

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

Twelfth meeting of the Conference of the Parties
Santiago (Chile), 3-15 November 2002

Interpretation and implementation of the Convention

Review of Resolutions and Decisions

Review of Resolutions

RESOLUTIONS TO BE REVISED

1. This document has been prepared by the Secretariat.

Background

2. Decision 11.136 states that:

The Secretariat shall analyse all information that it receives from the Parties regarding problems in the implementation of existing Resolutions and shall prepare a document for the first meeting of the Standing Committee in 2001, outlining its findings and proposing solutions where appropriate.

3. At the 45th meeting of the Standing Committee (Paris, June 2001), in document SC45 Doc. 19, the Secretariat presented its plans for implementing Decision 11.136. The Secretariat invited the Parties, through Notification to the Parties No. 2001/058 of 10 August 2001, to inform it of the Resolutions that were considered difficult to implement at the national level or that were not implemented, and to provide an indication of the problems encountered or the reasons for non-implementation.
4. At the 46th meeting of the Standing Committee (Geneva, March 2002), the Secretariat reported on the responses from this Notification and indicated its intention to prepare, for consideration at the 12th meeting of the Conference of the Parties a proposal to revise five Resolutions. Regrettably, this has not been possible because of all the other demands on the Secretariat's time in a CoP year.
5. The Resolution on which the Secretariat received the most comments in response to Notification to the Parties No. 2001/058 was Resolution Conf. 10.2 (Rev.). Therefore, for the production of the present document, the Secretariat has focused on this Resolution. The majority of comments and suggestions received were from Malta and the United States of America, whose contributions the Secretariat gratefully acknowledges.
6. The Secretariat plans to initiate work on the revision of the other Resolutions of concern at the beginning of 2003, to ensure that there is enough time for consultation with the relevant Parties in the preparation of a document for the 13th meeting of the Conference.

Revision of Resolution Conf. 10.2 (Rev.)

7. The Secretariat has prepared a revision of Resolution Conf. 10.2 (Rev.) and has marked the proposed changes in the version that appears in Annex 1 to the present document. The clean version incorporating the changes is presented in Annex 2.

8. The main proposed changes are as follows.
- a) A new section has been added regarding travelling exhibitions, based on the text of Resolution Conf. 8.16 and incorporating ideas also from document CoP12 Doc. 57 on Travelling live-animal exhibitions, submitted by the Russian Federation. However, the text has been adapted to make it applicable to all of the travelling exhibitions covered by the special provisions of Article VII, paragraph 7, of the Convention and not only to exhibitions of live animals. For this purpose a travelling-exhibition certificate has been introduced.
 - b) At the suggestion of the United States of America, in order to simplify the Resolution, separate sections have been created to consolidate the provisions relating to quotas, those relating to corals and those relating to timber. The same has been done for the provisions relating to crocodilians.
 - c) At the suggestion of Malta, the explanation of purpose code 'M' has been expanded and a new code 'L' has been introduced for specimens being traded for law enforcement or judicial purposes.
 - d) At the suggestion of the United States of America, the text relating to the period of validity of export permits and re-export certificates has been simplified.
 - e) At the suggestion of the United States of America, it is recommended that codes used on permits and certificates should conform to those contained in the Guidelines for the preparation and submission of annual reports.
 - f) At the suggestion of Malta, the recommendation that Parties refuse certificates that refer to invalid permits has been deleted as impractical.
 - g) At the suggestion of the United States of America, an explanation of box 12b of the standard permit has been added in the instructions for completing the permit.
 - h) At the suggestion of Malta, it is indicated that documents that do not contain the required information should be considered invalid.
 - i) It is suggested that permits relating to export of species subject to quotas not be sent to the Secretariat routinely but only on request.
 - j) The list of items to be included in permits now applies also to certificates of origin.
 - k) Some minor editing has been done and some inconsistencies removed.
9. It should be noted that it would also be possible to consolidate Resolution Conf. 10.20 into the Resolution on permits and certificates, by introducing a certificate for frequent cross-border movement rather than a travelling-exhibition certificate, but this has not been done for the present document.

Recommendation

10. The Secretariat recommends that the Conference of the Parties adopt the draft resolution in Annex 2, to replace Resolutions Conf. 8.16 and Conf. 10.2 (Rev.) – with or without the additional consolidation of Resolution Conf. 10.20.

Permits and certificates

RECALLING Resolution Conf. 8.16, adopted by the Conference of the Parties at its eighth meeting (Kyoto, 1992);

RECALLING Resolution Conf. 10.2 (Rev.), adopted by the Conference of the Parties at its 10th meeting (Harare, 1997) and amended at its 11th meeting (Gigiri, 2000);

RECALLING the provisions of Article VI of the Convention regarding permits and certificates;

OBSERVING that false and invalid permits and certificates are used more-and-more often for fraudulent purposes and that appropriate measures are needed to prevent such documents from being accepted;

CONSIDERING the need to improve the standardization of export permits and re-export certificates;

RECOGNIZING that the issuance of CITES permits and certificates serves as a certification scheme for assuring that trade is not detrimental to the survival of species included in the Appendices;

CONSCIOUS that the data carried on permits and certificates must supply maximum information, as much for export as for import, to allow verification of the conformity between the specimens and the document;

RECOGNIZING that the Convention provides no guidance about the acceptability of an export permit whose period of validity expires after the specimens have been exported but before the permit has been presented for import purposes;

