

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



Sixty-ninth meeting of the Standing Committee  
Geneva (Switzerland), 27 November - 1 December 2017

Interpretation and implementation

Trade control and traceability

STOCKS AND STOCKPILES OF SPECIMENS  
OF CITES-LISTED SPECIES

1. This document has been submitted by the representative of Europe (Israel).\*
2. At its 17th meeting (CoP17, Johannesburg, 2016) the Conference of the Parties considered CoP17 Doc. 47: *Stocks and stockpiles of specimens of CITES-listed species* which was submitted by the Secretariat. This document noted:
  - a) increased concerns regarding stocks and stockpiles,
  - b) noted the absence of any CITES-accepted definitions of “stocks” and/or “stockpiles”, and whether privately-held collections of CITES-listed specimens should also be considered “stocks”
  - c) noted a variety of different process evolving for the control of stocks of specimens of CITES-listed species, and that in some cases these are also increasing the reporting burden on Parties and the work of the Secretariat in recording and consolidating the data generated,
  - d) and concluded “It would be useful to reflect on the nature of the concerns about stocks, the implications that they may have for the implementation of the Convention and the purpose and means of recording them.”
3. The CoP adopted CoP17 Doc 47 which was then recorded as Decision 17.170 directed to the Standing Committee, the text of which says:

*The Standing Committee shall, with the assistance of the Secretariat, review the existing provisions agreed by the Parties concerning controls on stocks of specimens of CITES-listed species. It shall consider their objectives and implementation and the resource implications for Parties and the Secretariat, and shall report its conclusions and recommendation at the 18th meeting of the Conference of the Parties.*
4. The 68th meeting (SC68, Johannesburg, October 2016) of the Standing Committee did not have opportunity to formally constitute a Working Group to address concerns mandated in Dec. 17.170.
5. In February 2017, the Chair of the Standing Committee asked Israel to prepare a document for SC69 that would address matters relative to Dec 17.170.

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\* *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

6. Sensitive to working without a formal Working Group mandate, but nevertheless seeking to initiate some progress on the subject matter, Israel engaged in informal discussions with a number of government wildlife agencies, natural history museums, and private enterprise, as well as with the CITES Secretariat, in an effort to help identify relevant concerns and issues that might be appropriate for any SC69-mandated Working Group tasked with the requirements of Decision 17.170.
7. The substance of these informal discussions helped in the formulation of draft Terms of Reference offered in Annex I to this document.
8. While preparing the present document, Israel identified a few other concerns that seem to correlate with the subject of stocks and stockpiles of specimens of CITES-listed species, and these concerns have been incorporated into the Terms of Reference proposed in Annex I. A few of these include;
  - a) Concerns how Party and/or privately-held stockpiles may impact on the establishment of voluntary export quotas, Non-Detriment Findings, or using live specimens as founder or reinforcing specimens for any captive breeding operations,
  - b) Identification of best practices for stockpile inventory recording, preservation, management, control and anti-pilfering,
  - c) Identification of technologies and best practices that may contribute to CITES enforcement – such as DNA analyses to determine populations of origin, or C-14 analyses to determine if specimens might be pre-convention,
  - d) Providing Parties with best practice and cost-effectiveness information for the destruction of unwanted stocks and stockpiles.

#### Recommendations

9. The CITES Standing Committee should formally constitute a Working Group on Stocks and Stockpiles of Specimens of CITES-listed species with Terms of Reference identified in Annex 1 to this document.
10. The CITES Standing Committee should charge the Working Group to apply special efforts to review and, to the extent possible, resolve issues pertinent to particular stocks and stockpiles, especially those identified in Annex 2 to this document.
11. Special efforts should be made to encourage the participation of Parties that have particular challenges in the management and/or security of stocks and stockpiles.
12. The Working Group is authorized to consult with external technical experts, such as museums and industry that may contribute to the successful completion of its mandate.
13. The Working Group will work intersessionally and present its results at SC70. The Standing Committee will then review and evaluate those results and consider the need for continuing the existence of the Working Group.

