

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

Fifth Meeting of the Conference of the Parties

Buenos Aires (Argentina), 22 April to 3 May 1985

REPORT OF THE SECRETARIAT

1. Introduction

Paragraph 2(g) of Article XII of the Convention stipulates that "The functions of the Secretariat shall be ... to prepare annual reports on its work and on the implementation of the present Convention ..." This is the ninth report presented by the Secretariat.

2. Membership

From the date of entry into force of the Convention (1 July 1975) to the first meeting of the Conference of the Parties (Berne, November 1976), 32 states became Parties to the Convention; by the time of the second meeting (San José, 1979), the number had risen to 51. By the time of the third meeting of the Conference of the Parties (New Delhi, February - March 1981), it has risen to 65, while at the time of the fourth meeting (Gaborone, April 1983), 80 states had become Parties. That number increased further to 81 by the end of 1983 and to 87 as of 31 December 1984. In chronological order, these 87 Parties are as follows:

	<u>Date of entry into force of the Convention</u>
1. United States of America	1.07.1975
2. Nigeria	1.07.1975
3. Switzerland	1.07.1975
4. Tunisia	1.07.1975
5. Sweden	1.07.1975
6. Cyprus	1.07.1975
7. United Arab Emirates	1.07.1975
8. Ecuador	1.07.1975
9. Chile	1.07.1975
10. Uruguay	1.07.1975
11. Canada	9.07.1975
12. Mauritius	27.07.1975
13. Nepal	16.09.1975
14. Peru	25.09.1975
15. Costa Rica	28.09.1975
16. South Africa	13.10.1975
17. Brazil	4.11.1975
18. Madagascar	18.11.1975
19. Niger	7.12.1975

20.	German Democratic Republic	7.01.1976
21.	Morocco	14.01.1976
22.	Ghana	12.02.1976
23.	Papua New Guinea	11.03.1976
24.	Federal Republic of Germany	20.06.1976
25.	Pakistan	19.07.1976
26.	Finland	8.08.1976
27.	India	18.10.1976
28.	Zaire	18.10.1976
29.	Norway	25.10.1976
30.	Australia	27.10.1976
31.	United Kingdom of Great Britain and Northern Ireland	31.10.1976
32.	Iran, Islamic Republic of	1.11.1976
33.	Union of Soviet Socialist Republics	8.12.1976
34.	Paraguay	13.02.1977
35.	Seychelles	9.05.1977
36.	Guyana	25.08.1977
37.	Denmark	24.10.1977
38.	Senegal	3.11.1977
39.	Nicaragua	4.11.1977
40.	Gambia	24.11.1977
41.	Malaysia	18.01.1978
42.	Venezuela	22.01.1978
43.	Botswana	12.02.1978
44.	Egypt	4.04.1978
45.	Monaco	18.07.1978
46.	France	9.08.1978
47.	Panama	15.11.1978
48.	Togo	21.01.1979
49.	Kenya	13.03.1979
50.	Jordan	14.03.1979
51.	Indonesia	28.03.1979
52.	Sri Lanka	2.08.1979
53.	Bahamas	18.09.1979
54.	Bolivia	4.10.1979
55.	Italy	31.12.1979
56.	Guatemala	5.02.1980
57.	United Republic of Tanzania	27.02.1980
58.	Liechtenstein	28.02.1980
59.	Israel	17.03.1980
60.	Japan	4.11.1980
61.	Central African Republic	25.11.1980
62.	Rwanda	18.02.1981
63.	Suriname	15.02.1981
64.	Zambia	22.02.1981
65.	Portugal	11.03.1981
66.	China	08.04.1981
67.	Argentina	08.04.1981
68.	Liberia	09.06.1981
69.	Mozambique	23.06.1981
70.	Zimbabwe	17.08.1981
71.	Cameroon	03.09.1981
72.	Philippines	16.09.1981
73.	Colombia	29.11.1981
74.	Guinea	20.12.1981
75.	Bangladesh	18.02.1982
76.	Austria	27.04.1982
77.	Malawi	06.05.1982

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78. Sudan	24.01.1983
79. Saint Lucia	15.03.1983
80. Thailand	21.04.1983
81. Congo	01.05.1983
82. Belgium	01.01.1984
83. Algeria	21.02.1984
84. Luxembourg	12.03.1984
85. Trinidad and Tobago	18.04.1984
86. Benin	28.05.1984
87. Netherlands	18.07.1984

Moreover, the Secretariat has established or maintained contacts with numerous non-Party states inviting them to join CITES. It is hoped that a large majority of the non-members states for which the trade in wild fauna and flora plays a major role will soon become CITES members. The Secretariat has particularly directed its efforts towards Czechoslovakia, Honduras, Mexico, New Zealand, Singapore and Spain.

3. Evolution of the Convention

a) Amendment to Article XI of the Convention

In 1984, (Uruguay) one of the 51 States which were Parties when the Financial Amendment was adopted on 22 June 1979, deposited an instrument of acceptance of it, thus bringing the total to 27 at the end of the year. For the amendment to enter into force, 34 Parties (two thirds of the 51 Parties) must deposit an instrument of acceptance. A greater effort must be made by the Parties concerned, as urged by Resolution Conf. 3.2 adopted at New Delhi and Resolution Conf. 4.3 adopted at Gaborone. Reminders and diplomatic notes were sent to the Parties in 1984 reiterating the importance and urgency of the coming into force of this amendment.

As of 31 December 1984, a total of nine states (Austria, Belgium, Italy, Japan, Liechtenstein, Netherlands, Suriname, Trinidad and Tobago and Zimbabwe) which were not Parties to the Convention on 22 June 1979 had accepted the amendment. These nine Parties can not, however be counted among the 34 acceptances required under Article XVII of the Convention.