CONSIDERING that no provision exists to establish the maximum time validity of import permits, and that it is necessary to establish a time validity appropriate to guarantee compliance with the provisions of Article III, paragraph 3, of the Convention;

RECALLING that Articles III, IV and V of the Convention provide that trade in any specimen of a species included in its Appendices requires the prior grant and presentation of the relevant document;

RECALLING that Parties are obliged, under Article VIII, paragraph 1 (b), of the Convention, to provide for the confiscation or return to the State of export of specimens traded in violation of the Convention;

NOTING that the efforts of importing countries to fulfil their obligations under Article VIII, paragraph 1 (b), of the Convention may be seriously obstructed by the retrospective issuance of export permits or re-export certificates for specimens having left the exporting or re-exporting country without such documents, and that declarations about the validity of documents that do not meet the requirements of the Convention are likely to have a similar effect;

CONSIDERING that the retrospective issuance of permits and certificates has an increasingly negative impact on the possibilities for properly enforcing the Convention and leads to the creation of loopholes for illegal trade;

CONSIDERING that Article VII, paragraph 7, of the Convention provides that "a Management Authority of any State may waive the requirements of Articles III, IV and V and allow the movement without permits or certificates" under certain circumstances for pre-Convention specimens, and specimens captive-bred or artificially propagated for non-commercial purposes "which form part of a travelling zoo, circus, menagerie plant exhibition or other travelling exhibition";

NOTING that the application of these measures poses problems of a technical nature and is a source of fraud; [text from Conf. 8.16]

DESIRING, however, that exemptions provided by the Convention not be used to avoid the necessary measures for the control of international trade in specimens listed in the Appendices to the Convention; [text from Conf. 8.16]

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

ESTABLISHES the following sections in this Resolution:

- I. Regarding standardization of CITES permits and certificates
- II. Regarding export permits and re-export certificates
- III. Regarding import permits
- IV. Regarding pre-Convention certificates
- V. Regarding certificates of origin
- VI. Regarding travelling-exhibition certificates
- VII. Regarding phytosanitary certificates
- VIII. Regarding permits and certificates for species subject to quotas
- IX. Regarding permits and certificates for crocodylian specimens
- X. Regarding permits and certificates for trade in coral specimens
- XI. Regarding permits and certificates for timber species included in Appendices II and III with the annotation #5
- XII. Regarding retrospective issue of permits and certificates
- XIII. Regarding acceptance and clearance of documents and security measures

Annex 1 Information that should be included in CITES permits and certificates

Annex 2 Standard CITES form; instructions and explanations

Annex 3 Model travelling-exhibition certificate; instructions and explanations

I. Regarding standardization of CITES permits and certificates

AGREES that:

- a) to fulfil the requirements of Article VI of the Convention and relevant Resolutions, export and import permits, re-export and pre-Convention certificates, certificates of origin and certificates of captive breeding and artificial propagation (except where phytosanitary certificates are used for this purpose) should include all the information specified in Annex 1 of the present Resolution;
- b) every form should be printed in one or more of the working languages of the Convention (English, Spanish, French) and in the national language if it is not one of the working languages;
- c) every form should indicate which type of document it is (e.g. import or export permit, re-export or pre-Convention certificate, etc.);
- d) if a permit or certificate form includes a place for the signature of the applicant, the absence of the signature should render the permit or certificate invalid; and
- e) if an annex is attached to a permit or certificate as an integral part of it, this and the number of pages should be clearly indicated on the permit or certificate, and each page of the annex should include the following:

- i) the number of the permit or certificate and its date of issue; and
- ii) the signature and the stamp or seal, preferably embossed, of the authority issuing the document; and

RECOMMENDS that:

- a) Parties wishing to modify their permit and certificate forms, to reprint existing documents or to introduce new documents, first ask the Secretariat for advice;
- b) Parties adapt the contents and, to the extent practicable, the format of their export permits and re-export certificates to the standard form attached to the present Resolution as Annex 2;
- c) for tracking and annual reporting purposes, permit and certificate numbers be limited, if possible, to 14 characters in the format:

WWxxYYYYYY/zz

where WW represents the last two digits of the year of issuance; xx represents the two-letter ISO code of the country; YYYYYY represents a six-digit serial number; and zz represents two digits or letters, or a combination of a digit and a letter, that a Party may use for national informational purposes;

- d) Parties state, on each of their permits and certificates, the purpose of the transaction using the following codes:

- T** Commercial
- Z** Zoos
- G** Botanical gardens
- Q** Circuses and travelling exhibitions
- S** Scientific
- H** Hunting trophies
- P** Personal
- M** Medical (including Biomedical research)
- E** Educational
- N** Reintroduction or introduction into the wild
- B** Breeding in captivity or artificial propagation;
- L** Law enforcement / judicial / forensic

- e) the following codes be used to indicate the source of the specimens:

- W** Specimens taken from the wild
- R** Specimens originating from a ranching operation

- D Appendix-I animals bred in captivity for commercial purposes and Appendix-I plants artificially propagated for commercial purposes, as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 4, of the Convention
- A Plants that are artificially propagated in accordance with Resolution Conf. 11.11, paragraph a), as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5, of the Convention (specimens of species included in Appendix I that have been propagated artificially for non-commercial purposes and specimens of species included in Appendices II and III)
- C Animals bred in captivity in accordance with Resolution Conf. 10.16 (Rev.), as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5, of the Convention (specimens of species included in Appendix I that have been bred in captivity for non-commercial purposes and specimens of species included in Appendices II and III)
- F Animals born in captivity (F1 or subsequent generations) that do not fulfil the definition of 'bred in captivity' in Resolution Conf. 10.16 (Rev.), as well as parts and derivatives thereof
- U Source unknown (**must be justified**)
- I Confiscated or seized specimens;

