

**Interpretation and Implementation of the Convention**  
**Review of the Resolutions of the Conference of the Parties**

CONSOLIDATION OF VALID RESOLUTIONS

1. This document has been prepared by the Secretariat on behalf of the Standing Committee in the context of the second phase of the process of review and consolidation of Resolutions.
2. It should be recalled that the general objective in the consolidation is to put together the text of Resolutions dealing with a single subject, using the existing texts as far as possible while eliminating discrepancies and inconsistencies, clarifying the meaning, standardizing the terms used, correcting grammatical errors, updating parts that are out of date and eliminating parts that are defunct.
3. At the 36th meeting of the Standing Committee (Geneva, January/February 1996), the Secretariat presented two draft consolidated resolutions, one on cetaceans and the other on ranching and trade in ranched specimens. A number of comments were made during the discussions and it was agreed that any further comments should be sent to the Secretariat at least 60 days before the 37th meeting of the Committee. The Secretariat received comments from the United Kingdom and from the United States of America and took these into account in revising the draft consolidated resolutions.
4. The revised versions were presented at the 37th meeting of the Standing Committee (Rome, December 1996). During the discussion, some members of the Committee expressed their own views about certain elements of the draft consolidated resolutions. The only change agreed by the Committee was that the draft consolidated resolution on ranching should not include the text of Resolution Conf. 9.20. The Standing Committee also agreed to recommend that a working group be established at the 10th meeting of the Conference of the Parties to review the drafts and to discuss possible philosophical differences in the approach to the process of consolidation.
5. At the 37th meeting of the Standing Committee, the participants were invited to send to the Secretariat comments on the draft consolidated resolutions presented there, to be received by 10 January 1997. None was received. Consequently, the Secretariat is presenting the draft consolidated resolutions in Annexes 1 and 2 to the present document in the same form in which they were presented to the Standing Committee, except that the text of Resolution Conf. 9.20 has been removed from the draft resolution on ranching.
6. However, it should be noted that Japan and the Animals Committee (see documents Doc. 10.34 and Doc. 10.69 respectively) have submitted proposals to amend existing Resolutions that are subject to the consolidation. It is therefore worth emphasizing that the Conference of the Parties should consider and, if appropriate, adopt the attached draft consolidated resolutions before the afore-mentioned documents, so that, if amendments are made, they are made to the consolidated resolutions rather than to the current texts.
7. The preambles in the attached draft consolidated resolutions are based on the preambles of the Resolutions specified in emboldened figures in brackets at the end of the preambular paragraphs. The Secretariat has used its discretion to suggest consolidations, deletions and other amendments, including minor editorial amendments.
8. In the attached draft consolidated resolutions, the changes to the operative parts of current Resolutions are italicized. On the right of each paragraph in the operative parts is indicated the section of each existing Resolution from which the text has been taken. The symbol + indicates that the paragraph has been amended only to improve the grammar, clarity or consistency. The symbol # indicates that the paragraph has been amended in substance for the reasons stated.
9. Regrettably, the Secretariat's work load has precluded the production of additional draft consolidated resolutions. However, the Secretariat will produce further draft consolidated resolutions for consideration at the 11th meeting of the Conference of the Parties.
10. The draft consolidated resolutions in Annexes 1 and 2 are submitted for approval by the Conference of the Parties.

**Doc. 10.24 Annex 1**

Resolutions Relating to Cetaceans

- a) At present there are five resolutions dealing specifically with cetaceans: Resolutions Conf. 2.7 (Rev.), Conf. 2.8, Conf. 2.9, Conf. 3.13 and Conf. 9.12.  
*NB: The United States of America has stated that it does not believe any of these resolutions should be repealed.*
- b) A draft resolution to revise and consolidate these has been prepared by the Secretariat with the following considerations.
  - Conf. 2.7 (Rev.): recommends that Parties be encouraged (by whom is not indicated) to adhere to the International Convention for the Regulation of Whaling rather than actually encouraging them to adhere. It seems appropriate for the Conference directly to encourage the Parties.
  - *NB: At the 36th meeting of the Standing Committee, a comment was made that this Resolution was no longer relevant. However, the Secretariat is not proposing that the essence of the operative paragraph be discarded. The United States of America has noted that the paragraph about consultation with the IWC has been excluded but is important. It has been omitted because it was repealed at the ninth meeting of the Conference of the Parties.*
  - Conf. 2.8: only recommends that Parties try to implement the Convention. This is already an obligation and it is not helpful to put into soft law something that is already in hard law. In keeping with the practice adopted in the process of consolidation, this has not been included in the draft resolution.