**Draft Terms of Reference for Standing Committee  
Working Group on Stocks and Stockpiles**

The Working Group will pursue the following objectives;

(a.) Prepare a definitive statement that precisely identifies CITES conservation objectives in the management of both government and privately held stocks and stockpiles of specimens identified in Annex 2 of the present document, as well as specimens of any other CITES-listed species that are held in significant stocks and stockpiles and which may be of concern.

(b.) Provide a suggested definition of “stock” and/or “stockpile” that will apply to live specimens as well as parts and derivatives.

(b.) Explore the implications of stockpiled live specimens being used in any captive-breeding operation, taking into account in which CITES Appendix the species is listed.

(c.) Review the implications of stockpile maintenance with regard to Non-Detriment Findings and voluntary export quotas. How do pre-Convention stockpiles influence quotas?

(d.) Consult with Parties affected by the measures in Annex 2 of this document to request information concerning the resources they use to implement these requirements, and any significant challenges they face in maintaining these stockpiles, and what they are doing to address those challenges.

(e.) Consult with Parties, World Trade Organization, World Customs Organization, regional customs unions, museums, appropriate representatives of private industry and any other technical experts to identify best practices for robust stockpile inventory and management systems, with particular sensitivity to cost-effectiveness required by developing countries .

(f.) Provide advice on the legal ownership of specimens that have moved internationally, particularly those that were part of seized illegal consignments. This exercise should explore the legal implications of a Party selling a confiscated specimen. The Working Group will seek to identify mechanisms that harmonize CITES practice with international legal standards and norms.

(g.) Provide advice on the preservation and long-term storage of biological items kept in stockpiles and develop a prioritized list of preservation techniques useful to protect prioritized stockpiled specimens,

(h.) Provide advice on technologies and best practices that can assist with determining the age and origin of specimens held in stocks and stockpiles.

(i.) Provide advice on best practices, strategies and available, cost-effective technologies useful to protect stockpiled specimens of CITES-listed species from pilferage.

(j.) Research and provide advice on disposal of unwanted specimens and best practices for their destruction.

(k.) On the basis of the discussions at SC69 and the results of paragraphs (a) to (j) above, provide draft text for conclusions and recommendations that might be submitted to CoP18 by the Standing Committee.

## Currently Valid Resolutions & Decisions involving Stockpiles

- Asian big cats (Felidae spp.) – Resolution Conf. 12.5 (Rev. CoP17) & Decision 17.228 [parts and derivatives].

### **Conf. 12.5 (Rev. CoP17) \* Conservation of and trade in tigers and other Appendix-I Asian big cat species**

#### 1. URGES

g) those Parties and non-Parties on whose territories tigers and other Asian big cat species are bred in captivity to ensure that adequate management practices and controls are in place to prevent parts and derivatives from entering illegal trade from or through such facilities;

h) those Parties and non-Parties on whose territories there exist stocks of parts and derivatives of tiger and other Asian big cat species (such as tiger bone stocks), but not including preConvention specimens, to consolidate and ensure adequate control of such stocks, and where possible destroy the same, with the exception of those used for educational and scientific purposes;

#### **Asian big cats (Felidae spp.) 17.228**

Subject to external funds, the Secretariat shall, in consultation with range and consumer States, and in cooperation with partner organizations in the International Consortium on Combating Wildlife Crime (ICWC) and, as appropriate, other experts and organizations, continue the review of implementation of Resolution Conf. 12.5 (Rev. CoP17) and associated Decisions and prepare a report in consideration of legislative and regulatory measures; national law enforcement; demand reduction, education and awareness; prevention of illegal trade in parts and derivatives from facilities for keeping Asian big cats in captivity; **and management of national and privately-held stocks of parts and derivatives.**

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- Elephants (Elephantidae spp.) – Resolution Conf. 10.10 (Rev. CoP17) [ivory].