- f) that, in cases where codes are used on permits and certificates to represent the names of countries, the description of the type of specimen and the quantity/unit, these conform to the codes provided in the Secretariat's most recent *Guidelines for the preparation and submission of annual reports*;
- g) when a security stamp is affixed to a permit or certificate, the number of the stamp also be recorded on the document;
- h) in addition to affixing a security stamp, all Parties consider issuing permits and certificates printed on security paper;
- i) when issuing permits and certificates, the Parties follow the standard nomenclatures adopted by the Conference of the Parties to indicate the names of species (see Resolution Conf. 11.22);

[NB: paragraphs previously numbered i) and j) and k) have been moved to section X below]

- j) Parties indicate on their permits and certificates the number of specimens concerned and/or the unit of measurement used, in particular the weight (in kilograms), and avoid general descriptions such as 'one case' or 'one batch';
- k) Parties that do not already do so affix a security stamp to each export permit and re-export certificate;
- l) when a security stamp is affixed to a permit or certificate, it be cancelled by a signature and a stamp or seal, preferably embossed;
- m) Parties that have not yet done so communicate to the Secretariat the names of the persons empowered to sign permits and certificates, as well as three specimens of their signatures, and that all the Parties communicate, within one month of any change thereto, the names of persons who have been added to the list of those already empowered to sign, the names of persons whose signatures are no longer valid and the dates the changes took effect;
- n) when the means of transport used requires a bill of lading or an air way-bill, the number of such document be stated on the permit or certificate;
- o) each Party inform the other Parties, direct or through the Secretariat, of any stricter internal measures it has taken under Article XIV, paragraph 1 (a), of the Convention, and that, when a Party is informed of this, it refrain from issuing permits and certificates that run counter to these measures;

- p) when an export permit or a re-export certificate has been cancelled, lost, stolen or destroyed, the issuing Management Authority immediately inform the Management Authority of the country of destination, as well as the Secretariat regarding commercial shipments; and
- q) when a permit or certificate is issued to replace a document that has been cancelled, lost, stolen or destroyed, or that has expired, it indicate the number of the replaced document and the reason for the replacement;

II. Regarding export permits and re-export certificates

AGREES that a re-export certificate should also specify:

- a) the country of origin, the number of the export permit of the country of origin and its date of issue; and
- b) the country of last re-export, the number of the re-export certificate of that country and its date of issue;

or if the case arises:

- c) justification for the omission of any of the aforementioned information; and

RECOMMENDS that:

- a) exported specimens and re-exported specimens not appear on the same document, unless it is clearly indicated which specimens are being exported and which re-exported;
- b) when re-export certificates are issued for specimens whose form has not changed since being imported, the unit of measure used be the same as that used on the permit or certificate accepted when they were imported;
- c) the provisions of Article III, paragraph 3, Article IV, paragraph 4, Article V, paragraph 3, and Article VI, paragraph 2, of the Convention be understood to mean that an export permit or re-export certificate shall be valid for a period of no more than six months from the date on which it was granted and that it may not be accepted to authorize export, re-export or import except during the period of validity;
 - d) after the expiry of the said six-month period, an export permit or re-export certificate be considered as void and of no legal value whatsoever, except in the case referred to in section XI relating to timber species;

[NB: paragraph f) has been moved to section XI regarding timber species]

- e) no export permit or re-export certificate be issued for a specimen known to have been acquired illegally, even if it has been imported in accordance with the national legislation, unless the specimen has previously been confiscated; and
- f) Parties not authorize the import of any specimen if they have reason to believe that it was not legally acquired in the country of origin;

[NB paragraphs k) and l) have been moved to section IX regarding permits and certificates for crocodylian specimens]

III. Regarding import permits

AGREES that an import permit for specimens of species included in Appendix I may carry, among other things, certification that the specimens will not be used for primarily commercial purposes and, in the case of live specimens, that the recipient has suitable facilities to house and care for them; and

RECOMMENDS that:

- a) the provisions of Article III, paragraphs 2 and 4, of the Convention be understood to mean that an import permit should be recognized as valid by a Management Authority of a State of export or re-export only if presented within a period of 12 months from the date on which it was granted; and
- b) after the expiry of the said 12-month period of validity, an import permit granted by the State of import in order that it can be presented to a Management Authority of a State of export or re-export in accordance with the provisions of Article III, be considered as void and of no legal value whatsoever;

IV. Regarding pre-Convention certificates

AGREES that a pre-Convention certificate should also specify:

- a) that the specimen covered by the certificate is pre-Convention; and
- b) the date of acquisition of the specimen as defined in Resolution Conf. 5.11 adopted at the fifth meeting of the Conference of the Parties (Buenos Aires, 1985);

V. Regarding certificates of origin

RECOMMENDS that:

- a) certificates of origin for export of specimens of species listed in Appendix III only be issued by a designated Management Authority or by the competent authority if trade is from a State not a Party to the Convention, and that Parties not accept certificates of origin unless they are issued by such authorities; and

b) a certificate of origin be recognized as valid only if presented for import within a period of 12 months from the date on which it was granted;