*NB: The United States of America has noted that all reference to the provisions of the Convention relating to 'introduction from the sea' has been omitted from the draft consolidated resolution. They felt that these provisions could become more important as marine species were "increasingly subject to discussion in CITES". This is of course correct, but the operative part of Resolution Conf. 2.8 does not refer to these provisions and does not refer to marine species other than cetaceans. The Secretariat continues to believe that it would be appropriate to repeal this Resolution.*

- Conf. 2.9: the preamble refers to the New Management Procedures of the IWC but, although these are still included in the Schedule of the International Convention for the Regulation of Whaling, they are no longer applied and will be replaced; the reference has therefore been deleted. In "RECOMMENDS that the Parties agree", "agree" has been deleted; "under this Convention" is superfluous. Under "REQUESTS", an explanation is now needed of "the stocks referred to by this resolution".

*NB: The United Kingdom has pointed out that IWC's New Management Procedures have been acknowledged to be insufficient and will be replaced by a Revised Management System. The Secretariat has therefore deleted the reference to the New Management Procedures.*

- Conf. 3.13: para. a) recommends that Parties pay attention to the requirements of the Convention regarding cetaceans but this is already an obligation and, in keeping with the practice adopted in the process of consolidation, has not been included in the draft resolution; para. b) recommends that Parties give consideration to Resolution Conf. 2.7, which is already integrated in the draft resolution. Therefore no part of this Resolution has been included in the draft consolidated resolution.

*NB: The United States of America believes that both the operative paragraphs of Resolution Conf. 3.13 should be included in the draft consoli-*

*dated resolution, particularly the part relating to documentation requirements.*

- Conf. 9.12: the first operative paragraph urges Parties to explore "the issue of illegal trade in whale meat and the geographic origin of such meat" but it surely can not have been intended that the Parties should explore the origin of whale meat in general; it must have been intended that they should investigate the origin of whale meat that had been illegally traded. In the same paragraph, at the end, the reference to "such information" is clearly incorrect since no information has been specified; the French text refers to information on this subject and, in the attached draft, the English has been amended to reflect this.

*NB: At the 36th meeting of the Standing Committee, some participants expressed the view that Resolution Conf. 9.12 should not be included in the consolidation; the United States of America also expressed this view in writing subsequently. One of the main purposes of the process of consolidation, set in train by the Standing Committee and the Conference of the Parties, is to ensure that Resolutions on the same subject are dealt with together; Resolutions Conf. 2.7 (Rev.), Conf. 2.9, Conf. 3.13 and Conf. 9.12 all relate to trade in specimens of cetaceans. The Secretariat therefore continues to believe that all should be dealt with in the attached draft consolidated resolution.*

*At the 36th meeting of the Standing Committee, the Secretariat suggested a number of changes that it believed were necessary in the first operative paragraph of Resolution Conf. 9.12. Several participants expressed the view that the text should not be changed. The United Kingdom and the United States of America also expressed this view in writing subsequently. The Secretariat believes that its previous suggestions were appropriate but, in view of the opposition to any change, has reduced the suggested amendments to what it considers the minimum necessary to make sense.*

## DRAFT CONSOLIDATED RESOLUTION

### Cetaceans

*RECALLING Resolution Conf. 2.7, adopted by the Conference of the Parties at its second meeting (San José, 1979) and amended at its ninth meeting (Fort Lauderdale, 1994), and Resolutions Conf. 2.8, Conf. 2.9, Conf. 3.13 and Conf. 9.12, adopted by the Conference of the Parties at its second, third and ninth meetings (San José, 1979; New Delhi, 1981; Fort Lauderdale, 1994);*

CONSIDERING that, for marine species, Article XV, paragraph 2(b), of the Convention requires the Secretariat to consult intergovernmental bodies having a function in relation to those species; **[Conf. 2.7 (Rev.)]**

NOTING that, in accordance with the recommendations of the special working session of the Conference of the Parties (Geneva, 1977), the Secretariat has requested and obtained observer status, and adviser status for trade matters, at meetings of the International Whaling Commission (IWC) and at meetings of the Scientific Committee of the IWC; **[Conf. 2.7 (Rev.)]**