On 16 January 1984, the Secretariat received a note from the Australian Embassy in Bern stating "The Australian Embassy acknowledges the difficulties faced by the Secretariat of CITES with regard to this amendment, and would therefore be grateful if the Secretariat could list as an Item for the Agenda of the 5th Conference of the Parties (Buenos Aires, 22 April - 3 May 1985), consideration of financial regulations which could be adopted by the Parties immediately after the entry into force of the financial amendment. The Australian Government would be grateful if the Secretariat could suggest draft financial regulations for Parties to consider at Buenos Aires.

The Australian Embassy wishes to advise the Secretariat of the Convention on International Trade in Endangered Species that if Australia can be assured, through the provision of appropriate financial regulations, that the level of contribution to CITES would remain within the discretion of states' parties, the Australian Government will give positive consideration to accepting the amendment."

On several occasions in the past, the Secretariat has indicated to the Government of Australia that the coming into force of the amendment will only provide the Parties with the legal power to make financial regulations (which are adopted now on a provisional basis), that the Parties will remain sovereign in any decision they might wish to take and that no substantial change could be forecast in the financial structure which has proven to be most efficient in the administration of the Convention's affairs.

It is therefore recommended by the Secretariat that the present financial structure which includes the Terms of Reference for the Administration of the Trust Fund, the Budget, the Medium Term Plan and the UN Scale of Contributions be maintained even after the coming into force of the financial amendment as it has proven to be satisfactory to all those concerned including individual Parties.

b) Amendment to Article XXI of the Convention

As of 31 December 1984, 5 of the 80 states which were Parties at the time of the adoption of the amendment on 30 April 1983, have accepted it. They are Monaco, Norway, Seychelles, Togo and Uruguay. Furthermore, Trinidad and Tobago has also accepted it in 1984 but was not a Party on 30 April 1983. A total of 54 acceptances from those states which were Party as at 30 April 1983 is required for the amendment to enter into force.

c) Amendments to Appendices I and II

No proposal for amendment of Appendix I or II under the postal procedure was received in 1984. However, on 14 March 1984 the inclusion of the giant panda (Ailuropoda melanoleuca), adopted in 1983, entered into force.

In accordance with the provisions of Article XV, paragraph 1, of the Convention, 23 Parties communicated to the Secretariat 123 proposals for amendment of Appendices I and II for consideration at the fifth meeting of the Conference of the Parties. These proposals were communicated by Notification to contracting or signatory states dated 14 December 1984 (see Doc. 5.45 Annex 1). At a later stage, Austria and Nepal informed the Secretariat that they were withdrawing their proposals, Nepal indicating that they were instead supporting the similar proposals made by China and India respectively. In addition, as one of the proposals was submitted by two Parties, the total number of proposals to be considered at the fifth meeting of the Conference of the Parties is 98 (see Doc. 5.44 and Doc. 5.45 Annex 2) including five proposals submitted pursuant to Resolution Conf. 3.15 on Ranching.

d) Amendments to Appendix III

In 1984 the following amendments were made to Appendix III:

- On 13 February 1984, entry into force of the inclusion of seven species of snake at the request of India (see Annual Report of the Secretariat, 1983).
- On 14 March 1984, deletion of the giant panda (Ailuropoda melanoleuca) following the entry into force of its inclusion in Appendix I on the same date.

4. Reservations

Article XXIII of the Convention enables states to enter specific reservations with regard to species included in Appendix I, II or III, similarly, Article XV, paragraph 3, and Article XVI, paragraph 2, provide for specific reservations in the case of amendments to the appendices.

The list of reservations as communicated to the Parties in the 1983 Annual Report of the Secretariat (Notification to the Parties No. 325 of 19 November 1984) underwent the following changes during 1984:

- On 1 January 1984, entry into force of the withdrawal of the reservations entered by Denmark with regard to all species and all parts and derivatives thereof included in Appendix III, and by Italy with regard to Chelonia mydas, Caïman latirostris, Crocodylus cataphractus, Crocodylus niloticus and Crocodylus porosus -211 listed in Appendix I. This was already mentioned in the 1983 Annual Report of the Secretariat.
- On 10 December 1984, withdrawal of the reservations entered by France with regard to Chelonia mydas, Eretmochelys imbricata, Melanosuchus niger, Crocodylus cataphractus, Crocodylus niloticus, Crocodylus porosus -211 and Osteolaemus tetraspis listed in Appendix I.

Consequently, the specific reservations in force on 1 January 1985 are the following:

Appendix I

F A U N A

MAMMALIA

CARNIVORA

Canidae	<u>Canis lupus</u> +201	Switzerland
Ursidae	<u>Ursus arctos isabellinus</u>	Switzerland
Mustelidae	<u>Lutra lutra</u>	USSR
Felidae	<u>Felis caracal</u> +203 <u>Felis rubiginosa</u> +204	Switzerland Switzerland

CETACEA

Physeteridae	<u>Physeter macrocephalus</u>	Japan, Norway
Ziphiidae	<u>Berardius</u> spp. <u>Berardius bairdii</u> <u>Hyperoodon</u> spp.	USSR Japan USSR