VI. Regarding travelling-exhibition certificates [this section is based on Resolution Conf. 8.16, with amendments]

RECOMMENDS that:

- a) each Party issue a travelling-exhibition certificate to any travelling exhibition based and registered in its State and wishing to transport specimens of CITES species to other States, on the condition that they were legally acquired and will be returned to the State in which the exhibition is based and that they were:
 - i) acquired before 1 July 1975 or before the date of inclusion of the species in any of the Appendices of the Convention;
 - ii) bred in captivity as defined in Resolution Conf. 10.16 (Rev.); or
 - iii) artificially propagated as defined in Resolution Conf. 11.11;
- b) travelling-exhibition certificates should be based on the model included in Annex 3 of the present Resolution and should contain as a minimum the information indicated in the model. They should be printed in one or more of the working languages of the Convention (English, French, Spanish) and in the national language if it is not one of these;
- c) travelling-exhibition certificates should contain the purpose code 'Q' and include in box 5, or in another box if the model form is not used, the following language: "The specimen/s covered by this certificate belong to a travelling exhibition. If the specimen/s leave the possession of the exhibition, this certificate must be immediately returned to the issuing Management Authority";
- d) travelling-exhibition certificates should be valid for a maximum period of three years to allow multiple imports, exports and re-exports of the individual specimens in these exhibitions;

- e) Parties consider such travelling-exhibition certificates as proof that the specimens concerned have been registered with the issuing Management Authority and allow the movement of such specimens across their borders;
- f) Parties not collect travelling-exhibition certificates at their borders but allow them to remain with the specimens and be considered valid for export or re-export from each Party;
- g) Parties check travelling exhibitions closely, at the time of export/ re-export and import, and note especially whether live specimens are transported and cared for in a manner that minimizes the risk of injury, damage to health or cruel treatment;
- h) Parties require that specimens be marked or identified in such a way that the authorities of each State into which an exhibition enters can verify that the travelling-exhibition certificates correspond to the specimens being imported;
- i) when, during a stay in a State, an animal in possession of an exhibition gives birth, the Management Authority of that State be notified and issue a Convention permit or certificate as appropriate. In the case of an addition of specimens to an exhibition, the Management Authority of the Party in which the addition takes place should issue the appropriate document for each new specimen to be used in the exhibition. When a specimen covered by a travelling-exhibition certificate is no longer in the possession of the exhibition (because of death, sale, theft, etc.), the original certificate should be immediately returned to the issuing Management Authority; and
- j) when, during a stay in a State, a travelling-exhibition certificate for a specimen is lost, stolen or accidentally destroyed, only the Management Authority which has issued the document may issue a duplicate. This duplicate will bear the same number, if possible, and the same date of validity as the original document, and contain the following statement: "This certificate is a true copy of the original";

VII. Regarding phytosanitary certificates

RECOMMENDS that:

- a) any Party having considered the practices governing the issue of its phytosanitary certificates for export and re-export of artificially propagated Appendix-II specimens, and having determined that such practices provide adequate assurance that the specimens are artificially propagated (as defined in Resolution Conf. 11.11), may consider these documents as certificates of artificial propagation in accordance with Article VII, paragraph 5, of the Convention. Such certificates must include the scientific name of the species and the type and quantity of the specimens and bear a stamp, seal or other specific indication stating that the specimens are artificially propagated as defined by CITES; and
- b) any Party using phytosanitary certificates as certificates of artificial propagation inform the Secretariat and provide copies of the certificates, stamps, seals, etc. that are used;

VIII. Regarding permits and certificates for species subject to quotas [from section II, recommendations i) and j)]

RECOMMENDS that:

- a) when a Party has voluntarily fixed national export quotas for specimens of species included in Appendix I, for non-commercial purposes, and/or in Appendices II and III, it inform the Secretariat of the quotas before issuing export permits and of any changes thereto as soon as they are made and it state on each export permit the total number of specimens already exported in the current year (including those covered by the permit in question) and the quota for the species concerned;
- b) when a Party has export quotas allocated by the Conference of the Parties for specimens of species included in Appendices I and II, it state on each export permit the total number of specimens already exported in the current year (including those covered by the permit in question) and the quota for the species concerned; and

- c) Parties send to the Secretariat copies of permits issued for species subject to quotas if so requested by the Conference of the Parties, the Standing Committee or the Secretariat;

IX. Regarding permits and certificates for crocodilian specimens [from section II recommendations k) and l) and section IX recommendation f)]

RECOMMENDS that:

- a) when trade in tagged crocodilian skins is authorized, the same information as is on the tags be given on the export permit or re-export certificate (or other Convention document);
- b) in the case of crocodilian species subject to quotas approved by the Conference of the Parties, no permit, certificate or other document for skins be issued before the skins are tagged in accordance with the requirements of the issuing Management Authority and their sizes are recorded; and
- c) in the event of mismatches of information within a permit, re-export certificate, or other Convention document for crocodilian skins, the Management Authority of the importing Party immediately contact its counterpart in the exporting/re-exporting Party to establish whether this was a genuine error arising from the volume of information required by this Resolution and Resolution Conf. 11.12, and that, if this is the case, every effort be made to avoid penalizing those involved in such transactions;

X. Regarding permits and certificates for trade in coral specimens [paragraphs moved from section I, recommendations i), j) and k)]

RECOMMENDS that:

