv) *consider ways to more effectively share available information on captive-breeding and ranching operations;*
 - v) *evaluate the utility of a captive-breeding database (including wider application of the existing UNEP-WCMC Captive-Breeding Database being developed for the European Union);*
 - vi) *prepare a report on its findings and recommendations, taking into consideration the report and recommendations of the working group on implementation of the Convention relating to captive-bred and ranched specimens presented at the 62nd meeting of the Standing Committee; and*
 - vii) *develop draft checklists or guides for the inspection of captive-breeding and ranching facilities and review of permit applications for captive-bred and ranched specimens;*

- b) *provide a draft of this report and additional materials to the Animals Committee at its 27th meeting, for review; and*
- c) *distribute final report and materials to the Parties if endorsed by the Animals and Standing Committees.*

16.64 *The Secretariat shall report at the 65th and 66th meetings of the Standing Committee on significant cases where it has taken initiatives or entered into a dialogue with Parties on trade in specimens declared as bred in captivity or ranched where there is serious doubt about the identified source of the specimens in trade.*

Directed to the Animals Committee

16.65 *The Animals Committee, at its 27th meeting, shall review the report and provide recommendations to the Standing Committee.*

Directed to the Standing Committee

16.66 *The Standing Committee, at its 65th meeting, shall:*

- a) *review the report and the recommendations of the Animals Committee and make its own recommendations to the Parties concerned and the Conference of the Parties; and*
- b) *consider proposing amendments to Resolution Conf. 12.8 (Rev. CoP13) or Resolution Conf. 14.3, or proposing a new resolution to provide a process for reviewing the implementation of CITES for specific examples of trade in specimens that are claimed to be produced via captive breeding or ranching.*

3. At its 15th meeting (Doha, 2010), the Conference of the Parties adopted Decisions 15.52 and 15.53 which stated:

Directed to the Secretariat

15.52 *The Secretariat shall:*

- a) *contingent on the availability of external funds, contract an appropriate expert to prepare a guide to advise the Parties on the appropriate use of source codes;*
- b) *provide a draft of this guide to the Animals and Plants Committees for review and comment; and*
- c) *prepare and distribute the final product, incorporating the feedback of the Animals and Plants Committees, to inform the Parties on the appropriate use of source codes.*

Directed to the Animals and Plants Committees

15.53 *The Animals and Plants Committees shall review and provide feedback to the Secretariat on the draft guide to advise the Parties on the appropriate use of source codes.*

Although no involvement of the Standing Committee was envisaged in these Decisions, the Animals Committee at its 28th meeting (Tel Aviv, August-September 2015) noted *inter alia* that further feedback on this issue from the Standing Committee may be required and the Secretariat agrees as the subject matter of Decisions 16.63-66 and 15.52-53 are closely related.

- 4. The European Union generously provided external funding to allow the implementation of these Decisions.
- 5. Concerning the reports to be commissioned by the Secretariat under Decision 16.63 a) subparagraphs i) to v):
 - a) The report on the evaluation of the concerns identified in the examples on trade in specimens claimed to be derived from captive breeding or ranching, as referred to in Decision 16.63 a) i) and iii), was undertaken by TRAFFIC and can be found in Annex 1 to document [AC27 Doc. 17 \(Rev.1\)](#). In addition

to the consultant's report, Annex 1 to the present document contains details of subsequent actions by, and conclusions, of the Secretariat.

- b) The report of the review of CITES annual report data for specimens recorded using source codes C, D, F and R, referred to in Decision 16.63 a) ii) and iii), was undertaken by the United Nations Environment Programme - World Conservation Monitoring Centre (UNEP-WCMC) and can be found in Annex 2 to document [AC27 Doc. 17 \(Rev.1\)](#).
 - c) The report considering ways to more effectively share available information on captive-breeding and ranching operations and evaluating of the utility of a captive-breeding database (including wider application of the existing UNEP-WCMC Captive-Breeding Database being developed for the European Union) referred to in Decision 16.63 a) iv) and v) was undertaken by Zoo & Wildlife Consulting Services and can be found in the Annex to document [AC28 Doc. 13.1](#).
 - d) The draft checklists or guides for the inspection of captive-breeding and ranching facilities and reviewing permit applications for captive-bred and ranched specimens referred to in Decision 16.63 a) vii) were prepared under contract by International Union for Conservation of Nature (IUCN) and can be found in the Annex 3 to the present document.
6. Regarding the implementation of Decision 16.64, details of significant cases where the Secretariat has taken initiatives or entered into a dialogue with Parties on trade in specimens declared as bred in captivity or ranched where there is serious doubt about the identified source of the specimens in trade can be found in Annex 2 to the present document.
 7. The case studies referred to in paragraph 5 a) and 6 of the present document are examples of the sort of implementation challenges that have been experienced by Parties and questions that have arisen on this matter. They have served as background for the analysis and recommendations in the present document.
 8. Concerning the *guide to advise the Parties on the appropriate use of source codes* referred to in paragraph a) of Decision 15.52, the Secretariat commissioned the International Union for Conservation of Nature (IUCN) to prepare a draft guide. They prepared two different types of dichotomous key to correctly determine the appropriate source code which are attached as Annex 4 to the present document.
 9. The present document is divided into two parts. The first is the overarching policy under the Convention and relevant Resolutions of the Conference of the Parties relating to trade in captive-bred (and related sources) and artificially propagated specimens. The second is a review of current challenges in the implementation of the Convention for such specimens including consideration of: resolutions and permitting issues, verification and compliance measures; capacity-building; and data sharing.