Balaenopteridae	¹ <u>Balaenoptera acutorostata</u> -103	Brazil, Japan, Norway, Peru, USSR
	<u>Balaenoptera borealis</u> (reservation not applicable to stocks (A) in North Pacific and (B) in area from 0 degree longi- tude to 70 degrees east longitude, from the equator to the Antarctic Continent)	Japan, Norway
	Stocks (A) in North Pacific and (B) in area from 0 degree longi- tude to 70 degrees east longitude, from the equator to the Antarctic Continent of <u>Balaenoptera borealis</u>	USSR
	<u>Balaenoptera edeni</u>	Brazil, Japan, Peru, USSR
	<u>Balaenoptera physalus</u> <u>Balaenoptera physalus</u> (reservation not applicable to stocks (A) in North Atlantic off Iceland, (B) in North Atlantic off Newfoundland and (C) in area from 40 degrees south latitude to Antarctic Continent, from 120 degrees west longitude to 60 degrees west longitude)	Japan USSR
	Stocks (A) in North Atlantic off Iceland, (B) in North Atlantic off Newfoundland and (C) in area from 40 degrees south latitude to Antarctic Continent, from 120 degrees west longitude to 60 degrees west longitude of <u>Balaenoptera physalus</u>	Norway
Balaenidae	¹ <u>Caperea marginata</u>	Brazil, Peru
ARTIODACTYLA		
Cervidae	<u>Moschus moschiferus</u>	Japan
Bovidae	<u>Pantholops hodgsoni</u>	Switzerland
<u>AVES</u>		
GRUIFORMES		
Otididae	<u>Chlamydotis undulata</u>	Switzerland

¹ This reservation will become effective on 1 January 1986 only, the date of entry into force of the inclusion of this species in Appendix I.

COLUMBIFORMES

Columbidae Caloenas nicobarica Switzerland

REPTILIA

TESTUDINATA

Cheloniidae Chelonia mydas
(reservation not applicable to
the Australian population) Japan, Suriname
Eretmochelys imbricata Japan
Lepidochelys olivacea Japan

Dermochelyidae Dermochelys coriacea Suriname

CROCODYLIA

Crocodylidae Crocodylus cataphractus Austria, Zambia
Crocodylus niloticus Botswana, Sudan,
Zambia, Zimbabwe
Crocodylus porosus -111 Austria, Japan,
Thailand
Crocodylus siamensis Thailand

SAURIA

Varanidae Varanus bengalensis Japan, Thailand
Varanus flavescens Japan
Varanus griseus Japan

F L O R A

ORCHIDACEAE Renanthera imschootiana Switzerland
Vanda coerulea Switzerland

Appendix II

F A U N A

MAMMALIA

CARNIVORA

Canidae Canis lupus USSR

Felidae Felis lynx USSR

ARTIODACTYLA

Cervidae Moschus moschiferus Japan

AVES

GRUIFORMES

Turnicidae Turnix melanogaster Switzerland

Pedionomidae Pedionomus torquatus Switzerland

PSITTACIFORMES spp. -109

(reservation not applicable to:

Amazona agilis

Amazona collaria

Anodorhynchus hyacinthinus

Ara spp.

Cacatua (=Kakatoe) tenuirostris

Calyptorhynchus lathami

Coracopsis spp.

Cyanoramphus malherbi

Cyanoramphus unicolor

Eunymphicus cornutus

Neophema splendida

Poicephalus robustus

Polytelis alexandrae

Probosciger aterrimus

Prosopeia spp.

Psephotus (=Northiella)

haematogaster narethae

Psittichas fulgidus

Tanygnathus lucionensis

Trichoglossinae spp.)

Liechtenstein,
Switzerland

(reservation not applicable to:

Cyanoliseus patagonus byroni)

Liechtenstein

REPTILIA

SAURIA

Varanidae Varanus salvator Thailand

SERPENTES

Boidae Python molurus bivittatus Thailand
Python reticulatus Thailand

PISCES

CYPRINIFORMES

Cyprinidae

Caecobarbus geertsi

Liechtenstein,
Switzerland

MOLLUSCA

ANISOMYARIA

Mytilidae

Mytilus chorus

Switzerland

In addition, Austria entered a reservation with respect to all amendments to Appendices I and II adopted at the fourth meeting of the Conference of the Parties held in Gaborone (Botswana) from 19 to 30 April 1983.

Interpretation

- 103 Except: population of West Greenland
-109 Except: Melopsittacus undulatus, Nymphicus hollandicus
and Psittacula krameri
-111 Except: Population of Papua New Guinea
+201 Populations of Bhutan, India, Nepal and Pakistan
+203 Asian population
+204 Indian population

5. Missions

In between the fourth meeting of the Conference of the Parties (Gaborone, Botswana 19 - 30 April, 1983) and the fifth meeting (Buenos Aires, Argentina, 22 April - 3 May 1985) the following countries were visited by Secretariat staff members or consultants:

Parties (47)

Argentina	Denmark
Bahamas	France
Belgium	Federal Republic of Germany
Bolivia	Guatemala
Botswana	Guyana
Cameroon	Hong Kong (U.K.)
Canada	India
Central African Republic	Italy
Chile	Japan
China	Kenya
Colombia	Liberia
Congo	Malawi
Costa Rica	Malaysia

Monaco
Norway
Paraguay
Peru
Portugal
Saint Lucia
Sudan
Suriname
Sweden
Switzerland
Thailand

Trinidad and Tobago
United Arab Emirates
United Kingdom
United Republic of Tanzania
United States of America
Uruguay
Venezuela
Zaire
Zambia
Zimbabwe

Non-Parties (8)

Chad
Ethiopia
Gabon
Jamaica
Mexico
Somalia
Singapore
Spain

6. Meetings

The following CITES meetings arranged by the Secretariat took place in 1984:

- June 18 - 23 Brussels (Belgium): Seminar on CITES Implementation in Africa
- June 25 - 29 Brussels (Belgium): first meeting of the Technical Committee
- July 2 - 6 Gland (Switzerland): 11th meeting of the Standing Committee
- October 1 - 12 Kuala Lumpur (Malaysia): Seminar on CITES Implementation in Asia and Oceania
- October 5 - 8 Kuala Lumpur (Malaysia): meeting of the regional co-ordinators of the Technical Committee
- December 6 - 7 Lausanne (Switzerland): meeting of the TEC Working Group on Significant Trade in Appendix II Species.