- a) on permits and certificates for trade in specimens that are readily recognizable as coral rock, where the genus cannot be readily determined, the scientific name for the specimens should be 'Scleractinia';
- b) any Party wishing to authorize export of coral rock (as defined in Resolution Conf. 11.10 Annex) identified to ordinate level only should, in view of the inability to make a non-detriment finding for coral rock pursuant to Article IV, paragraph 2 (a), of the Convention, apply the provisions of Article IV, paragraph 3; and
- c) Parties that authorize export of coral rock should:
 - i) establish an annual quota for exports and communicate this quota to the Secretariat for distribution to the Parties; and
 - ii) through their Scientific Authorities, make an assessment (which would be available to the Secretariat on request), based on a monitoring programme, that such export will not affect the role that coral rock has in ecosystems affected by the extraction of such specimens;

XI. Regarding permits and certificates for timber species included in Appendices II and III with the annotation #5 [includes all paragraphs from section VII and recommendation f) from section II]

RECOMMENDS that the validity of the export permit or re-export certificate may be extended beyond the normal maximum of six months after the date of issue, on the condition that:

- i) the shipment has arrived in the port of final destination before the date of expiration indicated on the permit or certificate and is being held in Customs bond (i.e. is not considered as imported);
- ii) the time extension does not exceed six months from the date of expiration of the permit or certificate and no previous extension has been granted;
- iii) the appropriate enforcement personnel has included the date of arrival and the new date of expiration in the box relating to special conditions, or an equivalent place, on the export permit or re-export certificate, certifying the modification with an official stamp or seal and signature;

- iv) the shipment is imported for consumption from the port where it was located when the extension was approved and before the new date of expiration; and
- v) a copy of the export permit or re-export certificate as amended in accordance with sub-paragraph iii) above is sent to the country of export or re-export, allowing it to amend its annual report, and to the CITES Secretariat; and

FURTHER RECOMMENDS that an export permit or a re-export certificate that indicates the complete names and addresses of the (re-)exporter and importer, in conformity with Annex 1, paragraph d), to this Resolution, not be accepted for import into a country other than the one for which it was issued, except under the following conditions:

- a) the actual quantity of specimens exported or re-exported is included in the designated box on the export permit or re-export certificate, certified by the stamp or seal and signature of the authority that carried out the inspection at the time of export or re-export;
- b) the exact quantity referred to under a) is imported;
- c) the number of the bill of lading of the shipment is included on the permit or certificate;
- d) the bill of lading of the shipment is presented to the Management Authority together with the original of the export permit or re-export certificate at the time of import;
- e) the import takes place within six months after the issue of the export permit or re-export certificate;
- f) the period of validity of the export permit or re-export certificate has not already been extended;
- g) the Management Authority of the importing country includes on the permit or certificate, in the box relating to special conditions, or an equivalent place, the following text, certified by its stamp or seal and signature:

"import into [name of country] permitted in accordance with Resolution [number of this Resolution] (section XI) on [date]"; and
- h) a copy of the export permit or re-export certificate as amended in accordance with sub-paragraph g) above is sent to the country of export or re-export, allowing it to amend its annual report, and to the CITES Secretariat;

XII. Regarding retrospective issue of permits and certificates

RECOMMENDS that:

- a) a Management Authority of an exporting or re-exporting country:
 - i) not issue CITES documents retrospectively;
 - ii) not provide exporters, re-exporters and/or consignees in importing countries with declarations about the legality of exports or re-exports of specimens having left its country without the required CITES documents; and
 - iii) not provide exporters, re-exporters and/or consignees in importing countries with declarations about the legality of export or re-export documents which at the time of export, re-export or import did not meet the requirements of the Convention;
- b) a Management Authority of an importing country, or of a country of transit or transshipment, not accept export or re-export documents that were issued retrospectively;

- c) exceptions from the recommendations under a) and b) above not be made with regard to Appendix-I specimens, and be made with regard to Appendix-II and -III specimens only where the Management Authorities of both the exporting (or re-exporting) and the importing countries are, after a prompt and thorough investigation in both countries and in close consultation with each other, satisfied:
 - i) that the irregularities that have occurred are not attributable to the exporter (or re-exporter) or the importer; and
 - ii) that the export (or re-export) and import of the specimens concerned are otherwise in compliance with the Convention and with the relevant legislation of the countries of export (or re-export) and import; and
- d) whenever exceptions are made:
 - i) the export permit or re-export certificate clearly indicate that it is issued retrospectively; and
 - ii) the reasons for the relaxation, which should come within the purview of paragraph c), subparagraphs i) and ii) above, are specified on the permit or certificate and a copy sent to the Secretariat; and

XIII. Regarding acceptance and clearance of documents and security measures

RECOMMENDS that:

- a) the Parties refuse to accept permits and certificates if they have been altered (by rubbing out, scratching out, etc.), modified or crossed out, unless the alteration, modification or crossing-out has been authenticated by the stamp and signature of the authority issuing the document;
- b) whenever irregularities are suspected, the Parties exchange issued and/or accepted permits or certificates to verify their authenticity;
- c) when a security stamp is affixed to a permit or certificate, the Parties refuse the document if the security stamp is not cancelled by a signature and a stamp or seal;
- d) the Parties refuse to accept any permit or certificate that is invalid, including authentic documents that do not contain all the required information as specified in this Resolution;
- e) the Parties refuse to accept permits and certificates that do not indicate the name of the species concerned (including subspecies when appropriate), except in the case where:
 - i) the Conference of the Parties has agreed that the use of higher-taxon names is acceptable;
 - ii) the issuing Party can show it is well justified and has communicated the justification to the Secretariat; or
 - iii) certain manufactured products contain pre-Convention specimens that can not be identified to the species level;