NOTING further that the IWC has requested and obtained observer status at meetings of the Conference of the Parties; **[Conf. 2.7 (Rev.)]**

RECALLING the determination of the *Parties* that international co-operation is essential for the protection of certain

species of wild fauna and flora against over-exploitation through international trade; **[Conf. 2.9]**

NOTING that the IWC has taken increasingly vigorous action to provide for the effective conservation and management of whales, which are of interest to all nations of the world, by establishing limits on the number of whales that may be taken by nationals of its member nations; **[Conf. 2.9]**

NOTING that the IWC has established regulations to protect certain species and stocks from all commercial whaling by nationals of its member nations in order to provide them with protection and the opportunity to recover from over-exploitation; **[Conf. 2.9]**

RECALLING that commercial utilization has caused the rapid depletion of many species and stocks of *great whales* and has resulted in a threat to the survival of a number of these species and stocks; **[Conf. 2.9]**

RECALLING also that the great whales have not generally recovered from the depletion brought about by commercial exploitation, even though many other species of exploited wildlife have recovered from equal or greater degrees of depletion; **[Conf. 2.9]**

OBSERVING that any commercial utilization of species and stocks protected by the IWC jeopardizes their continued existence, and that trade in specimens of these species and stocks must be subject to particularly strict regulation in order not to endanger further their survival; [Conf. 2.9]

NOTING that some unknown level of exploitation of whales may be occurring outside the control of the IWC and that *this* circumvents and diminishes the effectiveness of the protective regime of the IWC and threatens to prevent the recovery of those protected species and stocks; [Conf. 2.9, Conf. 9.12]

WELCOMING the Resolution passed by the IWC at its Special Meeting in December 1978 requesting that *the Conference* of the Parties to the Convention take all possible measures to support the IWC ban on commercial whaling for certain species and stocks of whales; [Conf. 2.9]

CONCERNED about continuing international reports of the discovery of whale meat and products appearing for sale in, or en route to importing countries, from no plausible existing source; [Conf. 9.12]

CONCERNED that the international trade in meat and other products of whales is lacking adequate international monitoring or control; [Conf. 9.12]

RECOGNIZING that the IWC is the major source of information on whale stocks around the world; [Conf. 9.12]

RECOGNIZING further the need for the IWC and CITES to co-operate and exchange information on international trade in whale products; and [Conf. 9.12]

AFFIRMING its concern that any illegal international trade in Appendix-I whale specimens undermines the effectiveness of both the IWC and CITES; [Conf. 9.12]

## THE CONFERENCE OF THE PARTIES TO THE CONVENTION

### Regarding adhesion to the International Convention for the Regulation of Whaling

ENCOURAGES Parties that do not currently adhere to the International Convention for the Regulation of Whaling to do so; Conf. 2.7 (Rev.) #

### Regarding species or stocks protected by the International Whaling Commission

RECOMMENDS that the Parties not issue any import or export permit, or certificate for introduction from the sea, for primarily commercial purposes, for any specimen of a species or stock protected from commercial whaling by the *International Whaling Commission*; and Conf. 2.9 +

REQUESTS that the Secretariat communicate to the Parties a list of such species and stocks and revised versions of this list as necessary; Conf. 2.9 +

### Regarding illegal trade in whale meat

WELCOMES the work of the IWC in this respect and URGES CITES Parties to explore the issue of illegal trade in whale meat and the geographic origin of *illegally traded meat*, and to co-operate with the CITES Secretariat in the collection of information on this subject; Conf. 9.12 under WELCOMES +

ENCOURAGES the IWC to keep CITES Parties fully informed through the CITES Secretariat and the Standing Committee between meetings of the Conference of the Parties on all related developments regarding the illegal trade in whale products; Conf. 9.12, under ENCOURAGES

INVITES all countries concerned to co-operate to prevent illegal trade in whale meat, and to report to the CITES Secretariat on any development regarding this issue; and Conf. 9.12, under INVITES

DIRECTS the Secretariat to share with the IWC any information it collects regarding illegal trade in whale meat; and Conf. 9.12, under DIRECTS

REPEALS the Resolutions listed hereunder:

- a) Resolution Conf. 2.7 (Rev.) (San José, 1979, amended in Fort Lauderdale, 1994) – Relationship with the International Whaling Commission;
- b) Resolution Conf. 2.8 (San José, 1979) – Introduction from the Sea;
- c) Resolution Conf. 2.9 (San José, 1979) – Trade in Certain Species and Stocks of Whales Protected by

the International Whaling Commission from Commercial Whaling;

- d) Resolution Conf. 3.13 (New Delhi, 1981) – Trade in Whale Products; and
- e) Resolution Conf. 9.12 (Fort Lauderdale, 1994) – Illegal Trade in Whale Meat.