7. Documentation

During the first quarter of 1984, the Secretariat distributed the two volumes (1184 pages) of the Proceedings of the Fourth Meeting of the Conference of the Parties (Gaborone, Botswana, 19 - 30 April 1983). The preparation of the Proceedings represented a heavy administrative workload for the Secretariat including the entire editing, translation in three languages, typing and duplicating work. It is recommended that the next proceedings be substantially reduced, for example by excluding the working documents and/or the supporting statements of the amendment proposals, all of which will have been provided already to all the Parties.

In 1984, the Secretariat sent 43 Notifications to the Parties as well as 2 Notifications to contracting or signatory states of the Convention through diplomatic channels with a copy to the Management Authorities (see Annex 1). These Notifications have been sent in English, French and Spanish simultaneously. Several of the Notifications were accompanied by various informative documents, including WTMU TRAFFIC bulletins, sample permits and certificates and amending pages for the Directory.

8. National Management Authorities, Scientific Institutions and Reports

The Directory sent to Parties under Notification to the Parties No. 139 of 5 June 1980 has been updated regularly during 1984, in order to incorporate sheets concerning new Parties and to inform all Parties of changes affecting existing sheets.

During 1984, several Parties communicated to the Secretariat lists of Scientific Institutions which they have registered in accordance with Resolution Conf. 2.14 of the San José meeting to entitle them to the exemptions provided by Article VII, paragraph 6, of the Convention, for commercial loan, donation or exchange of museum and herbarium specimens. These lists and the adjunctions made by some Parties or the information that no institutions have been so registered, were the subjects of Notifications to the Parties.

Article VIII, paragraphs 6 and 7, of the Convention provide for the keeping of national trade records on CITES species, and for the submission of annual and biennial reports by the Parties. Resolution Conf. 2.16 of the San José meeting called for the submission of annual reports not later than 31 October of the year following the year for which a report was due. The compilation of the statistical data submitted for 1982 was produced by WTMU in April 1984 and distributed to the Parties in May 1984. This tabulation included reports from only 31 of the 77 states Parties to the Convention at the end of 1982. The 1983 data were due to be produced in comparative tabulation form in December 1984. However, since many Parties failed to submit annual reports for 1983 in time, and since most of the major trading Parties were included in this category, production of the tabulation was, once again, postponed pending receipt of the relevant annual reports. Of the 81 states Parties to the Convention at the end of 1983, only 31 had submitted reports for 1983 by the end of December 1984. The accuracy, completeness and timeliness of submission of annual reports is still giving rise to serious concern, although there are some signs of small improvements.

During 1984, the Secretariat distributed copies of several annual reports received in sufficient numbers for such distribution.

9. External Relations

Continued relations have been maintained with inter-governmental organizations, non-governmental organizations, trade associations and organizations and fora having a common interest with CITES. These relations involved, amongst others, United Nations system (UNEP, UNDP, FAO, et al.), European Economic Community, International Whaling Commission, International Air Transport Association, Airport Associations Coordinating Council, WWF national organizations, International Fur Trade Federation, Pet Industry Joint Advisory Council, TRAFFIC network, and Interpol.

The Secretariat intends to reinforce these links for the purposes of consolidating the pursuit of common objectives. Areas of common interest must be jointly explored to improve efficiency and reduce costs related to activities. The creation within the Secretariat of a Special Projects Unit will greatly facilitate the improvement of external relations.

10. Public Information

In view of the heavy workload created in 1984 by the organization and conduct of two seminars on CITES implementation (Brussels, Kuala Lumpur), the Secretariat was not in a position to do as much as it intended with respect to public information, which remains one of the main priorities of the Secretariat.

However, some progress has been made in this field in 1984:

- a) At the end of 1984, approximately 35 airports around the world were displaying CITES showcases thanks to the co-operation of NGOs, the Airport Associations Coordinating Council and the Management Authorities.
- b) Contacts have been made with the Smithsonian Institute in the United States of America to develop a movie which will demonstrate the necessity of protecting endangered species by showing their importance for mankind.
- c) Contacts have been made with museums to encourage them to concentrate more on education with respect to endangered species. Some have agreed to set up special displays on CITES.
- d) The Secretariat has produced its first official brochure on CITES, in the three working languages of the Convention. The brochure was distributed to all Parties and to several NGOs throughout the world. Several requests have been received by the Secretariat for additional copies. Furthermore the Secretariat:
 - has sent copies to IATA which have been passed to all their airline members in the hope that they could be used on certain routes for distribution to passengers;
 - intends to contact, in the near future, travel agencies' national organizations which could offer the brochure to their customers travelling to specific areas.

11. Security Stamp

The Security Stamp as decided by the Conference of the Parties at the New Delhi meeting (Resolution Conf. 3.4) was finally produced in early 1984, and distributed to Parties. At the end of 1984 a total of 30 Parties have indicated to the Secretariat that, as of specific dates, all permits issued by the Management Authority will bear the Security Stamp.

The Secretariat urges all Parties to use the Security Stamp which represents a major step towards eliminating both fraud and forgery.

12. Seminars on CITES Implementation

a) Brussels

The second regional seminar on the implementation of the Convention was held for African Parties in Brussels from 18 to 23 June 1984. Organized by the Secretariat with the material and financial assistance of the Commission of the European Communities, the United Nations Environment Programme and European Parties to the Convention, it was attended by 38 representatives of 30 Parties, one non-Party was also represented.

The scope of this seminar was the discussion of certain practical aspects of administering the Convention, the organization of Management Authorities, the issue of permits, the communication between Parties and with the Secretariat, the recognition and labelling of specimens, and the understanding of the treaty itself.