[NB paragraph f) has been moved to section IX regarding permits and certificates for crocodylian specimens]

- f) when a Party refuses to accept a permit or certificate, it keep the original or, if this is against its national laws, it cancel the document indelibly, preferably by perforation, particularly the security stamp;
- g) when a Party refuses to accept a permit or certificate issued for export or re-export, it immediately inform the exporting or re-exporting country;
- h) when a Party is informed that a permit or certificate it has issued for export or re-export has been refused, it take measures to ensure that the specimens in question do not enter into illegal trade; and

- i) Parties ensure that, when the original of an export permit or re-export certificate is not used by the permittee for the trade authorized, it is returned by the permittee to the issuing Management Authority in order to prevent the illegal use of the document; and

REPEALS:

Resolution Conf. 8.16 (Kyoto, 1992) – Travelling live-animal exhibitions and

Resolution Conf. 10.2 (Rev.) (Harare, 1997, as amended at Gigiri, 2000) – Permits and certificates.

Annex 1

Information that should be included in CITES permits and certificates

- a) The full name and the logo of the Convention
- b) The complete name and address of the Management Authority issuing the permit
- c) A unique control number
- d) The complete names and addresses of the exporter and importer
- e) The scientific name of the species to which the specimens belong (or the subspecies when it is relevant in order to determine in which Appendix the taxon concerned is included) in accordance with the adopted standard nomenclature
- f) The description of the specimens, in one of the Convention's three working languages, using the nomenclature of specimens distributed by the Secretariat
- g) The numbers of the marks appearing on the specimens if they are marked or if a Resolution of the Conference of the Parties prescribes marking (specimens from ranches, subject to quotas approved by the Conference of the Parties, originating from operations which breed animals included in Appendix I in captivity for commercial purposes, etc.)
- h) The Appendix in which the species or subspecies or population is listed
- i) The source of the specimens
- j) The quantity of specimens and, if appropriate, the unit of measure used
- k) The date of issue and the date of expiry
- l) The name of the signatory and his/her handwritten signature
- m) The embossed seal or ink stamp of the Management Authority
- n) A statement that the permit, if it covers live animals, is only valid if the transport conditions comply with the CITES Guidelines for Transport of Live Animals or, in case of air transport, with the IATA Live Animals Regulations
- o) The registration number of the operation, attributed by the Secretariat, when the permit involves specimens of a species included in Appendix I that originate from an operation practising breeding in captivity or artificial propagation for commercial purposes (Article VII, paragraph 4, of the Convention), and the name of the operation when it is not the exporter
- p) The actual quantity of specimens exported, certified by the stamp or seal and signature of the authority that carried out the inspection at the time of the exportation
- q) When specimens are marked with microchip transponders, all microchip codes, together with the trade mark of the transponder manufacturer, and, where possible, the location of the microchip in the specimen.

To be included in certificates of origin only

- r) A statement that the specimens originate in the country that issued the certificate.

Annex 2

[NB first page of Annex 1 is the standard model permit – not reproduced here as no change is proposed]

Instructions and explanations

(These correspond to block numbers on the form)

1. Tick the square which corresponds to the type of document issued (export permit, re-export certificate, import permit or other). If the box "other" has been ticked, the type of document must be indicated. The original number is a unique number allocated to each document by the Management Authority.
2. For export permits and re-export certificates, the date of expiry of the document may not be more than six months after the date of issuance (one year for import permits).
3. **Complete** name and address of the importer.
- 3a. The name of the country must be written in full.
4. **Complete** name and address of the exporter/re-exporter. The name of the country must be stated. The absence of the signature of the applicant renders the permit or certificate invalid.
5. Special conditions may refer to national legislation or special conditions placed on the shipment by the issuing Management Authority. This block can also be used to justify the omission of certain information.
- 5a. The following codes should be used: **T** for commercial, **Z** for zoos, **G** for botanical gardens, **Q** for circuses and travelling exhibitions, **S** for scientific purposes, **H** for hunting trophies, **P** for personal, **M** for medical, **E** for education, **N** for reintroduction or introduction into the wild, and **B** for breeding in captivity or artificial propagation, **L** for law enforcement/ judicial / forensic.
- 5b. Indicate the number (including the country's ISO code) of the security stamp affixed in block 13.
6. The name, address and country of the issuing Management Authority should already be printed on the form.
- 7-8. Indicate the scientific name (genus and species, where appropriate subspecies) of the animal or plant as it appears in the Convention Appendices or the reference lists approved by the Conference of the Parties, and the common name of the animal or plant as known in the country issuing the permit.
9. Describe, as precisely as possible, the specimens entering trade (live animals, skins, flanks, wallets, shoes, etc.). If a specimen is marked (tags, identifying marks, rings, etc.), whether or not this is required by a Resolution of the Conference of the Parties (specimens originating in a ranching operation, specimens subject to quotas approved by the Conference of the Parties, specimens of Appendix-I species bred in captivity for commercial purposes, etc.), indicate the number and type of mark. The sex and age of the live animals should be recorded, if possible.
10. Enter the number of the Appendix of the Convention (I, II or III) in which the species is listed.