## Doc. 10.24 Annex 2

### Resolutions Relating to Ranching and Trade in Ranched Specimens

- a) At present there are five Resolutions dealing specifically with ranching and trade in ranched specimens: Resolutions Conf. 3.15, Conf. 5.16, Conf. 6.22 (Rev.), Conf. 8.22, and Conf. 9.20. Resolution Conf. 7.12 (Rev.) refers to marking of ranched animals but should be incorporated into a consolidated resolution on marking. Resolution Conf. 9.6 recommends that products of ranching operations be considered as readily recognizable and it seems appropriate to record this in the preamble of the following draft consolidated resolution. The Standing Committee decided not to include Resolution Conf. 9.20 in this consolidation.

*NB: The United Kingdom has commented that it is content with the text in the draft consolidated resolution.*

- b) A draft resolution to revise and consolidate the five Resolutions, or parts thereof, dealing directly with ranching has been prepared by the Secretariat with the following considerations.

– Conf. 3.15:

- paragraph a): this contains a parenthetical definition of ranching that is sometimes overlooked; in the following draft resolution it has

been extracted from parentheses and recorded in the first operative paragraph.

*NB: The United States of America has noted that ranching proposals may not be considered by the Conference of the Parties unless the ranching operation concerned is "primarily beneficial to the conservation of the local population". Consequently it has suggested that the term "ranching" be used only when qualified by the phrase "when primarily beneficial to the conservation of the local population". However, these words relate to the criteria for considering proposals rather than to the definition of "ranching" and this is very clear in the attached draft resolution. The Secretariat has therefore not made the suggested change.*

The use of "but" seems incorrect as the two conditions specified are cumulative; 'and' is used in the draft that follows. The second reference to "Parties" must mean the Conference of the Parties and has been changed accordingly.

- paragraph b): the reference to "Parties" should be to the Conference.
- paragraph c): at present, the introductory text reads as follows:

"that for obtaining approval for transfer to Appendix II of the country's populations, or a smaller geographically separate population of the species involved, in order to conduct a ranching operation, the Management Authority submit a proposal to the Secretariat, such a proposal containing the following".

It is not made clear whether the intention is simply to say what the Management Authority should include in a ranching proposal or whether it is to say that a ranching proposal will not be approved if it does not contain these things. It is assumed that the latter is the case and the text has been amended accordingly. Also, the reference to the Management Authority submitting a proposal to the Secretariat has been omitted from the draft consolidated resolution because the procedure for submitting documents is laid down in the text of the Convention.

- paragraph c)v) refers to information required on marking, in proposals to amend the appendices, but this is duplicative of paragraphs f)iii) and g)iii) of Resolution Conf. 5.16 and has therefore been omitted in the attached draft consolidated resolution.
- paragraph c)vi) refers to "the criteria" but does not say which ones; it is presumed that this refers to the criteria contained in paragraph b) and words have been added to clarify this. The words after "met" refer to records that should be kept and reports that should be made; they have been omitted in the draft consolidated resolution because they have been effectively replaced by paragraph a) of Resolution Conf. 6.22 (Rev.)
- paragraph d): the reference to the criteria in paragraphs b) and c) is not correct since the enumerated points in paragraph c) are not criteria. Presumably, however, it was intended that the information referred to should be evaluated

and an appropriate correction has been made to reflect this.