Besides an improvement in each country's individual understanding of the Convention, a significant strengthening of the relationship between countries was accomplished. Illustrative of the new cohesion developed at the Brussels Seminar are a number of resolutions adopted by the representatives and which were widely used by the following meeting of the Technical Committee and gave rise to draft resolutions now tabled with the fifth meeting of the Conference of the Parties.

b) Kuala Lumpur

The third regional seminar was held for the Asian and Oceanian regions in Kuala Lumpur from 1 to 12 October 1984. Also organized by the Secretariat with the material and financial assistance of the Government of Malaysia, the United Nations Environment Programme, the Government of the United States of America and WWF-Malaysia, it was attended by 31 representatives of 18 Parties, and 3 representatives of one non-Party.

While the objectives were the same as for the two previous seminars, again, the reinforcement of the links between Parties at the regional level constitutes, in the Secretariat's opinion, a major achievement towards better implementation of the Convention. A total of 8 resolutions were approved by the Seminar, some for further consideration by the Conference of the Parties, or the Technical Committee, or the Secretariat.

13. Problems of Enforcement

Article XIII of the Convention instructs the Secretariat to communicate to Management Authorities any specific trade threats or apparent non-compliance with the Convention which may concern them. Parties receiving such communications are required to provide relevant information on the matter and on remedial action as appropriate. The information so provided is to be reviewed by the Conference of the Parties which may make whatever recommendations it deems appropriate.

The volume of action under Article XIII of the Convention has continued to increase drastically during the 1983-84 biennium, resulting in several hundred cases being drawn to the Secretariat's attention by the Parties or by other reliable sources of information.

It would be impractical in this report for the Secretariat to report on each case brought to the attention of the Parties. In several cases action has resulted in correction of the situation or at least in creating awareness of possible danger areas. However, in several instances it appears obvious that some Parties do not take seriously the provisions of Article XIII of the Convention. To the Secretariat, the apparent major reason for this situation was proposed in our 1983 report when we stated: "The overall enforcement of the Convention remains the prime source of concern of the Secretariat in its operations. As the Convention expands, it becomes obvious that illegal traders are becoming more sophisticated in their attempts to circumvent the provisions of the Convention and of the national legislation relating to the Convention. This situation would not constitute a major problem if both 'exporting' and 'importing' countries were conscious of the importance of their respective roles and responsibilities and of the usefulness of the double control mechanism developed in the Convention. Unfortunately, it has become evident to the Secretariat that, as a general rule, while most 'exporting' countries make serious and responsible efforts to ensure proper implementation of the Convention (often with limited financial and human resources), some major 'importing' countries appear to be taking advantage of shortcomings on the part of exporting countries by authorizing the importation of illegal goods for so-called economic or legal considerations.

Even more serious is the acceptance by certain importing countries of documentation that can in no way be acceptable as official CITES export documentation. It seems that some countries accept documents having a modicum of officiality to them, sometimes contrary to the advice of the Secretariat declaring them as invalid. This is often done under the pretext that they can not question documents issued by sovereign states."

Failure by Parties to take follow-up action in cases where violations of the Convention have been established beyond doubt, amounts to a breach of the responsibilities placed on the Parties by Article VIII of the Convention.

However, on the enforcement side some major improvements have been made in 1984. Up to the end of 1983, it was generally accepted and recognized that two non-Parties (Belgium and Singapore) and one Party (Japan) constituted three of the most important loopholes in the implementation of CITES.

Since Belgium became a Party to the Convention on 1 January 1984, it has made a substantial contribution to the Convention by bringing to a halt that trade in contravention of CITES which used to flourish in its territory.

With respect to Singapore, its interest in CITES has been growing (three Singaporean Government officials attended the Kuala Lumpur Seminar) to the point where its Minister of Environment officially announced in December 1984, the imminent accession to CITES of Singapore.

As far as Japan is concerned, we can confirm that the Government of Japan has taken major steps towards improvement of the situation and that the Secretariat is optimistic about the future of the Convention in Japan.

The Secretariat urges those Parties which have not yet succeeded in adopting implementing legislation, to do so on an urgent basis. In this respect, the Secretariat, in co-operation with the IUCN Environmental Law Centre, is developing a project the objective of which will be to provide assistance, to those Parties needing it, for the drafting of implementing legislation.

14. Administration and Finances

a) Administration

The administration of the Secretariat has experienced a major change during 1984 which has and will have substantial influence on the financial operations of the Secretariat.

As a result of a recommendation by the Standing Committee, the Executive Director of UNEP decided to bring to an end the arrangement with IUCN for the provision of the Secretariat and to establish it as a unit of UNEP. This took place on 1 November 1984. At the same time the Secretariat relocated itself in Lausanne, Switzerland.

The financial basis for the Secretariat for 1984 was provided by Resolutions Conf. 4.2 and Conf. 4.3 adopted at the fourth meeting of the Conference of the Parties (Gaborone, 1983). Terms of Reference for the Administration of the Trust Fund and the 1984-85 budget estimates adopted at the Gaborone meeting have served as guidelines for the financial operations of the Secretariat.

With respect to administration, the new structure has allowed for an increase of the staff by two members, without increasing the cost to the Parties. First by re-allocating financial resources previously allocated for photocopying and mailroom services, it has been possible to hire a copier operator/messenger. Furthermore, the Executive Director of UNEP has decided to provide to the Secretariat, out of the 13% retained from the Trust Fund for administrative costs, the services of one Administrative Assistant.

At the moment, the Secretariat comprises nine staff members (4 professional and 5 support). However, it is anticipated that by the end of 1985 the strength of the staff will be brought up to 15 (at no extra cost to the Parties) in the following manner:

- the confirmed secondment by the Government of Japan of a professional staff member to the Secretariat for a period of two years;
- the confirmed contribution by the International Fur Trade Federation of US\$ 25,000 per year for two years towards the Special Projects Unit which allows for the hiring of one support staff member;
- the secondment by the Government of the People's Republic of China of one professional staff member;
- the possibilities of external funding (some already confirmed) covering two staff members (one professional, one support) for the Ivory Unit;
- the recommendation by the Secretariat to the Conference of the Parties to hire one other support staff as of 1 January 1986.