Overarching policy under the Convention and relevant Resolutions of the Conference of the Parties relating to trade in captive-bred (and related sources) and artificially propagated specimens

10. As shown by the report commissioned under Decision 16.63 a) ii), the proportion of CITES-listed animals species in international trade that are reported as having been bred in captivity, born in captivity or ranched (source codes C, D, F or R) has been steadily increasing over many years. For commercial trade in live animals, it accounted for over half of all reported trade during the period 2000-2012. A similar trend appears to be evident in plant specimens which have been artificially propagated. This trend is expected to continue, particularly if demand for animals and plants remains the same or increases, but supplies from the wild become more difficult to obtain. Reports in other fora indicate the same trend, that is, an increase in aquaculture and plantations in relation to a broad range of fishery and forestry products. The policy guidance adopted by Parties on this situation varies greatly between taxa. At the two extremes, Resolution Conf. 11.11 (Rev. CoP15) on *Regulation of trade in plants* recommended that the Secretariat distribute information on the potential conservation benefits that may be derived from artificial propagation and, where appropriate, encourage artificial propagation as an alternative to the removal of specimens from the wild. On the other hand, Decision 14.69 directs Parties with intensive operations breeding tigers *Panthera tigris* on a commercial scale to implement measures to restrict the captive population to a level supportive only to conserving wild tigers; tigers should not be bred for trade in their parts and derivatives.
11. The impact of the changing pattern of international trade from wild to non-wild sources on the conservation and sustainable use of the species concerned is poorly known and deserves closer analysis. This would help ensure that decisions taken by the Conference of the Parties and its subsidiary bodies are

contributing to the conservation and sustainable use of the species *in situ* and not exacerbating existing problems, and ensuring that regulatory and policy responses are proportionate and well targeted.

12. Such a reflection has already begun for agarwood-producing taxa (*Aquilaria* spp. and *Gyrinops* spp.), where Decision 15.95 (Rev. CoP16) called for a workshop which *inter alia* would identify and agree on strategies that balance the conservation and use of the wild populations, while relieving the pressure on these by using planted material. Although this workshop was held, further work may be required. The Plants Committee has agreed to submit a draft Decision to CoP17 calling for another regional workshop to continue the work referred to in Decision 15.95 (Rev. CoP16), with an emphasis on how range States can cooperate to ensure the long-term survival of agarwood-producing species in the wild through agarwood plantation programmes that integrate forest recovery programmes.
13. The Secretariat suggests that the Standing Committee propose that the 17th meeting of the Conference of the Parties (CoP17) adopts Decisions to facilitate a broader analysis of this issue, and suggests some possible language as follows:

Directed to the Secretariat

Subject to external funding, the Secretariat shall commission a study on the impacts of captive breeding, ranching and artificial propagation of Appendix I and II-listed species for international trade, in particular on their status in the wild and incentives for their conservation in situ, and convey this report with its own recommendations to the Animals, Plants and Standing Committees.

Directed to the Animals and Plants Committees

Review the report referred to in Decision 17.XX and provide scientific advice and guidance upon it to the Standing Committee.

Directed to the Standing Committee

Review the report referred to in Decision 17.XX, the recommendations of the Secretariat and advice and guidance of the Animals and Plants Committees and report its findings to the 18th meeting of the Conference of the Parties, including proposals for any new or revised Resolutions or Decisions that may be required.

Current challenges in the implementation of the Convention relating to captive-bred and ranched specimens (and those of other non-wild source)

Resolutions and permitting issues

14. The Convention addresses wild fauna and flora and provides for the strict regulation of international trade in Appendix-I and Appendix-II species. Article VII paragraphs 4 and 5 provide exemptions and special provisions related to trade in animals which have been bred in captivity or plants which have been artificially propagated. The way that Article VII, paragraphs 4 and 5, should be applied had been a source of concern to Parties for many years before some clarity was brought to the issue through the adoption of Resolution Conf. 10.16 (Rev.) on *Specimens of animal species bred in captivity* and Resolution Conf. 12.10 (Rev. CoP15) on *Registration of operations that breed Appendix-I animal species in captivity for commercial purposes*. Resolution Conf. 12.3 (Rev. CoP16) on *Permits and certificates* provides guidance on the permitting required. These Resolutions are however somewhat complex and the Secretariat observes that they are poorly understood by some Parties.
15. The Animals Committee recognized that there is ambiguity within the relevant resolutions associated with source codes, that interpretation can require reference to more than one resolution and that this can result in different interpretations of the use of source codes by the Parties. The Committee draws attention in particular to the fact that:
 - *The interpretation of source code F versus source code C or source code W was recognized as ambiguous. For example, some Parties emphasized the part of the definition of source code F that says “born in captivity” when considering the application of source code F whereas other Parties also take into consideration the parental lineage when determining the application of source code F.*