### **Conf. 10.10 (Rev. CoP17) \* Trade in elephant specimens**

RECOGNIZING also that the theft of ivory, including from inadequately secured government stocks, further adds to illegal trade and wildlife crime;

AGREES that

#### **Regarding marking**

2. RECOMMENDS that whole tusks of any size, and cut pieces of ivory that are both 20 cm or more in length and one kilogram or more in weight, be marked by means of punch-dies, indelible ink, or other form of permanent marking, using the following formula: country-of-origin two-letter ISO code, the last two digits of the year / the serial number for the year / and the weight in kilograms (e.g. KE 00/127/14). It is recognized that different Parties have different systems for marking and may apply different practices for specifying the serial number and the year (which may be the year of registration or recovery, for example), but that all systems must result in a unique number for each piece of marked ivory. This number should be placed at the 'lip mark', in the case of whole tusks, and highlighted with a flash of colour;

#### **Regarding trade in elephant specimens**

3. RECOMMENDS that all Parties and non-Parties in whose jurisdiction there is a legal domestic market for ivory that is contributing to poaching or illegal trade, take all necessary legislative, regulatory and enforcement measures to close their domestic markets for commercial trade in raw and worked ivory as a matter of urgency;

4. RECOGNIZES that narrow exemptions to this closure for some items may be warranted; any exemptions should not contribute to poaching or illegal trade;

5. URGES those Parties in whose jurisdiction there is a legal domestic market for ivory that is contributing to poaching or illegal trade and that have not closed their domestic ivory markets for commercial trade in ivory to implement the above recommendation as a matter of urgency;

6. FURTHER URGES those Parties in whose jurisdiction there is an ivory carving industry, a legal domestic trade in ivory, an unregulated market for or illegal trade in ivory, or where ivory stockpiles exist, and Parties designated as ivory importing countries, to ensure that they have put in place comprehensive internal legislative, regulatory, enforcement and other measures to:

a) regulate the domestic trade in raw and worked ivory;

b) register or license all importers, exporters, manufacturers, wholesalers and retailers dealing in raw or worked ivory;

c) introduce recording and inspection procedures to enable the Management Authority and other appropriate government agencies to monitor the movement of ivory within the State, particularly by means of:

i) compulsory trade controls over raw ivory; and

ii) comprehensive and demonstrably effective stock inventory, reporting, and enforcement systems for worked ivory;

d) engage in public awareness campaigns, including supply and demand reduction; drawing attention to existing or new regulations concerning the sale and purchase of ivory; providing information on elephant conservation challenges, including the impact of illegal killing and illegal trade on elephant populations; and, particularly in retail outlets, informing tourists and other non-nationals that the export of ivory requires a permit and that the import of ivory into their state of residence may require a permit and might not be permitted; and

e) maintain an inventory of government-held stockpiles of ivory and, where possible, of significant privately held stockpiles of ivory within their territory, and inform the Secretariat of the level of this stock each year before 28 February, inter alia to be made available to the programme Monitoring the Illegal Killing of Elephants (MIKE) and the Elephant Trade Information System (ETIS) for their analyses, indicating the number of pieces and their weight per type of ivory (raw or worked); for relevant pieces, and if marked, their markings in accordance with the provisions of this Resolution; the source of the ivory; and the reasons for any significant changes in the stockpile compared to the preceding year;

9. FURTHER DIRECTS the Secretariat, with reference to the findings of ETIS, MIKE and its findings on the status of domestic ivory markets, and within available resources:

a) to identify those Parties that have unregulated internal markets for ivory, where ivory is found to be illegally traded, where ivory stockpiles are not well secured, or that have significant levels of illegal trade in ivory;

b) to seek from each Party so identified information concerning its implementation of the provisions of this Resolution relating to ivory trade and, where appropriate and in consultation with the Party, undertake in situ verification missions; and

c) to report its findings and recommendations to the Standing Committee, which may consider recommendations to support the implementation of the present Resolution, including requests to identified Parties to develop and implement National Ivory Action Plans, and monitor progress in executing these Action Plans, in accordance with the Guidelines contained in Annex 3, as well as other appropriate measures in accordance with Resolution Conf. 14.3 on CITES compliance procedures;