*NB: In document Doc. SC.36.8, the Secretariat suggested the inclusion of text to reflect the need to ensure that the information referred to in paragraph c) was included in proposals. The United States of America has suggested that comments on this information should be sought. The Secretariat agrees and has made the necessary change.*

- Conf. 5.16:
  - under RECOMMENDS:
    - paragraphs e), h), l) and m) deal with marking and will be dealt with in a draft consolidated resolution on this subject; obviously, if they are retained without the rest of the text, then consequential clarifications will be required; however, this will not be necessary if the amendment of Resolution Conf. 5.16 proposed by the Animals Committee (Doc. 10.63) is adopted.
    - paragraphs a) to d) are simply definitions of terms used and so have been recorded as decisions in the attached draft resolution.
    - paragraph a) at present refers to plants but the concept of ranching is not applicable to plants; the reference to plants has therefore been removed.
    - in paragraph c), the reference to "Parties" should be to the Conference, and it should be clarified that the ISO code referred to is the two-letter code (there is also a three-letter code).
    - paragraphs f)i) and g)i) refer to Parties including "a marking system" in proposals, rather than to information about their own marking systems; this has been corrected in the attached draft resolution.
    - paragraphs f)iv) and g)iv) all refer to "specimens and products of the operation". The term "product of the operation" is defined in Resolution Conf. 5.16; the term "specimen" is defined in the text of the Convention and is so broad as to include all "products". The logical conclusion is that the phrase "of the operation" was supposed only to define "products" (and not to define "specimens") and that the Conference intended to refer to all specimens of the species, whether or not they are from a ranching operation. This has been made more clear in the revised text.
    - paragraph i) refers to the need to include on permits and certificates the name of the country of origin of the specimens traded and details of any identifying marks, but this duplicates the provisions of Resolution Conf. 9.3 and has been omitted in the attached draft consolidated resolution.
    - in paragraph j), the reference to "a reserving Party" is understood to mean a Party with a reservation on the species concerned, and this has been clarified in the attached draft.

- under AGREES
- paragraph a) deals with ranching proposals approved at the fifth meeting of the Conference and the need for information on the marking systems used. The only proposals approved were for crocodiles; however for these species further Resolutions have been adopted regarding marking of skins. Paragraph a) is therefore considered defunct.
- paragraph b) was only valid until 1.5.1986 and so is defunct.
- the paragraph under "DIRECTS the Technical Committee" was implemented and is now defunct, as is the Committee.

*NB: The United States of America has drawn attention to the proposed revision of Resolution Conf. 5.16, prepared by the Animals Committee. The Secretariat is aware of this but must take into account the existing text in the consolidation process as the proposal from the Animals Committee*

*might not be adopted by the Conference of the Parties.*

- Conf. 6.22 (Rev.): the introductory text of paragraph a) can refer only to ranching operations approved in accordance with Resolution Conf. 3.15 but this is not explicitly stated; it is specified in the revised text.
- Conf. 8.22: the first paragraph under "RECOMMENDS" and the paragraph under "DIRECTS" relate to captive-breeding and should be dealt with in a consolidated resolution on that subject. The paragraphs under the second "RECOMMENDS" are relevant to ranching and have been included in the attached draft consolidated resolution. The intent of the third paragraph under "RECOMMENDS" was presumably to preclude the adoption of proposals for ranching operations that are based on long-term harvesting of wild adult crocodilians, but it does not do this. An alternative text has therefore been proposed in the attached draft resolution, to make the presumed intention clear. Moreover, as this is effectively a recommendation from the Conference to itself, it has been formulated as a decision.

## DRAFT CONSOLIDATED RESOLUTION

### Ranching and Trade in Ranched Specimens

*RECALLING Resolutions Conf. 3.15, Conf. 5.16 and Conf. 8.22, adopted by the Conference of the Parties at its third, fifth and eighth meetings (New Delhi, 1981; Buenos Aires, 1985; Kyoto, 1992), and Resolution Conf. 6.22 (Rev.), adopted by the Conference of the Parties at its sixth meeting (Ottawa, 1987) and amended at its ninth meeting (Fort Lauderdale, 1994);*

RECALLING that the terms of the Resolution on specimens bred in captivity or artificially propagated [Conf. 2.12 (Rev.)], adopted at the second meeting of the Conference of the Parties (San José, 1979) and amended at the ninth meeting (Fort Lauderdale, 1994), do not allow the entry into trade of specimens of species included in Appendix I *that have been taken from the wild and reared in captivity*; [Conf. 3.15]

RECOGNIZING the desire of some Parties with successful programmes for the conservation of certain species to *allow specimens of those species into international trade as soon as to do so would no longer be detrimental to the survival of their wild populations*; [Conf. 3.15]

*RECALLING Resolution Conf. 9.6, adopted at the ninth meeting of the Conference of the Parties (Fort Lauderdale, 1994), which recommends that Parties consider all products of ranching operations to be readily recognizable;*