- Similarly, the Animals Committee noted differences of interpretation regarding the application of source code R versus source code W or source code F, particularly in the case of Appendix II species.
 - Source code C is defined by referencing Resolution Conf. 10.16 on Specimens of animal species bred in captivity. However the definition of source code C found in operative paragraph i) of Resolution Conf. 12.3 on Permits and Certificates also includes reference to the provisions under which the specimens are traded. Further there can be questions regarding the application of source code C and source code D regarding the purpose of production given the reference to the provisions under which the specimens are traded. (see [AC28 Com. 7](#))
16. With regard to specimens of species included in Appendix I, The Secretariat has long advised the Parties that Resolution Conf. 12.10 (Rev. CoP15) requires reconsideration and certain examples in Annex 2 of the present document reveal some of the issues involved. A number of Parties do not, or do not fully, implement Resolution Conf. 12.10 (Rev. CoP15). The determination of whether a specimen was “bred in captivity for commercial purposes” and therefore whether the breeding operation should be registered or not, is for the exporting Party to make under Resolution Conf. 12.10 (Rev. CoP15). Resolution Conf. 12.3 (Rev. CoP16) nevertheless recommends that these same exporting Parties “verify the origin of Appendix-I specimens to avoid issuing export permits when the use is for primarily commercial purposes and the specimens did not originate in a CITES-registered breeding operation”. Notwithstanding this, as indicated in the examples raise by China in Annex 2 of the present document, commercial international trade in captive-bred Appendix-I specimens can take place with relative ease if the exporting Party determines that the initial purpose of the captive breeding is not for commercial purposes.
 17. Two Standing Committee intersessional groups reporting to the present meeting also identified the need for attention to be paid to trade in captive-bred specimens of Appendix-I species. In document SC66 Doc. 32.3, the working group on the implementation of and enforcement of the Convention as it relates to the trade in species listed in Appendix I (Decision 16.39) identified the need to assess the implementation and enforcement of the Convention as it relates to captive-bred and ranched specimens of Appendix I listed species and the extension of this assessment to plants. In document SC66 Doc. 32.4, the contact group on illegal trade in Bahamian rock iguana (*Cyclura rileyi*) recommends that the Standing Committee should consider issues related to making legal acquisition findings and the issuance of CITES documents for the offspring of specimens which may have previously been traded illegally.
 18. The Secretariat believes that these ambiguities and inconsistencies warrant more detailed attention and suggests that the Standing Committee recommend to CoP17 that a Decision be adopted to this effect:

Directed to the Secretariat

The Secretariat shall review ambiguities and inconsistencies in the application of Article VII paragraphs 4 and 5, Resolution Conf. 10.16 (Rev.), Resolution Conf. 12.10 (Rev. CoP15), Resolution Conf. 11.11 (Rev. CoP15), Resolution Conf. 9.19 (Rev. CoP15) and Resolution Conf. 12.3 (Rev. CoP16) as it relates to the use of source codes R, F, D, A and C and report their conclusions and recommendations to the Standing Committee.

Directed to the Standing Committee

The Standing Committee shall review the conclusions and recommendations of the Secretariat under Decision 17.XX and make recommendations to the Conference of the Parties as appropriate.

The results of the work undertaken under the draft Decision referred to in paragraph 13 of the present document could also help indicate the best approach to take in any revision of these Resolutions.

19. At its 65th meeting, the Standing Committee agreed that there is no need to seek to modify the number or definition of the source codes currently available. It is notable however, that the permitting requirements for specimens with source codes W, R and F are identical – all require a non-detriment finding and the Management Authority to be satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora. In practice, the only difference between them may be the nature of the non-detriment finding which needs to be made. In view of this, it may be pertinent to ask why it is necessary to use different source codes. At CoP15, the Animals Committee proposed that the source code R be maintained only for specimens of species transferred from Appendix I to Appendix II, in conformity with Resolutions Conf. 9.20 (Rev.) on *Guidelines for evaluating marine turtle ranching proposals submitted pursuant to Resolution Conf. 11.16 (Rev. CoP15)* and Conf. 11.16 (Rev. CoP14) on *Ranching*

and trade in ranched specimens of species transferred from Appendix I to Appendix II. The Conference of the Parties did not accept this recommendation at the time, but in view of the fact that such a proposal would simplify the use of source codes without affecting the permitting requirements for such specimens, the Secretariat believes that the Animals Committee's suggestion may merit reconsideration.