Use the following codes to indicate the source:

- W** Specimens taken from the wild
- R** Specimens originating from a ranching operation
- D** Appendix-I animals bred in captivity for commercial purposes and Appendix-I plants artificially propagated for commercial purposes, as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 4, of the Convention
- A** Plants that are artificially propagated in accordance with Resolution Conf. 11.11, paragraph a), as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5, of the Convention (specimens of species included in Appendix I that have been propagated artificially for non-commercial purposes and specimens of species included in Appendices II and III)

- C** Animals bred in captivity in accordance with Resolution Conf. 10.16 (Rev.), as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5, of the Convention (specimens of species included in Appendix I that have been bred in captivity for non-commercial purposes and specimens of species included in Appendices II and III)
- F** Animals born in captivity (F1 or subsequent generations) that do not fulfil the definition of 'bred in captivity' in Resolution Conf. 10.16 (Rev.), as well as parts and derivatives thereof
- U** Source unknown (**must be justified**)
- I** Confiscated or seized specimens.

11. Indicate the total number of specimens or, if this is not possible, the quantity, and specify the unit of measurement used (for example the weight in kilograms). Do not use general terms such as "one case" or "one batch".
- 11a. Indicate the total number of specimens exported in the current calendar year (including those covered by the present permit) and the current annual quota for the species concerned (for example 500/1000). This should be done for the national quotas as well as for those determined by the Conference of the Parties.
12. The country of origin is the country in which the specimens were taken from the wild, bred in captivity or artificially propagated. Indicate the number of the export permit of the country and the date of issuance. If all or part of the information is not known, this should be justified in block 5. This block must only be completed in case of re-exports.
- 12a. The country of last re-export is the country from which the specimens were re-exported before entering the country in which the present document is issued. Enter the number of the re-export certificate of the country of last re-export and its date of issuance. If all or part of the information is not known, this should be justified in block 5. This block must only be completed in case of re-export of specimens previously re-exported.
- 12b. The "No. of the operation" is the number of the registered captive-breeding or artificial propagation operation, required where the source code is 'D'. The "date of acquisition" is defined in Resolution Conf. 5.11 and is required only for pre-Convention specimens
13. To be completed by the official who issues the permit. The name of the official (and his title) must be written in full. The security stamp must be affixed in this block and must be cancelled by the signature of the issuing official and a stamp or seal. The seal, signature and security-stamp number should be clearly legible.
14. To be completed by the official who inspects the shipment at the time of export or re-export. Enter the quantities of specimens actually exported or re-exported. Strike out the unused blocks.
15. Enter the number of the bill of lading or air waybill if the method of transport used requires the use of such a document.

The document must be written in one of the three working languages of the Convention (English, French and Spanish) or must include a full translation into one of these three languages. Exported and re-exported specimens should not appear on the same document unless it is clearly indicated which specimens are being exported and which re-exported.

AFTER USE THIS DOCUMENT MUST BE RETURNED TO A MANAGEMENT AUTHORITY OF THE IMPORTING COUNTRY.

Instructions and Explanations

The following correspond to the block numbers on the reverse of this form.

1. A unique number should be generated by the issuing Management Authority for the Certificate.
2. The date of expiry of the document may not be more than three years after the date of issuance.
3. Complete the full name, permanent address and country of the owner of the specimen covered by the Certificate. Absence of the signature of the owner renders the certificate invalid.
4. This block has been pre-printed to indicate that cross-border movement is permitted to any country accepting this certificate as a matter of national law.
5. This block has been pre-printed to indicate the validity of the Certificate for multiple cross-border movements of the specimen with its exhibition for exhibition purposes only and to clarify that the Certificate is not to be collected but is to remain with the specimen/owner. This block also can be used to justify the omission of certain information.
6. The name, address and country of the issuing Management Authority should already be pre-printed on the form.
7. This block has been pre-printed with the code Q for circuses and travelling exhibitions.
8. Indicate the number (including the country's ISO code) of the security stamp affixed in block 17.
9. Indicate the scientific name (genus and species, where appropriate subspecies) of the species as it appears in the Convention Appendices or the reference lists approved by the Conference of the Parties, and the common name as known in the country issuing the Certificate.
10. Describe, as precisely as possible, the specimen covered by the Certificate, including identifying marks (tags, rings, unique markings, etc.) sufficient to permit the authorities of the Party into which the exhibition enters to verify that the Certificate corresponds to the specimen covered. The sex and age, at the time of the issuance of the Certificate, should be recorded, where possible.
11. This block is pre-printed to indicate that the Certificate covers only one specimen.
12. Enter the number of the Appendix of the Convention (I, II, or III) in which the species is listed. Use the following source codes to indicate the source:
 - W Specimens taken from the wild
 - R Specimens originating from a ranching operation
 - D Appendix I animals bred in captivity for commercial purposes and exported under the provisions of Article VII, paragraph 4, of the Convention
 - C Animals bred in captivity in accordance with Resolution Conf. 10.16(Rev) and exported under the provisions of Article VII, paragraph 5 of the Convention (specimens of species included in Appendix I that have been bred in captivity for non-commercial purposes and specimens of species included in Appendices II and III).
 - F Animals born in captivity (F1 or subsequent generations) that do not fulfil the definition of "bred in captivity" in Resolution Conf. 10.16(Rev.).
 - U Source unknown (must be justified)
 - I Confiscated or seized specimen
13. The country of origin is the country in which the specimens were taken from the wild or bred in captivity.
14. Indicate the number of the export permit of the country of origin and the date of issuance. If all or part of that information is not known, this should be justified in block 5.
15. This block has been pre-printed to refer to the attached Continuation Sheet, which should indicate all cross-border movements.
16. Enter the number of the operation only for specimens of Appendix I species bred in captivity for commercial purposes. Enter the date of acquisition only for pre-Convention specimens.
17. To be completed by the official who issues the Certificate. A Certificate may only be issued by the Management Authority of the country where an exhibition is based and only when the owner of the exhibition has registered full details of the specimen with that Management Authority. The name of the issuing official (and his title) must be written in full. The security stamp must be affixed in this block and must be cancelled by the signature of the issuing official and a stamp or seal. The seal, signature and security stamp number should be clearly legible.
18. This block has been pre-printed to indicate that the specimen covered by this Certificate belongs to a travelling exhibition. If the specimen leaves the possession of the exhibition, this Certificate must be immediately returned to the issuing Management Authority. This block may also be used to refer to national legislation or additional special conditions placed on the cross-border movement by the issuing Management Authority.