The organization chart attached as Annex 2 reflects the anticipated structure of the Secretariat as of 1 January 1986.

The Secretariat hopes that, as recommended by Resolution Conf. 3.4, the examples set by the Governments of Japan and the People's Republic of China will be followed by other Parties to the Convention and that other substantial external funding will be provided to assure the possibilities for the Secretariat to continue to provide adequate services to the Parties.

b) Finances

As most of the financial considerations are dealt with in documents Doc. 5.9, 5.10 and 5.11, this chapter deals only with the contributions aspect of our financial operations.

The following Parties were in arrears of their contributions as of 31 December 1984:

	US\$
Algeria	802.00
Argentina	14,102.88
Bahamas	74.00
Bangladesh	638.00
Belgium	9,469.00
Benin	43.00
Bolivia	74.00
Brazil	10,283.00
Cameroon	74.00
Canada	911.00
Central African Republic	130.00
Congo	111.80
Costa Rica	53.34
Gambia	285.94
German Democratic Republic	39,742.66 *
Ghana	148.00
Guatemala	148.00 (paid in 1985)
Guinea	74.00
Guyana	74.00
India	2,664.00 (paid in 1985)
Islamic Republic of Iran	1,577.90
Italy	3,662.73 (paid in 1985)
Liberia	74.00
Madagascar	130.73 (paid in 1985)
Malawi	173.28
Mauritius	17.27
Morocco	653.65
Mozambique	74.00
Nicaragua	74.00
Niger	285.94
Paraguay	187.46
Peru	1,198.76
Philippines	1,233.30
Rwanda	232.60
Senegal	180.91
Seychelles	74.00
Sri Lanka	74.00

* Have written to UNEP to confirm that they will not contribute until the financial amendment is in force.

Sudan	126.00
Thailand	970.20
Togo	148.47
Trinidad and Tobago	148.00
Tunisia	222.00 (40.38 paid in 1985)
U.S.S.R.	313,227.40
United Arab Emirates	3,303.40
United Republic of Tanzania	107.54
U.S.A.	42,596.00
Uruguay	796.84
Venezuela	1,233.00
Zaire	300.92
Zimbabwe	407.75
Total	416,923.79

Continued failure to contribute and to respond to the repeated communications of the Secretariat on the subject might best be construed as a lack of commitment to, and respect for, the Convention, the other Parties, UNEP and the Secretariat. Such failure, particularly when involving amounts forming a considerable portion of the total contributions, places a heavy burden on the contributing Parties, who, as a result are subsidizing the participation of non-contributing Parties at meetings of the Conference of the Parties as well as with respect to the services provided to non-contributing Parties by the Secretariat.

Since the Parties are responsible for financing all the activities of the Convention as of 1 January 1984, it is imperative that all Parties contribute financially, and do so within a reasonable time frame, to permit the Secretariat to undertake rational and efficient allocation of funds within the budget.

The following Parties have never contributed to the Trust Fund and are, thus, in arrears for the following amounts, as of 31 December 1984:

	US\$
- Union of Soviet Socialist Republics	313,227.40
- German Democratic Republic	39,742.66
- United Arab Emirates	3,303.40
- Thailand	970.20
- Bangladesh	638.02
- Zimbabwe	407.75
- Gambia	285.94
- Niger	285.94
- Rwanda	232.60
- Malawi	173.28
- Sudan	126.00
- Congo	111.82

15. Conclusion

CITES has developed, over the years, into a powerful international tool. It has become an international instrument which is capable of finding the right balance between economic interests and conservation requirements. With the support of the Parties, the NGOs, trade associations and other international organizations, the Secretariat intends to pursue this objective as provided for in the preamble of the Convention.

We believe that 1984 has marked substantial progress for CITES: a more appropriate structure has been provided for the Secretariat; implementation of the Convention has become more efficient by the completion of our seminar programme and the use of the security stamp; general awareness and consciousness of the Convention has also progressed, although on a more modest scale; membership has increased; external funding has been secured for various projects.

Despite all of these encouraging signs, the Secretariat is deeply concerned that the absence of financial commitment by certain Parties represents a threat to the smooth operation of CITES activities. It is, therefore, strongly recommended that the Parties address this issue as a matter of urgency and importance.

NOTIFICATIONS TO THE PARTIES

<u>No.</u>	<u>Subject</u>	<u>Date issued</u>
283	United Republic of Tanzania - Export Ban on <u>Agapornis personata</u>	15.03.1984
284	Zaire - Trade in Grey Parrots	15.03.1984
285	Index of Species Mentioned in Legislation	15.03.1984
286	Control of Captive Breeding Operations in Appendix I Species (continuation)	15.03.1984
287	Control of Parts and Derivatives (continuation)	15.03.1984
288	Scientific Institutions Entitled to the Exemption Provided in Article VII, Paragraph 6, of the Convention (continuation)	15.03.1984
289	Transmission of Documents	15.03.1984
290	Trade with States not Party to the Convention Authorities Issuing Documentation Comparable to CITES Permits and Certificates	18.05.1984
291	List of Species and Stocks of Whales Protected by the International Whaling Commission	18.05.1984
292	Relationship between Resolution Conf. 2.11 and Conf. 4.13	18.05.1984
293	Bolivia - False Export Permits	18.05.1984
294	Malaysia - Export Ban of Macaques	18.05.1984
295	Identification Manual - Colour Pages on Furskins - Special Orders	18.05.1984
296	Eleventh Meeting of the Standing Committee	18.05.1984
297	Reservations - Withdrawal of the Reservations of Italy	18.05.1984
298	Scientific Institutions Entitled to the Exemption Provided in Article VII, Paragraph 6, of the Convention (continuation)	18.05.1984
299	Transmission of Documents	18.05.1984
300	Bolivia - Export Ban on Live Wild Animals	30.05.1984
301	Transmission of Documents for the First Meeting of the Technical Committee	30.05.1984