20. In light of the above, if the existing source codes in Resolution Conf. 12.3 (Rev. CoP16) are to be maintained, the Secretariat suggests that the Standing Committee consider proposing a draft Decision at CoP17, thus:

Directed to the Animals Committee

The Animals Committee shall review the differences in the nature of non-detriment findings made for specimens with source code W, R and F and provide guidance for Parties, to be sent to the Secretariat for inclusion in the section for non-detriment findings on the CITES website referred to in Resolution Conf. 16.7.

Verification and compliance measures

21. With regard to existing verification and compliance measures, Resolution Conf. 12.3 (Rev. CoP16) urges Parties to check with the Secretariat when they have serious doubts about the validity of permits accompanying suspect shipments, and before they accept imports of live specimens of Appendix-I species declared as bred in captivity or artificially propagated. Resolution Conf. 11.3 (Rev. CoP16) on *Compliance and enforcement*, recommends, *inter alia*, that Parties take the necessary measures to develop a comprehensive strategy for border controls, audits and investigations by implementing document control in order to ensure the authenticity and validity of CITES permits and certificates, especially, if necessary, by requesting the Secretariat to confirm their validity. The Secretariat is rarely consulted about captive-bred or other non-wild specimens under these provisions. If it were to be so, and in the light of the information received, it could assist Parties in improving implementation or, if warranted, take measures under Article XIII of the text of the Convention. If there are concerns about the implementation of the Convention for captive-bred, ranched or other non-wild specimens, the Secretariat suggests that Parties make greater use of these provisions.
22. Resolution Conf. 10.3 on *Designation and role of the Scientific Authorities* recommends that the appropriate national Scientific Authority review all applications submitted for consideration under Article VII, paragraph 4 or 5, and advise its Management Authority as to whether the facility concerned meets the criteria for producing specimens considered to be bred in captivity or artificially propagated in accordance with the Convention and relevant Resolutions. The experience of the Secretariat is that such review by Scientific Authorities is often not taking place and believes that Parties could pay closer attention to this recommendation, which could assist improved implementation, particularly when targeted training or relevant guidance can be made available to the Parties and their Scientific Authorities.
23. In document SC66 Doc. 41.2, the Animals Committee proposes the adoption of a new Resolution in which issues concerning compliance with the Convention for specimens declared as having been produced in captivity could be addressed. It would be modelled on the Review of Significant Trade. The Secretariat appreciates the effort that the Committee put into its submission. However, the Secretariat believes that before embarking on such a course of action, consideration should be given to:
- a) whether existing compliance measures are not succeeding and if so, why;
 - b) whether the new measures are affordable and likely to deliver improvements: and
 - c) whether they are proportionate to the scale of the problems which they are designed to address.
- The Secretariat recommends that the Standing Committee reflect on these three points before proposing additional compliance systems to the Conference of the Parties.

Capacity-building and data sharing

24. Although still potentially valuable, reliance on trade data submitted in annual reports from Parties (which are due ten months after the year being reported) inevitably means that any actions to resolve potential problems with the implementation of the Convention for specimens of captive-bred and ranched source can only be taken after the fact. As demonstrated by the cases detailed in Annex 1 of the present document, while some problems or potential problems are ongoing, others are transitory and involve a small number of transactions over a short period of time. It appears to the Secretariat that improvements to the implementation of the Convention for captive-bred and ranched specimens may be most likely brought

about by a reinforcement of capacity-building efforts in this field and better guidance on and use of existing relevant Resolutions.

25. The case studies revealed a mixed situation. In some cases, previously permitted questionable trade had stopped; others showed the difficulty of deciding which source code applied in particular circumstances; and there were also indications of erroneous or fraudulent use of source codes. Overall however, there appears to be little indication from the case studies of significant harm to the conservation and sustainable use of the species arising from the trade permitted in these Appendix-II species.
26. With respect to capacity-building, it seems clear from the case studies and reports commissioned under Decision 16.63 that there is scope for improving the implementation of the Convention as it relates to specimens of captive-bred, ranched, artificial propagation or other non-wild sources. In order to better understand existing measures undertaken by Parties, the Secretariat issued Notification to the Parties [No. 2015/016](#) of 19 March 2015 calling for copies of any manuals, checklists, guides or protocols used by Parties for the inspection of captive-breeding or ranching facilities for CITES-listed species and for verifying CITES permits applications for captive-bred or ranched specimens. Unfortunately only two replies were received: from China and Zimbabwe. The Secretariat would like to thank these Parties for their engagement. The *Guidance for inspection of CITES captive-breeding and ranching facilities* produced under paragraph a) vii) of Decision 16.63 and *Guide to advise the Parties on the appropriate use of source codes* produced under Decision 15.52 a) (contained in Annexes 3 and 4 of the present document) should provide a good basis for developing capacity of Parties, but before finalizing them, the Secretariat would appreciate receiving the comments of the Committee on them.
27. The Secretariat suggests that when the Committee considers the Secretariat's report under Decision 16.29 on *Capacity-building* (see document SC66 Doc. 20.1), it should accord this issue a high priority. In particular, the active promulgation of the final versions of the *Guide to advise the Parties on the appropriate use of source codes* and the *Guidance for inspection of CITES captive-breeding and ranching facilities*. The Secretariat has been provided with funds to carry out such work by the European Union once the Committee's comments have been incorporated into the above Guide and Guidance. In order to reinforce this work, the Secretariat suggests that the Committee propose a draft Decision on this point at CoP17:

Directed to the Secretariat

The Secretariat shall, subject to external funding, engage in a capacity-building project using materials prepared under Decisions 16.63 a) vii) and 15.52 a). This project should involve all regions and a variety of taxa. The Secretariat shall report to the Standing Committee on the work undertaken under the present Decision.