RECOGNIZING that marking of parts and *derivatives in trade from ranched animals* is necessary to achieve adequate control; [Conf. 5.16]

RECOGNIZING that, if each Party establishes a different marking system for parts and *derivatives of ranched animals* of the same species, confusion will result and enforcement will be difficult; [Conf. 5.16]

BELIEVING that any *proposal for ranching of a species for which a proposal has previously been approved* should be consistent with the *approved proposal in its intent and in the terms and conditions it specifies*; [Conf. 5.16]

RECOGNIZING that, if adequate protection is to be provided for *wild populations of species for which ranching has been approved, trade in ranched specimens with non-Parties* must be discouraged; [Conf. 5.16]

RECOGNIZING *that, in accordance with Article XIV of the Convention, Parties may adopt more restrictive domestic controls on trade in specimens of populations included in the appendices*; [Conf. 5.16]

CONSIDERING *the necessity of transferring populations back to Appendix I if it is established that ranching operations utilizing them no longer meet the criteria*; [Conf. 6.22 (Rev.)]

AWARE that ranching of crocodilians on the basis of controlled collection of eggs or hatchlings can be potentially a valuable *and positive conservation tool*, whereas taking of wild adult animals needs *stricter control*; [Conf. 8.22]

CONSCIOUS of the danger of providing greater incentives for the establishment of captive-breeding operations, which may damage efforts to conserve wild populations, than for ranching operations, which in principle are more beneficial to crocodilian conservation; and [Conf. 8.22]

EMPHASIZING that the overriding objective of the Convention is to conserve wild populations of the species listed in the appendices and that positive incentives must be offered to programmes designed to achieve this aim; [Conf. 8.22]

## THE CONFERENCE OF THE PARTIES TO THE CONVENTION

### Definitions

DECIDES that:

- a) *the term "ranching" means the rearing in a controlled environment of specimens taken from the wild;*
- b) *the term "product of the operation" means any whole live or dead animal or part or derivative thereof, whether or not processed in any way, produced in a ranching operation, that is intended to be entered into trade;*

Conf. 3.15, para. a),  
parenthetical part +

Conf. 5.16, para. a) #

- c) *the term "product unit" means the smallest single item of any product of the operation that will be individually marked, packaged and entered into trade;* Conf. 5.16, para. b) +
- d) *the term "uniform marking system" means a system of marking each product unit approved by the Conference of the Parties for a species, which, as a minimum, includes the International Organization for Standardization two-letter code for the country of origin, a unique identification number and the year of production or, for product units in stock or manufactured from products of the operation in stock at the time of the proposal, the year of approval of the proposal; and* Conf. 5.16, para. c) +
- e) *the term "primary container" means any container used to immediately contain a product of the operation;* Conf. 5.16, para. d) +

With respect to proposals to transfer populations from Appendix I to Appendix II for ranching

RECOMMENDS:

- a) *that populations of species included in Appendix I that occur within the jurisdiction of Parties and are deemed by the Conference of the Parties to be no longer endangered and to benefit by ranching with the intention of trade be included in Appendix II;* Conf. 3.15, para. a) (in part) +
- b) *that, in order to be considered by the Conference of the Parties, any proposal to transfer a population to Appendix II in order to conduct a ranching operation satisfy the following general criteria:* Conf. 3.15, para. b) +
  - i) *the operation must be primarily beneficial to the conservation of the local population (i.e., where applicable, contribute to its increase in the wild); and*
  - ii) *the products of the operation must be adequately identified and documented to ensure that they can be readily distinguished from products of Appendix-I populations;*
- c) *that any Party submitting a ranching proposal for a population of a species for which no ranching proposal has been approved include in the proposal the following, in addition to the usual biological data requested for proposals to amend the appendices:* Conf. 5.16, para. f) #
  - i) *details of its marking system that meets the minimum requirements of the uniform marking system defined in this Resolution;*
  - ii) *a list of the products of the operation, specifying the product unit for each product of the operation;*
  - iii) *a description of the methods that will be used to mark product units and/or containers entered into trade; and*
  - iv) *an inventory of current stocks of specimens of the species concerned, whether or not they are from the ranching operation;*
- d) *that any Party submitting a ranching proposal for a species for which a ranching proposal has been approved include in the proposal:* Conf. 5.16, para. g) #
  - i) *details of its marking system that conforms to the uniform marking system included in the proposal approved for that species;*
  - ii) *a list of the products of the operation specifying the product unit for each product of the operation;*
  - iii) *a description of the methods that will be used to mark product units and/or containers entered into trade; and*
  - iv) *an inventory of current stocks of specimens of the species concerned, whether or not they are from the ranching operation;*
- e) *that any proposal for the transfer to Appendix II of a Party's population or a smaller geographically separate population of a species, for the purpose of ranching not be approved by the Conference unless it contains the following:* Conf. 3.15, paras. c)i)-iv) and c)vi) #
  - i) *evidence that the taking from the wild shall have no significant detrimental impact on wild populations;*
  - ii) *an assessment of the likelihood of the biological and economic success of the ranching operation;*
  - iii) *assurance that the operation shall be carried out at all stages in a humane (non-cruel) manner;*
  - iv) *assurance that the operation will be beneficial to the wild population through reintroduction or in other ways; and*
  - v) *assurance that the criteria specified in paragraph b) above under RECOMMENDS shall continue to be met; and*