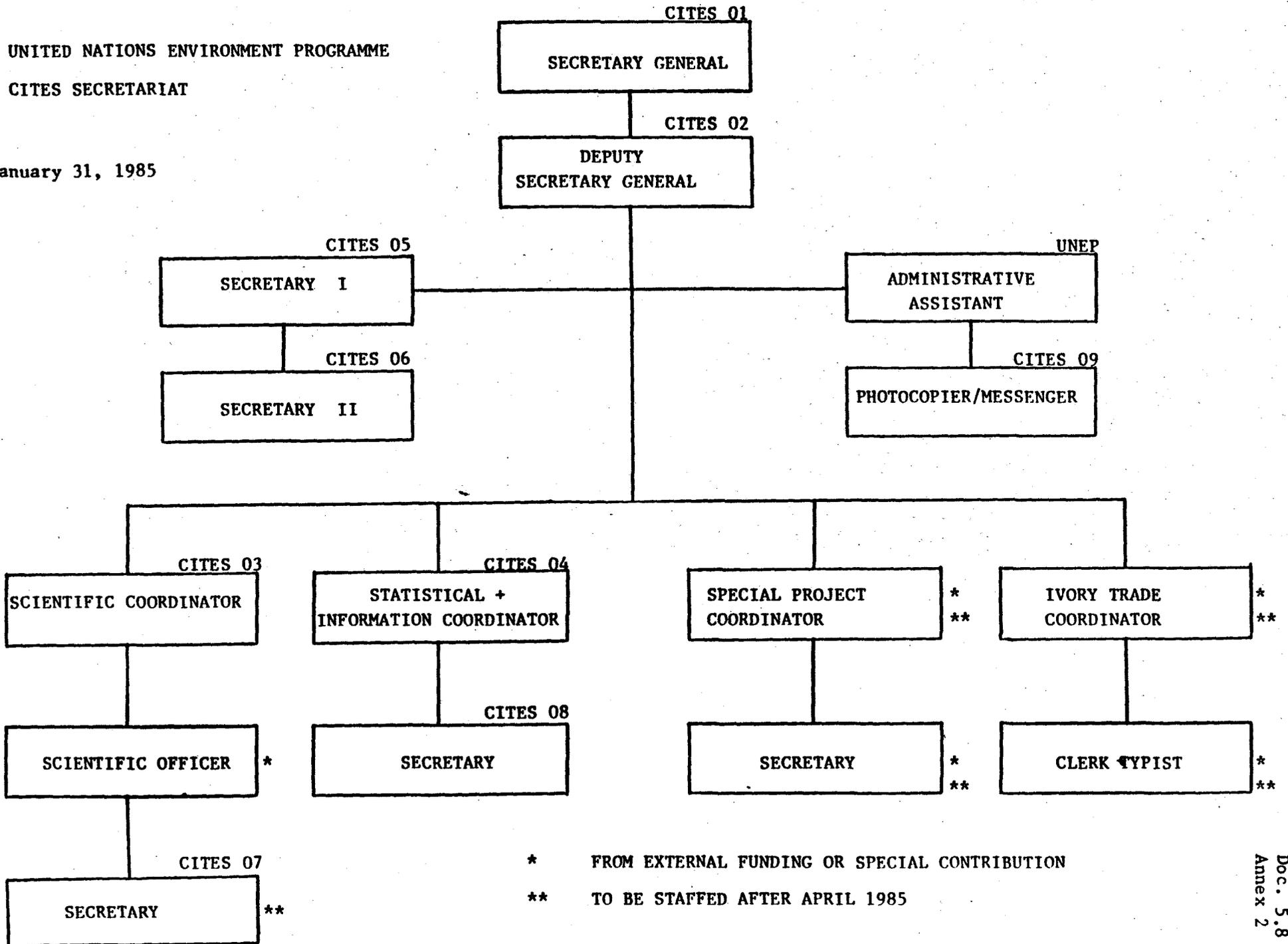
302	Identification Manual - Transmission of New Sheets	11.07.1984
303	Appeal for Prohibition of Ivory Trade with Singapore	23.07.1984
304	CITES Leaflets	09.08.1984
305	Relationship UNEP-IUCN-CITES	28.08.1984
306	Ecuador - Ban on Exports of Wild Fauna and Flora	28.08.1984
307	Implementation of Resolution Conf. 4.10 on Transit	28.08.1984
308	Security Stamps	28.08.1984
309	Sale of Identification Manual	28.08.1984
310	Resolutions Adopted by the Participants at the Seminars of Washington, D.C. and Brussels on CITES Implementation	28.08.1984
311	Control of Captive Breeding Operations in Appendix I Species (continuation)	28.08.1984
312	Control of Parts and Derivatives (continuation)	28.08.1984
313	Scientific Institutions Entitled to the Exemption Provided in Article VII, Paragraph 6, of the Convention (continuation)	28.08.1984
314	Transmission of Documents for the First Meeting of the Technical Committee (continuation)	28.08.1984
315	Transmission of documents	28.08.1984
316	Move of the CITES Secretariat	03.10.1984
317	Fifth Meeting of the Conference of the Parties Information to Participants	19.11.1984
318	Pakistan - Hunting, Trapping and Export Ban	19.11.1984
319	Illegal Trade from Paraguay	19.11.1984
320	1983 Expenditure - Auditor's Report	19.11.1984
321	CITES Secretariat Library	19.11.1984
322	Botswana - Offer of Cheetah Skins	19.11.1984
323	Security Stamps	19.11.1984
324	Control of Captive Breeding Operations in Appendix I Species (continuation)	19.11.1984
325	Transmission of Documents	19.11.1984

