

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

Sixth Meeting of the Conference of the Parties

Ottawa (Canada), 12 to 24 July 1987

Interpretation and Implementation of the Convention

CONTROLS ON TRADE IN RANCHED, CAPTIVE-BRED,
LOOK-ALIKE AND QUOTA SPECIES

Report of the Chairman of the Working Group

1. In 1985, the Commission of the European Community had a study carried out concerning the feasibility of methods for the marking of specimens of the species contained in the CITES appendices.

Because of that, the Chairman of the Technical Committee requested the Commission to chair the Working Group on Controls on Trade in Ranched, Captive Bred, Look-alike and Quota Species.

2. At the June 1986 Technical Committee meeting in Lausanne, the Commission of the European Community presented a discussion paper on the issues to be discussed by the Working Group (document Doc. TEC. 2.14) and a copy of the earlier mentioned feasibility study (document Inf. TEC. 2.4). Unfortunately these documents could only be made available just before the meeting and as a result the Working Group was unable to discuss them in any detail.

Other documents considered by the Working Group were documents Doc. TEC. 2.7 on the Implementation of the Export Quotas for Nile and Saltwater Crocodile Skins, prepared by the Secretariat, and Doc. TEC. 2.15 on the Marking of Products of Chelonia mydas from Europa and Tromelin Islands, La Réunion Turtle Farm, prepared by France.

A summary report of the Working Group meeting was presented to TEC and discussed on 27 June 1986 (document WGR. TEC. 2.3).

3. The Technical Committee approved the draft resolution on the Implementation of the Export Quotas for Nile and Saltwater Crocodile Skins, as amended by the Working Group. This draft is attached as Annex 3 to this report.
4. The Technical Committee confirmed the modifications suggested by the Working Group to the proposals for the marking of products from la Réunion Turtle Farm: turtle skins to be marked individually and paper identification labels for cans and bottles containing turtles products are appropriate. It agreed that the French proposals, when account was taken of the comments made and subject to the presentation of samples before or at the meeting of the Conference of the Parties, were satisfactory.

5. The Technical Committee agreed that the Working Group, on the basis of documents Doc. TEC. 2.14 and Inf. TEC. 2.4, would continue its work with regard to the general aspects of its mandate as laid down in Resolutions Conf. 5.16 and Conf. 5.21. The representatives of Canada, France, the Federal Republic of Germany, South Africa, the United Kingdom and the United States of America agreed to participate in this work and the Secretariat and the observer from the International Foundation for the Conservation of Game (IGF) offered their assistance. Unfortunately the number of producer countries in this group was rather limited.

It was impossible to organize a further meeting of the Working Group so that in November 1986 two draft resolutions - one on the control on trade in captive-bred specimens and one on monitoring and reporting procedures for trade in ranched specimens - were circulated to the above-mentioned members. Comments were received from Canada, France, the Federal Republic of Germany, the United Kingdom, the United States, the Secretariat and the IGF.

In the light of these comments, which were on a number of issues rather divergent, revised drafts have been prepared for consideration by the Technical Committee/Conference of the Parties in July 1987. The draft resolutions concerned are attached as Annex 1 and Annex 2 to this document.

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Control Procedures for Commercial Captive Breeding Operations

RECALLING that Article VII, paragraph 4, of the Convention provides that specimens of Appendix I species, bred in captivity for commercial purposes, shall be deemed to be specimens of species included in Appendix II; and that Resolution Conf. 2.12, adopted at the second meeting of the Conference of the Parties (San José, 1979), defines the term "bred in captivity";

RECALLING further that Resolution Conf. 4.15 on the Control of Captive Breeding Operations in Appendix I Species, adopted at the fourth meeting of the Conference of the Parties (Gaborone, 1983), requests the Parties to provide the Secretariat with information on breeding operations in their territories which meet the criteria of Resolution Conf. 2.12 and regularly breed specimens of Appendix I species in captivity for commercial purposes; that the Secretariat, in compliance with that Resolution, has compiled and keeps up to date a Register of such breeding operations, and that Resolution Conf. 4.15 recommends that Parties reject any document granted under Article VII, paragraph 4, if the specimens concerned do not originate from a duly registered operation;