28. Concerning the sharing of data to improve capacity to implement the Convention, the report which considered ways to more effectively share available information on captive-breeding and ranching operations and evaluated the utility of a captive-breeding database produced under Decision 16.63 a) iv) and v) showed that such a database may be costly to establish and maintain. The Secretariat shares the view of the Animals Committee about the questionable value and utility of the development of a captive-breeding database at this stage.
29. The implementation of Decisions 16.63 to 16.66, and 15.52 to 15.53, have revealed significant scope for improvement in the implementation of the Convention as it relates to captive-bred and ranched specimens (and specimens from other non-wild sources). The policy and practices adopted by the Parties need updating to account for the increasing trend for specimens in international trade to be from non-wild sources.

Recommendation

30. The Secretariat invites the Standing Committee note the present document and consider the suggestions made by the Secretariat in paragraphs 13, 18, 19, 20, 21, 22, 23, 26, 27 and 28 of the present document.

**Concerns identified by the Standing Committee
in the examples on trade in specimens claimed to be derived from captive breeding or ranching,
as referred to in Decision 16.63 a) i) and iii).**

Supplementary information relating to this annex can be found Annex 1 to document AC27 Doc. 17 (Rev.1).

1. Red-eyed tree frogs (*Agalychnis callidryas*) from Central America traded using source code C

Nicaragua has been the main exporter. According to the CITES Management Authority of Nicaragua (MA), six companies breeding this species were established prior to 2013 (collection of parental stock for captive breeding facilities requires a permit). Between them, they hold a total of 1 253 breeding females which according to the CITES MA could produce 50 000 juveniles per egg lay (a female can lay three to five times per night) all year round in captivity. No information regarding the number of males held, or the capacity of the facilities to hold such numbers was provided. Every company must produce a monthly report of hatches and deaths, and these are verified by the CITES MA. The CITES MA manages a central database containing the productivity of facilities and quantities available for export. When the MA receives an application for an export permit, it is checked to confirm that the quantities for export match with the information held in the database. All exports are inspected by CITES officials at the international airport of departure. *A. callidryas* is listed as Least Concern in the IUCN Red List in view of its wide distribution, tolerance of a degree of habitat modification, presumed large population, and because it is unlikely to be declining fast enough to qualify for listing in a more threatened category.

In view of the assurances given by the Management Authority of Nicaragua, the Secretariat does not believe there is a need for further action at present.

2. Macaques (*Macaca* spp.) from Southeast and East Asia traded using source code C

Long-tailed Macaques (*Macaca fascicularis*) are the principle species concerned (94% of all exports). Trade patterns are complex, with China (a non-range State), Cambodia, the Lao People's Democratic Republic (Lao PDR) and Viet Nam as the main exporting Parties. It appears that the veracity of source codes F and R used for a number of transactions, could be open to question. At its 27th meeting (Veracruz, April 2014), under the Review of Significant Trade, the Animals Committee classified *M. fascicularis* in Lao PDR as of urgent concern and in Cambodia and Viet Nam as of possible concern and formulated recommendations relating to non-detriment findings which are applicable to exports of sources F and R. This matter will be considered under agenda item 31 on RST of the present meeting. Cambodia and Viet Nam provided details of the captive breeding facilities for *M. fascicularis* and the control measures in place to regulate their activities in Annexes 2 and 3 respectively of document AC28 Doc. 9.3. With regard to Viet Nam, the Animals Committee concluded that its recommendations have been implemented and that Viet Nam be removed from the review. However, the Committee also noted concerns raised in relation to high levels of illegal trade in *M. fascicularis*, particularly between Cambodia and Viet Nam. *M. fascicularis* is listed as Least Concern in the IUCN Red List in view of its wide distribution, presumed large population, tolerance of a broad range of habitats, occurrence in a number of protected areas, and because it is unlikely to be declining at nearly the rate required to qualify for listing in a threatened category. Although it is under heavy hunting pressure for meat, sport and trophies, this is not considered a major threat to the species overall.

The Secretariat does not believe that further action on this case is a high priority at present.

