

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

Eleventh meeting of the Conference of the Parties
Gigiri (Kenya), 10-20 April 2000

Interpretation and implementation of the Convention

REVISION OF RESOLUTIONS ON RANCHING AND TRADE IN RANCHED SPECIMENS

1. This document has been prepared by the Secretariat at the request of the Animals Committee.

Background

2. A previous draft resolution proposed by the Animals Committee in an attempt to rationalize the approach to ranching and trade in ranched specimens was withdrawn at the 10th meeting of the Conference of the Parties (Harare, 1997). This was done when the efforts of the Animals Committee to amalgamate the practical elements of Resolution Conf. 5.16 (Buenos Aires, 1985) on trade in ranched specimens became confused with the process to consolidate closely related resolutions.
3. A first draft of a resolution on ranching and trade in ranched specimens, including the relevant elements from Resolution Conf. 5.16 was discussed at the 14th meeting of the Animals Committee (Caracas, Venezuela, May 1998).
4. A second draft was discussed at the 15th meeting of the Animals Committee (Antananarivo, Madagascar, July 1999). At that meeting, the Committee agreed to additional amendments proposed by the Chairman of the Committee, various members and the Secretariat.
5. The draft resolution is based on the text of Resolution Conf. 10.18 but includes relevant elements of Resolution Conf. 5.16 (Rev.), as well as further improvements of the text, making the provisions applicable to all species of animals and not to crocodiles only.
6. Annex 1 contains the original text of Resolution Conf. 10.18, with proposed new text included **in bold**, deleted text marked with ~~strike through~~, and explanations *in italics*.
7. Annex 2 contains the text of the draft resolution proposed for adoption.

ANNOTATED DRAFT RESOLUTION

Ranching and trade in ranched specimens of species transferred from Appendix I to Appendix II

RECALLING **Resolution Conf. 5.16 (Rev.) adopted by the Conference of the Parties at its fifth meeting (Buenos Aires, 1985) and amended at its 10th meeting (Harare, 1997) and Resolution Conf. 10.18 adopted by the Conference of the Parties at its 10th meeting;**

NOTING that the terms of Resolution Conf. 10.16 on specimens of animal species bred in captivity, adopted at the 10th meeting of the Conference of the Parties (Harare, 1997), 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, except in accordance with the provisions of Article III of the Convention;

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;~~ **that some successful programmes for the conservation of certain species permit specimens of those species into international trade on the basis that such trade is no longer detrimental to the survival of their wild populations;**

This paragraph has been amended and reworded to improve the grammar and clarify its meaning.

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;

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;

BELIEVING that any proposal to transfer to Appendix II, for ranching, a species for which such a proposal has previously been approved should be consistent with the approved proposal in its intent and in the terms and conditions it specifies;

~~RECOGNIZING that if adequate protection is to be provided for wild populations of species for which a ranching proposal has been approved, trade in ranched specimens with non-Parties must be discouraged;~~

This paragraph is superfluous, because its intent is already included in the preamble to Resolution Conf. 9.5.

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;

CONSIDERING the necessity of transferring populations back to Appendix I if it is established that ranching operations utilizing them no longer meet the criteria;

AWARE that ranching of crocodylians 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;

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 crocodylian conservation;

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;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

Regarding definitions

DECIDES that:

- a) the term "ranching" means the rearing in a controlled environment of specimens taken from the wild; and
- ~~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;~~

The term 'product of the operation' is used in paragraph b)ii), c)ii) d)ii) under the first RECOMMENDS. Inserting the word 'all' before the word 'product' in paragraph b)ii) would have the same effect, and will make this paragraph superfluous. Changes to c)ii) and d)ii) are self-explanatory.

- ~~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;~~

The term product unit is only used in paragraphs c)ii) and c)iii) under the first RECOMMENDS. This definition is made superfluous by replacing 'specifying the product unit for each product of the operation' with 'specifying the types of products produced by the operation' and by changing in paragraph c)iii) the words 'to mark the product unit and/or containers' with 'to mark all products and containers'.