- f) that, in order to be discussed at the next meeting of the Conference of the Parties, any proposal for amendment of the appendices pursuant to this Resolution be received by the Secretariat at least 330 days before that meeting. *In consultation with the Standing Committee, the Secretariat shall seek appropriate scientific and technical advice to verify that the criteria specified in paragraph b) above have been met and to review the information and assurances in the proposal that are specified in paragraph e) above. If in the opinion of the Secretariat further information concerning the criteria is required, the Secretariat shall request information from the proposing Party within 150 days after receipt. Thereafter, the Secretariat shall communicate with the Parties in accordance with Article XV of the Convention;*

Conf. 3.15, para. d) #

With respect to ranching proposals for crocodilians

*DECIDES that ranching proposals shall not be considered in accordance with this Resolution if the management of the population concerned is or will be based on a long-term commercial harvest of wild adult crocodilians. For the adoption of such proposals for the transfer of populations to Appendix II the appropriate criteria in Resolution Conf. 9.24 shall be satisfied; and*

Conf. 8.22 under RECOMMENDS finally #

RECOMMENDS that:

- a) Parties achieving or having achieved the transfer of their populations of crocodilians to Appendix II under the provisions of *this Resolution or Resolution Conf. 3.15* limit the manner of exploitation of wild populations to those techniques described in their proposals and not, for example, later initiate new short-term programmes for taking wild animals without notifying the Secretariat;
- b) *proposals* based solely on collection of *eggs or hatchlings* be adopted as a matter of routine provided that appropriate inventories, harvest-level controls and monitoring programmes are proposed and that sufficient safeguards are established in the proposal to ensure that adequate numbers of animals are returned to the wild if necessary;
- c) *proposals that* include a component of a wild-adult harvest be examined much more stringently than those based purely on collection of *eggs or hatchlings*; and
- d) any wild-adult harvest component normally be limited to a reasonable number commensurate with the *total number taken* in control of nuisance animals and sport hunting;

Conf. 8.22 para. a) under RECOMMENDS also +

Conf. 8.22 para. b) under RECOMMENDS also +

Conf. 8.22 para. c) under RECOMMENDS also +

Conf. 8.22 para. d) under RECOMMENDS also +

With respect to trade in ranched specimens of species transferred from Appendix I to Appendix II for ranching

RECOMMENDS:

- a) that Parties *not permit* export or re-export of *any* product unit of a ranching operation to a non-Party or a Party *with a reservation on the species concerned*, nor accept an import of a product unit of a ranching operation from such States; and
- b) that all Parties prohibit trade in products of *ranching operations* unless such trade complies with all *the* terms, conditions and requirements of the approved ranching proposal for that population;

Conf. 5.16, para. j) #

Conf. 5.16, para. k) +

With respect to monitoring and reporting in relation to species transferred from Appendix I to Appendix II for ranching

RECOMMENDS:

- a) that, in order to facilitate the task of the Secretariat laid down in *recommendation e)v) above*, annual reports on all relevant aspects of *each approved* ranching operation should be submitted to the Secretariat by the Party concerned, *and include* any new information on the following:
- 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 production of the *wild* population *that is taken for the ranching operation*;
- 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) production, sales and exports of products; and
- vii) conservation programmes and scientific experiments carried out in relation to the ranching operation or the wild population concerned;
- b) that, with the consent of the Standing Committee and the Party concerned, the Secretariat should have the option to visit and examine a ranching operation wherever circumstances require it to do so; and