3. Numerous live reptile species from Southeast Asia (particularly Indonesia) traded using source codes other than W

Principle exporters of these taxa were the Lao People's Democratic Republic and Indonesia. By volume Oriental Rat Snake (*Ptyas mucosus*), South Indonesian Spitting Cobra (*Naja sputatrix*) and Monitor lizards (*Varanus* spp.) are the most exported species. At its 28th meeting (Israel, August 2015), the Animals Committee reviewed detailed assessments of the commercial production of CITES-listed snake species in Viet Nam and China, the impact of the pet trade on green tree python (*Morelia viridis*) and the Boelen's python (*Morelia boeleni*) and on methodologies for differentiating between wild and captive-bred CITES-listed snakes (see Annex 1, 3 and 4 of document AC28 Doc. 14.1). The Committee's recommendations on this subject can be found in document SC66 Doc. 54.1 at the present meeting. For certain rare species such as the Sulawesi forest turtle (*Leucocephalon yuwonoi*), which is listed as critically-endangered in the

IUCN Red List, the reported import of 30 specimens in 2012 (source F or C) and 35 specimens in 2013 (source F) warrants further enquiry as the species is reportedly difficult to breed in captivity.

The Secretariat endorses the recommendations of the Standing Committee and has encouraged the Management Authority of Indonesia to exercise caution when assessing requests to export specimens of *L. yuwonoi* claimed to be bred or born in captivity.

4. Poison arrow frogs (Dendrobatidae) from Central America traded using source code C

Panama was by far the largest exporter of such specimens, with the strawberry poison frog (*Oophaga pumilio*) and green-and-black poison frog (*Dendrobates auratus*) being the main species concerned. Because of their complex reproductive strategies, some experts consider these species difficult to breed in captivity. With the agreement of the Panamanian CITES Management Authority (MA), the Secretariat contracted TRAFFIC to visit a major facility producing specimens of these species in Panama. The frogs are kept in some 40 densely vegetated outside enclosures, the largest of c. 64 m² with fences approximately one meter high. All enclosures are equipped with sprinkler systems to ensure high humidity. The visit report concluded that the conditions the frogs are kept in does not allow for a reliable inventory system to be in place and it is not possible to provide numbers of specimens held at the facility. Although there was evidence of breeding taking place at the facility it was not possible to determine how extensive this was. The CITES authorities in Panama have limited knowledge of these species, but appear confident that the facility is legitimate and doing things right. Inspection protocol used by the authorities are rather general in some places and unrealistically detailed in others. The breeding stock is supplemented with additional wild specimens each year although it is not clear how it is determined that collection of these is not detrimental to the wild populations. There is no mechanism to ensure that exports do not include "parental" stock (W) or F1 generation specimens as breeding stock are not separated from export animals. It would therefore be easy for the facility to be used to export wild-taken specimens as captive-bred. The Secretariat sent TRAFFIC's report to the Panamanian MA for comment, but has received no response.

The Secretariat is aware that authorities in the Netherlands have recently undertaken tests for the presence of skin toxins (pumiliotoxine) on live frogs as evidence of a natural diet and therefore of wild origin. However, the extensive outdoor nature of this facility may confound the results of such analyses.

Both *O. pumilio* and *D. auratus* are listed as Least Concern in the IUCN Red List in view of their wide distribution, tolerance of a degree of habitat modification, presumed large population, and because they are unlikely to be declining fast enough to qualify for listing in a more threatened category.

It would seem that the precise source code which is to be used for this sort of facility is difficult to determine, but overall there is little indication of major negative conservation impacts on the species from this activity. In such circumstances, the Secretariat concludes that it may be preferable to use the source code W in order for a full legal origin and non-detriment finding to be made.

5. Non-native chameleons from Equatorial Guinea using source code W

This case concerns the export on non-native chameleons, in particular Four-horned chameleon (*Trioceros quadricornis*), Mount Lefo chameleon (*Trioceros wiedersheimi*) and Pfeffer's chameleon (*Trioceros pfefferi*) from Equatorial Guinea in 2011 and before. There does not appear to be any suggestion that these specimens were claimed to be of captive-bred, captive-born or ranched source. No further trade in these species involving Equatorial Guinea has been reported since 2011.

The Secretariat proposes no further action on this matter.

6. Reptiles and amphibians from Lebanon using source code C

7. Reptiles and amphibians from Kazakhstan using source code C

Prior to 2007, Lebanon and Kazakhstan featured in the CITES trade data as important exporters of live reptiles and amphibians declared as captive-bred. However, since that time, this trade has virtually ceased. There may be some indications that some of this trade has switched to Jordan, with significant quantities of specimens of Hermann's tortoise (*Testudo graeca*), Indian starred tortoise (*Geochelone elegans*) and spiny-tailed lizards (*Uromastyx* spp.) declared as bred in captivity being exported from that Party in recent years.

The Secretariat proposes no further action in relation to Lebanon and Kazakhstan, but has written to Jordan to advise them to exercise caution before issuing export permits for reptiles declared as bred in captivity.