- 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;

- ~~e) the term "primary container" means any container used to immediately contain a product of the operation;~~

The term 'primary container' is no longer used in the resolution and this paragraph can be deleted.

Regarding proposals to transfer populations from Appendix I to Appendix II for ranching

RECOMMENDS that:

- a) 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;
- b) 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~~ **programme** satisfy the following general criteria:
- i) the ~~operation~~ **programme** 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 all~~ products of ~~the each~~ operation must be adequately identified and documented to ensure that they can be readily distinguished from products of Appendix-I populations;
 - iii) **the programme has in place appropriate inventories, harvest-level controls and mechanisms to monitor the wild populations; and**
 - iv) **that sufficient safeguards are established in the programme to ensure that adequate numbers of animals are returned to the wild if necessary and where appropriate;**

Paragraphs b)iii) and b)iv) incorporate the provisions in the existing resolution that specifically apply to crocodylians [appearing elsewhere in Resolution Conf. 10.18] and amend the intent to make these applicable to all ranching operations.

- c) any Party submitting a ranching proposal for a population of a species, whether or not a ranching proposal has been approved for the species previously, include in the proposal the following, in addition to the usual biological data requested for proposals to amend the appendices:

The proposed amendment to paragraph (c) incorporates the intent of paragraph (d) and extends the application of the resolution to ALL proposals to ranch Appendix I-listed animal species - therein making paragraph (d) redundant.

- i) details of its marking system that should meet 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 **types of products produced by** the operation;
- iii) a description of the methods that will be used to mark ~~product units and/or~~ **all products and** 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) any Party submitting a ranching proposal for a species for which a ranching proposal has been approved include in the proposal:~~

- ~~i) details of its marking system that should conform 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;~~

- d) 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:

- 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 each ranching operation;
- iii) assurance that the operation shall be carried out at all stages in a humane (non-cruel) manner;

Comment from the Secretariat: This aspect is not directly relevant to CITES, and the paragraph could be deleted.

- iv) **assurance documented evidence to demonstrate** that the operation **programme is will be** beneficial to the wild population through reintroduction or in other ways; and

The proposed amendment reflects agreement reached at the 14th meeting of the Animals Committee that proponents should be required to demonstrate that the ranching operation is beneficial to the species – not simply giving an assurance that it will be beneficial.

- v) assurance that the criteria specified in paragraph b) above under RECOMMENDS shall continue to be met;
- e) 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 under RECOMMENDS 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; and

- f) proposals that include a component of a wild-adult harvest be examined much more stringently than those based purely on collection of eggs, neonates, larvae or other juvenile life stages;**

Paragraph g) extends the principle derived from Resolution Conf. 8.22 and contained elsewhere in Resolution Conf. 10.18, to apply to other taxa that might require careful consideration if proposals for ranching include on elements of removal [temporary or otherwise] of adults from the wild.

- g) Parties achieving or having achieved the transfer of their populations of crocodilians of a species to Appendix II under the provisions of this Resolution 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;**

The intent of this paragraph [originally applicable only to crocodilians] has been extended to make it applicable to all ranching proposals and has been brought forward to appear in a more logical order with closely related paragraphs.

- h) any Party with an approved ranching proposal submit any changes to the information required supplied in paragraph c) or d) above under RECOMMENDS to the Secretariat. The same procedures that are found in Article XV of the Convention applicable to approval of amendments to Appendices I and II apply to the approval of requested changes to the information referred to in sub-paragraph i) of paragraph c) or d) The Secretariat, in consultation with the Animals Committee, should determine whether the changes proposed substantially alter the original ranching system, and undermine or jeopardize the conservation of the wild population. The Secretariat should advise the Party of its determination accordingly; and**

- i) in cases where the Secretariat, in consultation with the Animals Committee, concludes that changes to the ranching system that are proposed in accordance with paragraph h) would result in substantial changes to management of the species, the proposed management will be treated as a new proposal, requiring the submission of a proposal pursuant to this resolution and to the requirements of Article XV of the Convention;**

The proposed paragraph h) was agreed upon at the 14th meeting of the Animals Committee and seeks to streamline the approval process for minor amendments to ranching operations by empowering the Secretariat and the Animals Committee to deal with these types of amendments bilaterally with the Party concerned. Paragraph i) retains the process in the existing resolution to deal with changes to ranching operations that substantially alter the original management system endorsed by the Conference of the Parties.