10. DIRECTS the Secretariat, subject to available resources, to provide technical assistance to Parties to:

a) improve legislative, regulatory and enforcement measures concerning trade in ivory and in developing practical measures to implement this Resolution;

b) support, where requested, the security and registration of government-held ivory stockpiles, and provide practical guidance for the management of these stockpiles; and

c) identify specimens of elephant ivory, other types of ivory and ivory look-alike materials;

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- Rhinoceroses (Rhinocerotidae – spp) – Resolution Conf 9.14 (Rev. CoP17)

**Conf. 9.14 (Rev. CoP17) \* Conservation of and trade in African and Asian rhinoceroses**

RECOGNIZING the need to deploy the same tools and techniques as those used against other domestic and transnational organized crimes, provided for in the United Nations Convention against Transnational Organized Crime and the United Nations Convention Against Corruption, against the criminal groups involved in the illegal killing of rhinoceroses and the trafficking of rhinoceros horns, and in particular against those individuals managing and organizing these illegal activities;

2. URGES

a) all Parties that have stocks of rhinoceros horn to identify, mark, register and secure such stocks, and declare these to the Secretariat each year before 28 February, in a format to be defined by the Secretariat;

b) the Secretariat and other appropriate bodies, where possible, to assist those Parties with inadequate legislation, enforcement, or control of stocks, by providing them technical advice and relevant information;

3. DIRECTS the Standing Committee to continue to pursue actions aimed at ending rhinoceros poaching and illegal trade in rhinoceros parts and derivatives, ensuring that:

a) all such actions are accompanied by evaluations of their effectiveness and appropriate recommendations; and

b) the policies that guide interventions are responsive and adaptive to the outcome of the evaluations;

7. DIRECTS the Secretariat, prior to each meeting of the Conference of the Parties, and pending external funding, to commission the IUCN/SSC African and Asian Rhino Specialist Groups and TRAFFIC to submit a report to the Secretariat on:

a) the national and continental conservation status of African and Asian rhinoceros species,

b) trade in specimens of rhinoceros,

c) stocks of specimens of rhinoceros and stock management,

9. DIRECTS the Secretariat to:

a) make an aggregated summary of the rhinoceros horn stock declarations of Parties available to the IUCN/SSC African and Asian Rhino Specialist Groups and TRAFFIC for analysis and inclusion in their reporting to the Secretariat pursuant to the Resolution;

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- Rhinoceroses (Rhinocerotidae spp.) Decision 17.138

The Secretariat shall report to the 69th meeting of the Standing Committee on its mission to Mozambique, paying particular attention to both the rate of successful or unsuccessful prosecutions, convictions and penalties, the reasons for these successes and failures and priority actions needed to address these, and to the status and security of Mozambique's stockpiles and the strength of its stockpile management system; that report should include any recommendations for the consideration of the Standing Committee.

- Saiga antelope (*Saiga tatarica*) – Decisions 17.268 & 271 [horns?].

**Decision 17.268 Saiga antelope (*Saiga* spp.)**

Directed to range States of saiga antelope (*Saiga* spp.) (Kazakhstan, Mongolia, the Russian Federation, Turkmenistan and Uzbekistan), \* important consumer and trading countries of saiga parts and derivatives

Important consumer and trading countries of saiga parts and derivatives are encouraged to carefully manage the trade in, and consumption of saiga products and derivatives, for example through promoting the use of alternative products with similar medicinal properties, engaging with traditional Asian medicine industries and consumers of saiga products, education and information campaigns, and developing labelling schemes.