NOTING that, in view of the exemption of Article VII, paragraph 4, of the Convention, trade in captive-bred Appendix I specimens does not require the transfer of populations from Appendix I to Appendix II; that Parties can issue Appendix II permits for Appendix I specimens at their own discretion and that, although the criteria recommended for allowing trade in captive-bred Appendix I specimens are sufficiently strict, there are - unlike in the case of ranching - no provisions allowing other Parties to assess whether these criteria are met or continue to be met;

AWARE of the enforcement difficulties arising from the fact that the identification of specimens of a same species, but to be treated as either falling under Article III or IV of the Convention, is impossible in the absence of appropriate enforcement and identification tools;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

REQUESTS the Parties, as far as they have not yet done so, to provide the Secretariat with the information referred to in Resolution Conf. 4.15 and paragraphs a) and b) below so that the Secretariat can complete and update the "Register of Operations which Breed Specimens of Species Included in Appendix I in Captivity for Commercial Purposes"; and

RECOMMENDS

- a) that Parties adopt the necessary measures to ensure that already registered breeding operations adopt a marking system for products of the operation that meets as a minimum the requirements of the "uniform marking system" described in Resolution Conf. 5.16 concerning Trade in Ranched Specimens and that they inform the Secretariat thereof;

- b) that any newly established commercial breeding operation be registered only if the Secretariat is fully informed about the operation and the system adopted for the marking of its products, the latter, as a minimum, meeting the requirements of the "uniform marking system" referred to in recommendation a) above;
- c) that for live birds of Appendix I species, the marking system to be adopted be that of the individually marked closed ring of an appropriate size which cannot be removed from the bird's leg after having been applied in the first days of the bird's life, but that where the physical properties of a species do not allow the use of such rings a suitable other marking method be applied;
- d) that where the Secretariat becomes aware of serious problems with regard to registered breeding operations it may, after consultation with the Party concerned, decide that the operation be deleted from the Register;
- e) that the Secretariat undertake, with the assistance of the Parties concerned, a thorough review of the register every four years;
- f) that any document issued in compliance with Article VII, paragraph 4, of the Convention, concerning specimens of Appendix I species bred in captivity for commercial purposes, mention the individual marks of the specimens and that as of 1 January 1988 such documents be not accepted by other Parties for specimens which are not marked or where the individual marks are not contained in the documents concerned; and
- g) that, in compliance with Resolution Conf. 5.9. on the Control of Readily Recognizable Parts and Derivatives, Parties consider all marked products declared as coming from registered breeding operations to be readily recognizable.

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Monitoring and Reporting Procedures for Ranching Operations

RECALLING that Resolution Conf. 3.15, adopted at the third meeting of the Conference of the Parties (New Delhi, 1981), lays down criteria and conditions for the transfer of populations from Appendix I to Appendix II in order to conduct a ranching operation, and that Resolution Conf. 5.16, adopted at the fifth meeting of the Conference of the Parties (Buenos Aires, 1985), contains detailed recommendations on trade in ranched specimens, in particular with regard to their marking;

CONSIDERING that the criteria laid down in Resolution Conf. 3.15 are sufficiently strict to assess the risks and benefits for the survival of the species or population in the wild, but that the way in which this assessment and that concerning the requirement that the operation continues to meet these criteria are to be carried out requires the establishment of additional procedures;

CONSIDERING that Resolution Conf. 3.15 - unlike Resolution Conf. 5.21 adopted at the fifth meeting of the Conference of the Parties (Buenos Aires, 1985) - does not contain the necessary mechanism for transferring populations back to Appendix I if it is established that a ranching operation no longer meets the criteria;

CONSIDERING that proper monitoring of and reporting on trade in ranched specimens are only possible if all importing countries consider all products of the operation to be readily recognizable, which is facilitated by the fact that, following Resolution Conf. 5.16, all such specimens are to be marked;