Regarding ranching proposals for crocodilians

~~DECIDES that ranching proposals shall not be considered under the provisions of 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~~

Redundant.

RECOMMENDS that:

- ~~a) Parties achieving or having achieved the transfer of their populations of crocodilians to Appendix II under the provisions of this Resolution 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;~~

Moved to paragraph g) under the first RECOMMENDS.

- ~~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 proposals to ensure that adequate numbers of animals are returned to the wild if necessary;~~

Moved to paragraph b)iii) under the first RECOMMENDS and made more generic.

- ~~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~~

Moved to paragraph f) under the first RECOMMENDS and made more generic.

- ~~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;~~

Redundant.

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

RECOMMENDS that:

- ~~a) 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~~

Comment from the Secretariat: If the Parties are convinced that this text should be maintained, the Secretariat recommends that it be included in Resolution Conf. 9.5.

- b) 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;

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

RECOMMENDS that:

- a) 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, young **or adults**) 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) 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
- 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

REPEALS the Resolutions listed hereunder:

- a) Resolution Conf. 5.16 (Rev.) (Buenos Aires, 1985 as amended at Harare, 1997) – Trade in Ranched Specimens; and**
- b) Resolution Conf. 10.18 (Harare, 1997) – Ranching and Trade in Ranched Specimens.**

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

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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;

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- a) 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;
- b) 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 programme satisfy the following general criteria:
 - i) the programme must be primarily beneficial to the conservation of the local population (i.e., where applicable, contribute to its increase in the wild);
 - ii) all products of each operation must be adequately identified and documented to ensure that they can be readily distinguished from products of Appendix-I populations;
 - iii) the programme has in place appropriate inventories, harvest-level controls and mechanisms to monitor the wild populations; and
 - iv) that sufficient safeguards are established in the programme to ensure that adequate numbers of animals are returned to the wild if necessary and where appropriate;
- c) any Party submitting a ranching proposal for a population of a species, whether or not a ranching proposal has been approved for the species previously, include in the proposal the following, in addition to the usual biological data requested for proposals to amend the appendices:
 - i) details of its marking system that should meet the minimum requirements of the uniform marking system defined in this Resolution;
 - ii) a list specifying the types of products produced by the operation;
 - iii) a description of the methods that will be used to mark all products and 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) 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:
 - 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 each ranching operation;
 - iii) assurance that the operation shall be carried out at all stages in a humane (non-cruel) manner;
 - iv) documented evidence to demonstrate that the programme is 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;
- e) 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 under RECOMMENDS 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;

- f) proposals that include a component of a wild-adult harvest be examined much more stringently than those based purely on collection of eggs, neonates, larvae or other juvenile life stages;
- g) Parties achieving or having achieved the transfer of their populations of a species to Appendix II under the provisions of this Resolution 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;
- h) any Party with an approved ranching proposal submit any changes to the information supplied in paragraph c) above under RECOMMENDS to the Secretariat. The Secretariat, in consultation with the Animals Committee, should determine whether the changes proposed substantially alter the original ranching system, and undermine or jeopardize the conservation of the wild population. The Secretariat should advise the Party of its determination accordingly; and
- i) in cases where the Secretariat, in consultation with the Animals Committee, concludes that changes to the ranching system that are proposed in accordance with paragraph h) would result in substantial changes to management of the species, the proposed management will be treated as a new proposal, requiring the submission of a proposal pursuant to this resolution and to the requirements of Article XV of the Convention;

Regarding trade in ranched specimens of species transferred from Appendix I to Appendix II

RECOMMENDS 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;

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RECOMMENDS that:

- a) 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, young or adults) 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) 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
- 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

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