#### **Decision 17.269 Saiga antelope (*Saiga spp.*)**

**Directed to range States of saiga antelope (*Saiga spp.*) (Kazakhstan, Mongolia, the Russian Federation, Turkmenistan and Uzbekistan), and important consumer and trading countries of saiga parts and derivatives**

Range States of *Saiga spp.* and important consumer and trading countries of saiga parts and derivatives are encouraged to address challenges in controlling illicit trade in saiga horns and derivatives thereof by:

a) supporting the development of tools to facilitate the identification, sourcing and determination of age of saiga horns;

b) ensuring effective stockpile management;

c) promoting training of, and cross-border collaboration amongst, enforcement agencies; and

d) tackling new illegal trade channels such as those using social media.

#### **Decision 17.271 Saiga antelope (*Saiga spp.*)**

Subject to the availability of external resources, the Secretariat should assist saiga range States and major trading and consumer States, upon request, in ensuring effective stockpile management and monitoring, including the development of inventories and improving stockpile security.

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- Tibetan antelope (*Pantholops hodsonii*) – Resolution Conf. 11.8 (Rev. CoP17) [parts and raw materials].

#### **Conf. 11.8 (Rev. CoP17)\* Conservation of and control of trade in the Tibetan antelope**

1. RECOMMENDS that

d) all Parties and non-Parties in whose territory stocks of Tibetan antelope parts and raw materials exist, adopt a registration system and national measures to prevent such stocks from re-entering into trade

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- Pangolins (*Manis spp.*) – Resolution Conf. 17.12 & Decision 17.239 [parts and derivatives].

#### **Decision 17.239 Pangolins (*Manis spp.*)**

**Decision directed to:** Secretariat

The Secretariat shall:

a) Liaise with the International Consortium on Combating Wildlife Crime (ICWC) partner agencies and regional enforcement networks, such as the Lusaka Agreement Task Force (LATF), South Asia Wildlife Enforcement Network (SAWEN) and the Association of Southeast Asian Nations Wildlife Law Enforcement Network (ASEAN-WEN), and other relevant enforcement networks to convey the concerns expressed in Resolution Conf. 17.10, on Conservation of and trade in pangolins, including parts and derivatives, and to request them to take these into account when developing work programmes;

b) subject to external funding, prepare in cooperation with relevant organizations, and in consultation with range and implicated States, at least two months before the 69th meeting of the Standing Committee, a report on:

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- i) the national and global conservation status of African and Asian pangolin species;
- ii) available information about levels of legal and illegal trade;
- iii) relevant information on enforcement actions taken, including seizures, forensic analysis of seized specimens, arrests, prosecutions and judgments relating to illegal trade in pangolins as well as disposal of seized specimens;
- iv) stock-piles of specimens and derivatives of pangolins and stockpile management including existing registration systems;
- v) inventories of current captive pangolin populations, including breeding data and mortality rates, in zoos, rehabilitation centres and other captive facilities and new developments on captive-breeding activities; and
- vi) new developments regarding specific demand management, education and awareness-raising measures concerning pangolins.

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- Pythons – Resolution Conf. 17.12 [skins].

#### **Conf. 17.12 Conservation, sustainable use of and trade in snakes**

##### 19. RECOMMENDS:

- a) that Parties, prior to the implementation of a traceability system for python skins, inventory and tag those skins and provide this information to the Secretariat as a baseline;
- b) that Parties ensure that the tagging method used distinguishes between skins of the initial stockpiles and skins harvested at later points in time;
- c) that Parties ensure that the inventories of the initial stockpiles contain information on the species concerned, the stage of processing of the skins (crust, dried, etc.) and the corresponding quantities and tag numbers, and also the year of harvest for skins newly entering the stockpiles;
- d) the traceability systems commence as close to the point of harvest of the animal or production of the skin as possible. It should be made mandatory up to and including finished skins;
- e) the identification of skins make use of devices that are tamper-proof, affordable, uniquely serially numbered and contain the following minimum information: species, country of origin (where relevant regional code), year of harvest or production, unique serial number, and source code, or technologies that may accomplish the same requirements. In addition, Parties are encouraged to add other information they deem necessary; and
- f) the Secretariat should compile such information on available identification technologies and projects to make them available to Parties;

##### 20. CALLS UPON governments and intergovernmental organizations, international aid agencies,

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- Malagasy ebonies (*Diospyros* spp.) and Malagasy palissanders and rosewoods (*Dalbergia* spp.) Decision 17.203, 204 & 207 [timber].