RECOGNIZING that the Technical Committee has not been in a position to fully cover the issues it was directed to address, under Resolutions Conf. 5.16 and Conf. 5.21, before the sixth meeting of the Conference of the Parties; that, therefore, the Technical Committee should continue this work and, if necessary, develop further recommendations for consideration at the seventh meeting;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RESOLVES

- a) that where this is deemed necessary to arrive at a proper judgement of the merits of a proposed ranching operation, i.e. of the risks and benefits thereof for the survival of the species and/or a population thereof in the wild, an independent scientific and/or technical assessment be carried out by or on behalf of the Secretariat, in consultation with the Standing Committee and the Party making the proposal;
- b) that in order to facilitate the task of the Secretariat, laid down in paragraph c) vi) of Resolution Conf. 3.15, i.e. of assessing the performance of ranching operations with a view to satisfying the Parties that the criteria continue to be met, annual reports on all relevant aspects of the ranching operation be submitted to the Secretariat by the Party concerned;

these reports should in particular contain any new information on:

- i) the status of the wild population concerned;
 - ii) the number of specimens (eggs or young) taken annually from the wild;
 - iii) an estimate of the percentage of the total production of the population taken;
 - iv) the number of animals released and their survival rates estimated on the basis of surveys and tagging programmes, if any;
 - v) the mortality rate in captivity and causes of such mortality;
 - vi) sales, exports and quality of the products; and
 - vii) conservation programmes and scientific experiments carried out in relation to the ranching operation or the wild population concerned;
- c) that for the same purposes as described under b), interim reports be submitted to the Secretariat on any matter negatively affecting the functioning of the ranching operation or the wild population of the species involved;
- d) that - in consultation with the Standing Committee and the Party concerned - the Secretariat should have the option to visit and examine a ranching operation whenever circumstances require it to do so; and
- e) that where the Secretariat becomes aware of serious problems with regard to a ranching operation, it inform the Standing Committee, which in turn may, after consultation of the Party concerned, request the Depositary Government to prepare a proposal to transfer the population concerned back to Appendix I;

RECOMMENDS that, in compliance with Resolution Conf. 5.9 on the Control of Readily Recognizable Parts and Derivatives, Parties consider all products of ranching operations to be readily recognizable; and

DIRECTS the Technical Committee to continue its review of and the development of recommendations concerning the issues referred to in the directives contained in Resolution Conf. 5.16 in particular on the basis of document Doc. TEC. 2.14 and the feasibility study on the marking of specimens (document Inf. Tec. 2.4).

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Implementation of the Export Quotas for
Nile and Saltwater Crocodile Skins

CONSIDERING that the populations of the Nile crocodile (Crocodylus niloticus) and the saltwater crocodile (Crocodylus porosus) of some countries have been transferred from Appendix I to Appendix II subject to specified annual export quotas;

CONSIDERING also that this quota system has been established to ensure that the annual take is sufficiently safe so as not to endanger the survival of the species in the wild in each of those countries;

RECOGNIZING that the actual export of skins may not be possible or desirable in the same year as that of their actual collection and that this should not prevent the acceptance of properly tagged skins in trade;

RECOGNIZING further that the validity of export permits may go beyond the end of the year of issuance;

AWARE that the implementation of the quota system shall remain as strict as possible in order to avoid abuses, but also that under Resolution Conf. 5.21, adopted at the fifth meeting of the Conference of the Parties (Buenos Aires, 1985), such abuses may lead to a transfer of the population of the country involved back to Appendix I;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS

- a) that Parties endeavour to have the quota skins actually tagged in the year of their taking where their populations of Nile crocodiles (Crocodylus niloticus) or saltwater crocodiles (Crocodylus porosus) have been transferred from Appendix I to Appendix II subject to a specified annual quota;
- b) that no export permit for quota skins be issued before legitimately taken skins are tagged and presented to the issuing Management Authority;
- c) that tags not used for skins taken in a given year be destroyed so as to prevent their use for skins taken in another year;
- d) that the Parties concerned send to the Secretariat a report showing the number of tags used and not used at the end of each calendar year, and that this information be communicated to the other Parties by the Secretariat and included in the annual report of the Parties concerned; and
- e) that the annual report also include details on the size of the skins exported.