UNNUMBERED NOTIFICATIONS ISSUED TO CONTRACTING OR SIGNATORY STATES

<u>Subject</u>	<u>Date Issued</u>
Move of the CITES Secretariat	08.10.1984
Amendments to Appendices I and II of the Convention	14.12.1984

- UNITED NATIONS ENVIRONMENT PROGRAMME
 - CITES SECRETARIAT

January 31, 1985



* FROM EXTERNAL FUNDING OR SPECIAL CONTRIBUTION
 ** TO BE STAFFED AFTER APRIL 1985

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

Fifth Meeting of the Conference of the Parties

Buenos Aires (Argentina), 22 April to 3 May 1985

Report of the Secretariat

INTERNATIONAL COMPLIANCE CONTROL

1. INTRODUCTION

- 1.1 The third meeting of the Conference of the Parties adopted Resolution Conf. 3.9 on "International Compliance Control" as a result of discussion of the failure of some Parties to effectively enforce the provisions of the Convention. However, whilst some progress has been made in some areas, the Secretariat is extremely disappointed to note that massive violations of the Convention continue to occur and that some of the Parties involved do not appear to wish to take any action to reduce or eliminate this problem.
- 1.2 This issue is also the subject of document Doc. 5.33 submitted by Saint Lucia.
- 1.3 The Secretariat wishes to draw the attention of the Conference of the Parties to the areas which it considers to be of the gravest concern in order that the meeting may discuss the problems in depth and consider ways in which the situation might be remedied.

2. BOLIVIA

- 2.1 Huge quantities of CITES specimens continue to be "exported" from Bolivia. Most of these specimens have been taken illegally in other countries and the great majority are traded in contravention of the Convention. The Secretariat has tried every possible approach to resolve this problem and still the illegal trade flourishes. Forged permits are common, stolen permits are used (even with security stamps), genuine permits cover shipments of illegally acquired or traded specimens. The scale of the illegal trade is vast, involving tens of thousands of specimens. The Secretariat must indicate that very little co-operation has been forthcoming from the Bolivian Government which seems to be strongly promoting the re-export of other Parties' illegally taken wildlife resources. The Secretariat is receiving increasingly frequent reports of the devastation of wildlife in the central region of South America (especially the Pantanal).
- 2.2 The situation with respect to Bolivia is extreme and the Secretariat believes that only an extreme solution will be effective. All other possible solutions have already failed.

3. PARAGUAY

- 3.1 The illegal trade from Paraguay also continues, primarily in furskins and reptile skins. Huge shipments of skins are leaving Paraguay without CITES documents and are finding their way into importing Parties where they become "legal" in one way or another. Whilst the scale of the problem is similar to that of Bolivia, the Secretariat has at least received co-operation from the Government of Paraguay in that there is officially a total prohibition in force and no permits or certificates are being issued. However, the skins continue to be exported in massive quantities and some importing Parties continue either to allow such skins to be imported or to take no effective action to prevent this from happening.
- 3.2 The Secretariat can report at least one optimistic point on this issue and that is the situation with respect to Japan. Until recently, a considerable proportion of the illegal Paraguayan trade went to Japan. However, the Japanese Government has enacted new and more stringent import (and re-export) legislation to implement CITES and the Secretariat is of the opinion that this part of the problem is now near to being effectively resolved, if it has not already been resolved.
- 3.3 Unfortunately, there remains the problem of Paraguayan shipments still finding their way into Europe, and the Secretariat believes that this part of the problem has increased recently.

4. EEC COUNTRIES

- 4.1 Whilst the entry into force of the EEC Regulation on the Implementation in the Community of CITES has undoubtedly had some beneficial effects, it seems to the Secretariat that these beneficial effects have been on relatively minor issues and that the implementation of the Convention in the EEC, and in certain countries in particular, is extremely poor in some major aspects.
- 4.2 Skins of CITES specimens which have left South America or Asia in violation of the Convention continue to find their way into the EEC countries in vast quantities. How this occurs varies from case to case, but the Secretariat believes that the free ports are a significant loophole. It is a fact that CITES controls are not exerted in such free ports and, in this respect, the Hamburg free port in the Federal Republic of Germany is known to be a major conduit through which CITES specimens enter the EEC without CITES documents and without CITES controls.
- 4.3 Attempts by the Secretariat to obtain the co-operation of the relevant Management Authorities in preventing such trade in contravention of the Convention have not achieved their objectives. The imports continue and the Convention is not being enforced with respect to enormous quantities of CITES specimens taken illegally and traded in violation of the Convention.
- 4.4 In this respect, the concern expressed in document Doc. 5.20 appears to cover only the external symptoms of the overall problem and the Secretariat believes that it is necessary, and more important, to examine the underlying reason for such concern. This is the fact that the implementation of the Convention in the EEC can only be as

effective as the weakest points. Since illegal trade is flooding into the EEC through these weakest points, implementation of CITES in the EEC is obviously extremely poor in this respect.

5. CONCLUSIONS

- 5.1 Implementation of the Convention is perfect nowhere. However, there are some areas that stand out as being obviously the most serious problems. Trade from Bolivia and Paraguay and to the EEC countries is believed to be one of the greatest of these (excluding the ivory trade and marine turtle trade which are dealt with elsewhere).
- 5.2 The Secretariat draws the attention of the Parties to these problems to stimulate discussion and to seek urgent and effective solutions.
- 5.3 Finally the Secretariat wishes to emphasize its disappointment at the lack of attention given to these extremely serious problems of failure to implement the Convention. Party states and NGOs often seem to put more effort into the less significant areas and ignore the major problems of massive illegal trade. Effective action to prevent illegal trade from Bolivia and Paraguay is urgently needed and would achieve far more in terms of wildlife conservation than devoting resources to issues of a primarily emotional nature.