#### **7.203 to 17.208 Malagasy ebonies (*Diospyros* spp.) and palisanders and rosewoods (*Dalbergia* spp.)**

17.203 Decision directed to: **Others**

#### **Directed to source, transit and destinations Parties for Malagasy *Diospyros* spp. and *Dalbergia* spp.**

Source, transit and destination Parties for specimens of species of the genera *Dalbergia* and *Diospyros* occurring in Madagascar are urged to:



a) enforce all the measures that are recommended by the CITES Standing Committee concerning commercial trade in specimens of these species from Madagascar, including suspensions of such trade;

b) develop action plans to effectively manage timber stockpiles of *Dalbergia* spp. and *Diospyros* spp. from Madagascar; and

c) provide written reports describing progress made with implementation of paragraphs a) and b) of this Decision to the Standing Committee.

#### 17.204

**Decision directed to:** Parties

**Directed to Madagascar**

Madagascar shall:

a) continue to develop an inclusive process to identify the main commercially valuable species in these genera from Madagascar, in cooperation with transit and destination Parties, the CITES Secretariat and relevant partners, such as the International Tropical Timber Organization (ITTO), the International Consortium on Combating Wildlife Crime (ICWC), the Food and Agriculture Organization of the United Nations (FAO) and other intergovernmental and non-governmental organizations concerned with trade in timber of rosewood, ebonies and palisanders;

b) for those species identified under paragraph a) establish, in collaboration with the CITES Secretariat, a precautionary export quota based upon a scientifically robust non-detriment finding;

c) subject to the availability of funds, organize workshops in support of the implementation of paragraphs a) and b) of this Decision, and to strengthen the national capacity to formulate non-detriment findings, and identify and agree on monitoring mechanisms that include appropriate technology (e.g. timber tracking);

d) continue the production of identification materials for identifying timber and timber products of species of the genera *Dalbergia* and *Diospyros* from Madagascar;

e) for those species identified under paragraph a), significantly strengthen control and enforcement measures against illegal logging and export at the national level including seizures, investigations, arrests, prosecutions, and sanctions;

f) submit regular updates on audited inventories of at least a third of the stockpiles of species of *Dalbergia* and *Diospyros* from Madagascar, and a use plan for consideration, approval and further guidance from the Standing Committee; and

g) provide written reports on progress with the implementation of paragraphs a) to d) of this Decision to each meeting of the Plants Committee; on progress with the implementation of paragraphs e) and f) of this Decision to the Standing Committee; and on progress with the implementation of this Decision to the Conference of the Parties at its 18th meeting.

#### 17.205

**Decision directed to:** Parties

Parties and relevant partners indicated in Decision 17.204 paragraph a) are invited to:

a) provide technical and financial assistance to support the implementation of Decisions 17.203 to 17.208;

b) provide technical and financial assistance in support of conducting audited inventories of *Dalbergia* spp. and *Diospyros* spp. from Madagascar; and

c) provide reports to the Standing Committee, including information received from relevant partner organizations, concerning progress with the implementation of paragraphs a) and b) of this Decision.

## 17.207

### **Decision directed to:** Standing Committee

The Standing Committee shall review and assess reports from Madagascar on the implementation of Decision 17.204 paragraph e) and f), and from the Secretariat on the implementation of Decision 17.208, and make recommendations, which may include appropriate compliance measures and an assessment as to whether the conditions for a partial sale of audited stocks are in place, in accordance with the criteria established in Decision 17.204, paragraphs e) and f).

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