Conf. 6.22 (Rev.), para. a) +

Conf. 6.22 (Rev.), para. b)

- c) that, where the Secretariat reports failure to comply with *this Resolution*, and the Standing Committee and the Party concerned fail to resolve the matter satisfactorily, the Standing Committee may, after full consultation with the Party concerned, request the Depositary Government to prepare a proposal to transfer the population concerned back to Appendix I; and
- Conf. 6.22 (Rev.), para. c) +

REPEALS the Resolutions or parts thereof listed hereunder:

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|--|---|
| <p>a) Resolution Conf. 3.15 (New Delhi, 1981) – Ranching;</p> <p>b) Resolution Conf. 5.16 (Buenos Aires, 1985) – Trade in Ranched Specimens – paragraphs a)-d), f), g) and i)-k) under RECOMMENDS;</p> <p>c) Resolution Conf. 6.22 (Rev.) (Ottawa, 1987; as revised at Fort Lauderdale, 1994) – Monitoring and Reporting Procedures for Ranching Operations; and</p> | <p>d) Resolution Conf. 8.22 (Kyoto, 1992) – Additional Criteria for the Establishment of Captive Breeding Operations and for the Assessment of Ranching Proposals for Crocodylians – paragraphs a) to d) under "RECOMMENDS also".</p> |
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**Interpretation and Implementation of the Convention  
Review of the Resolutions of the Conference of the Parties**

INDEX OF RESOLUTIONS OF THE CONFERENCE OF THE PARTIES

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|--|---|
| <ol style="list-style-type: none"> <li>1. This discussion paper has been submitted by Australia.</li> <li>2. Through the proliferation of (necessary) Resolutions adopted at meetings of the Conference of the Parties, the number of recommendations arising out each meeting has increased the potential difficulties in complying with them.</li> <li>3. Administrative difficulties have been further increased through the (necessary) repeal, amendment and consolidation of various resolutions.</li> <li>4. In order to assist Parties to effectively administer their responsibilities under the Convention, Australia has prepared an alphabetical index of all Resolutions, from the first meeting of the Conference of the Parties (Berne, 1976) to the ninth meeting of the Conference of the Parties (Fort Lauderdale, 1994).</li> </ol> | <ol style="list-style-type: none"> <li>5. The index indicates those Resolutions that have been repealed or amended. It should be noted that, at this time, additional Decisions adopted at the ninth meeting of the Conference of the Parties (i.e. other than Resolutions) have not been included. It may be appropriate to include these within the index.</li> <li>6. It is expected that the index will provide a guide to all Resolutions of the Conference of the Parties, and further provide a historical record of Resolutions in force, and of those that have been repealed or amended.</li> <li>7. It is proposed that the Parties discuss the practicality of further developing the index as a tool for assisting Management Authorities to administer the Convention effectively.</li> </ol> |
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COMMENTS OF THE SECRETARIAT

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| <ol style="list-style-type: none"> <li>8. The index in the Annex to this document has not been translated into French and Spanish but will be translated if it is decided by the Conference of the Parties, following paragraph 7 above, that it should be developed as a tool for Management Authorities.</li> <li>9. At the 29th meeting of the Standing Committee (Washington D.C., 1993), the Secretariat presented a very comprehensive index to the Resolutions of the Conference of the Parties, which it had prepared in the context of the process of the review and consolidation of Resolutions. Regrettably, it has not been possible to give a high enough priority to the updating of this index.</li> <li>10. The Secretariat very much appreciates the effort of Australia in preparing the present document, although</li> </ol> | <p>it notes that there are a few problems in the attached index:</p> <ul style="list-style-type: none"> <li>– although the major key words are in alphabetical order, there is no apparent order to the items under these major divisions;</li> <li>– it refers to some Notifications;</li> <li>– no note has been taken of the large number Resolutions that were rendered inapplicable by the adoption of document Com. 9.14.</li> </ul> <ol style="list-style-type: none"> <li>11. The Secretariat will be starting work, in the second half of 1997, on the CITES Implementation Manual, which will contain an index to all of the Resolutions. The Secretariat therefore suggests that there is no need for the Conference to take any action in relation to the attached document.</li> </ol> |
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**Doc. 10.25 (Rev.) Annex**

INDEX OF RESOLUTIONS OF THE CONFERENCE OF THE PARTIES

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