8. Reptiles from Slovenia using source code C [or D]

The trade under review here is principally that in tortoises, in particular Hermann's tortoise (*Testudo hermanni*), marginated tortoise (*Testudo marginata*) and African spurred tortoise (*Geochelone sulcata*), with source codes C [and D]. The use of the source code D resulted from a provision in European Union legislation implementing CITES. As this proved a source of confusion, the provision has been amended and the declared source of specimens should be harmonized with CITES terminology in future. With this adjustment, trade patterns observed for *T. hermanni* would not appear to give rise to specific concerns warranting further investigation and those for *T. marginata* are not a cause for undue concern. Exports of specimens of *G. sulcata* declared as captive-bred appear to have declined in recent years (50 in 2012, 190 in 2013 and 54 in 2014).

The Secretariat proposes no further action on this case.

9. Tortoises from Zambia using source code C

This case concerns almost exclusively two species: pancake tortoise (*Malacochersus tornieri*) and leopard tortoise (*Stigmochelys pardalis*). The latter is difficult to breed in captivity and therefore the quantities of specimens exported by Zambia which are claimed as captive-bred are surprising. *S. pardalis* breed easily in captivity, but export trade patterns from Zambia in recent years give cause for query. With the agreement of the Zambian Management Authority, the Secretariat contracted TRAFFIC to visit Zambia and inspect three captive-breeding facilities. They found no obvious signs of any wild caught tortoises at the facilities and all showed evidence of captive breeding of both species. In some cases, the quantity of *M. tornieri* produced was rather high in relation to the known biological capacity of the species. In response to observations made, TRAFFIC made a number of recommendations about the management and control of such tortoise-breeding facilities in particular relating record keeping, permanent marking systems and inspection protocols. The Secretariat shared TRAFFIC's report with Zambia who replied in detail highlighting that the report described a number of issues which the Management Authority might not have been aware of and which need addressing and noting that its recommendations will help with reviewing inspection methodologies in order to ensure compliance with national and international regulations.

The Secretariat proposes taking no further action on this case.

10. Horsfield's tortoise (*Testudo horsfieldii*) from Ukraine using source code C

Ukraine, although not a range State for the species, has exported and continues to export quantities of specimens of *T. horsfieldii* with the source code C, but larger numbers with the source code F. Indications from trade records suggest that the founder stock for these animals may have originated in Tajikistan and Uzbekistan. Following CoP14, this species was subject to the Review of Significant Trade. The Animals Committee's recommendations to Uzbekistan were complied with and the Committee was advised that the estimated population of the species in Uzbekistan was around 20 million tortoises, with annual export quotas of 50 000 wild, 45 000 ranched and 5 000 captive-bred specimens. In comparison, exports from Ukraine, averaging around 10,000 specimens per year, appear modest. Regarding Tajikistan, the Standing Committee (SC65, Geneva, July 2014) recommended that in view of the absence of trade in *T. horsfieldii* since 2008, the Secretariat should liaise with Tajikistan to determine whether it is still exporting specimens of this species, and to inform the Standing Committee accordingly. The Secretariat contacted the Management Authority of Tajikistan on 3 July 2015 in this regard but, at the time of writing of the present document, no response has been received by the Secretariat.

The Secretariat does not believe that further action on this case is a high priority at present.

11. Indian starred tortoise (*Geochelone elegans*) from Jordan, Lebanon, Ukraine, and the United Arab Emirates using source code C

This species is not considered easy to breed in captivity on a consistent basis and in large numbers. For Jordan, the records of the single breeding facility do not tally with reported exports. This case overlaps with cases 6-7. The Secretariat has written to Jordan for further information. In Lebanon, Ukraine, and the United Arab Emirates, specimens of this species declared as captive bred have been exported in the past,

but this trade appears to have ceased. The Secretariat proposes to take no further action with regard to these three Parties.

12. Papuan hornbill (*Rhyticeros plicatus*), Birds-of-Paradise (*Paradisaeidae* spp.) and other birds from the Solomon Islands using source code C

Importers reported that the Solomon Islands exported 50 Papuan Hornbills (all declared as C) and zero Birds-of-Paradise between 2008 and 2012. The case appears to refer to the export of 76 specimens of seven species of BoP in 2005 and 660 specimens of *R. plicatus*, mostly in 2005.

Such levels of trade are surprising given the difficulty of breeding these species in captivity, but as the last reported transaction of this kind was in 2011, the Secretariat does not propose further action on this case at this time.

13. Caiman (*Caiman crocodilus fuscus*) skins from Colombia traded using source code C.

Colombia has a very large trade in *C. crocodilus fuscus*. Patterns of export and re-export of specimens in this trade and the source code used are complex. National laws permit only the export of skins from captive-bred source. The IUCN Species Survival Specialist Group Crocodile Specialist Group (CSG) has expressed the view to the Secretariat that a considerable proportion of the exports being exported are in fact of wild (or ranched) source. They note however that the wild population does seem to have sustained any unregulated harvest and this trade may not be detrimental to the conservation of the species. In the past, Colombia has established voluntary export quotas and size restrictions in an attempt to ensure that its national laws are complied with and in July 2014, they requested the Secretariat to publish a Notification to the Parties requesting the collaboration of other Parties in ensuring that only skins that are marked in accordance with their national requirements are allowed in trade. Taking the opportunity of another event in Colombia, the Secretariat visited the CITES Management Authority of Colombia in November 2014 to discuss this issue. The Secretariat was informed that other changes to the management of *C. crocodilus fuscus* were planned and offered its assistance to Colombia. The Colombian Management Authority is scheduled to visit the Secretariat after the completion of the present document and the Secretariat will report orally on further developments.

The Secretariat proposes that it continue to liaise with Colombia to ensure that all exports comply with its national laws and the Resolutions of the Conference of the Parties.

14. Python skins from the Lao People's Democratic Republic (Lao PDR) and Viet Nam traded using source code C

Captive bred pythons, particularly Burmese python (*Python molurus bivittatus*) and reticulated python (*Python reticulatus*) have been exported by Viet Nam for many years in very considerable numbers. As referred to above, the Animals Committee recently reviewed detailed assessments of the commercial production of CITES-listed snake species in Viet Nam and on methodologies for differentiating between wild and captive-bred CITES-listed snakes (see Annex 1, and 4 of document AC28 Doc. 14.1). The Committee's recommendations on this subject can be found in paragraph 10 of document SC66 Doc. 54.1 at the present meeting.

The emergence of Lao PDR as an exporter of python skins is more recent, dating from 2009. With the agreement of the CITES Management Authority, the Secretariat arranged for TRAFFIC to visit the only known commercial snake farm in Lao PDR. The consultant stayed for a week and despite repeated assurances and the assistance of a senior staff member from the Secretariat who was present on other business at the time, the Management Authority were unable to facilitate access to the facility. The Secretariat was very disappointed by this situation. The matter now forms part of a wider compliance case concerning Lao PDR being undertaken under paragraph 1 of Article XIII which will be reported on under agenda item 28 on *Application of Article XIII* at the present meeting.

**Significant cases where it has taken initiatives or entered into a dialogue with Parties
on trade in specimens declared as bred in captivity or ranched
where there is serious doubt about the identified source of the specimens in trade since SC65.**

Since SC65, the Secretariat has received relatively few enquiries from Parties about trade in specimens declared as bred in captivity or ranched:

- Serbia requested guidance on whether specimens of Appendix-I falcons *Falco* spp. could be exported for commercial purposes even if the facility which bred them is not included in the register of operations that breed Appendix-I animal species in captivity for commercial purposes established under Resolution Conf. 12.10 (Rev. CoP15). The Secretariat replied that this would depend on the whether the specimens had been bred in captivity for commercial purposes or not, as defined in the Resolution.
- the Russian Federation requested clarification of the circumstances under which captive-breeding facilities should be registered as operations that breed Appendix-I animal species in captivity for commercial purposes.
- the Secretariat also provided advice to the Russian Federation over the export of a captive-bred tiger to Kazakhstan.
- the attention of the Secretariat was drawn to the export from Switzerland to Uganda of four specimens of Galapagos land iguana (*Conolophus subcristatus*) and two specimens of Galapagos marine iguana (*Amblyrhynchus cristatus*), both species included in Appendix II and endemic to Ecuador. These were declared as bred in captivity. The Secretariat advised the Parties to work together to resolve any issues over the origin of the parental stock used to produce these animals.
- Hong Kong SAR, China queried whether an export permits issued by Germany for captive-bred specimens of the Appendix I Kaiser's spotted newt (*Neurergus kaiseri*) could be accepted if the import was for commercial purposes, but the breeding facility was not included in the register of operations that breed Appendix-I animal species in captivity for commercial purposes established under Resolution Conf. 12.10 (Rev. CoP15). In subsequent correspondence, Germany clarified that it was satisfied that the specimens had been bred in captivity in accordance with Resolution Conf. 10.16 (Rev) and that the breeder had sold the specimens to the exporter. Germany explained that in their view although the export (and the subsequent importation into Hong Kong SAR, China) was for commercial purposes, the original breeder of the animals was a hobby breeder and had not bred the specimens in captivity for commercial purposes as defined in Resolution Conf. 12.10 (Rev. CoP15). Consequently, there was no requirement for the breeding operation in question to be registered under Resolution Conf. 12.10 (Rev. CoP15). The Secretariat pointed out that although the determination of whether a specimens was "bred in captivity for commercial purposes" and therefore whether the breeding operation should be registered or not, was for the exporting Party to make under Resolution Conf. 12.10 (Rev. CoP15), Resolution Conf. 12.3 (Rev. CoP16) nevertheless recommends that exporting Parties "verify the origin of Appendix-I specimens to avoid issuing export permits when the use is for primarily commercial purposes and the specimens did not originate in a CITES-registered breeding operation".
- Hong Kong SAR, China subsequently raised a very similar case involving a specimen of the Appendix-I radiated tortoise (*Astrochelys radiata*) which had been bred in captivity in Spain, but which was being exported by Italy to Hong Kong SAR, China for commercial purposes.