Subject to 18. above, upon expiration, this document must be returned to the issuing Management Authority.

Permits and certificates

RECALLING Resolution Conf. 8.16, adopted by the Conference of the Parties at its eighth meeting (Kyoto, 1992);

RECALLING Resolution Conf. 10.2 (Rev.), adopted by the Conference of the Parties at its 10th meeting (Harare, 1997) and amended at its 11th meeting (Gigiri, 2000);

RECALLING the provisions of Article VI of the Convention regarding permits and certificates;

OBSERVING that false and invalid permits and certificates are used more-and-more often for fraudulent purposes and that appropriate measures are needed to prevent such documents from being accepted;

CONSIDERING the need to improve the standardization of export permits and re-export certificates;

RECOGNIZING that the issuance of CITES permits and certificates serves as a certification scheme for assuring that trade is not detrimental to the survival of species included in the Appendices;

CONSCIOUS that the data carried on permits and certificates must supply maximum information, as much for export as for import, to allow verification of the conformity between the specimens and the document;

RECOGNIZING that the Convention provides no guidance about the acceptability of an export permit whose period of validity expires after the specimens have been exported but before the permit has been presented for import purposes;

CONSIDERING that no provision exists to establish the maximum time validity of import permits, and that it is necessary to establish a time validity appropriate to guarantee compliance with the provisions of Article III, paragraph 3, of the Convention;

RECALLING that Articles III, IV and V of the Convention provide that trade in any specimen of a species included in its Appendices requires the prior grant and presentation of the relevant document;

RECALLING that Parties are obliged, under Article VIII, paragraph 1 (b), of the Convention, to provide for the confiscation or return to the State of export of specimens traded in violation of the Convention;

NOTING that the efforts of importing countries to fulfil their obligations under Article VIII, paragraph 1 (b), of the Convention may be seriously obstructed by the retrospective issuance of export permits or re-export certificates for specimens having left the exporting or re-exporting country without such documents, and that declarations about the validity of documents that do not meet the requirements of the Convention are likely to have a similar effect;

CONSIDERING that the retrospective issuance of permits and certificates has an increasingly negative impact on the possibilities for properly enforcing the Convention and leads to the creation of loopholes for illegal trade;

CONSIDERING that Article VII, paragraph 7, of the Convention provides that “a Management Authority of any State may waive the requirements of Articles III, IV and V and allow the movement without permits or certificates” under certain circumstances for pre-Convention specimens, and specimens captive -bred or artificially propagated for non-commercial purposes “which form part of a travelling zoo, circus, menagerie plant exhibition or other travelling exhibition”;

NOTING that the application of these measures poses problems of a technical nature and is a source of fraud;

DESIRING, however, that exemptions provided by the Convention not be used to avoid the necessary measures for the control of international trade in specimens listed in the Appendices to the Convention;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

ESTABLISHES the following sections in this Resolution:

- I. Regarding standardization of CITES permits and certificates
- II. Regarding export permits and re-export certificates
- III. Regarding import permits
- IV. Regarding pre-Convention certificates
- V. Regarding certificates of origin
- VI. Regarding travelling-exhibition certificates
- VII. Regarding phytosanitary certificates
- VIII. Regarding permits and certificates for species subject to quotas
- IX. Regarding permits and certificates for crocodylian specimens
- X. Regarding permits and certificates for trade in coral specimens
- XI. Regarding permits and certificates for timber species included in Appendices II and III with the annotation #5
- XII. Regarding retrospective issue of permits and certificates
- XIII. Regarding acceptance and clearance of documents and security measures

Annex 1 Information that should be included in CITES permits and certificates

Annex 2 Standard CITES form; instructions and explanations

Annex 3 Model travelling-exhibition certificate; instructions and explanations

I. Regarding standardization of CITES permits and certificates

AGREES that:

- a) to fulfil the requirements of Article VI of the Convention and relevant Resolutions, export and import permits, re-export and pre-Convention certificates, certificates of origin and certificates of captive breeding and artificial propagation (except where phytosanitary certificates are used for this purpose) should include all the information specified in Annex 1 of the present Resolution;
- b) every form should be printed in one or more of the working languages of the Convention (English, Spanish, French) and in the national language if it is not one of the working languages;
- c) every form should indicate which type of document it is (e.g. import or export permit, re-export or pre-Convention certificate, etc.);
- d) if a permit or certificate form includes a place for the signature of the applicant, the absence of the signature should render the permit or certificate invalid; and
- e) if an annex is attached to a permit or certificate as an integral part of it, this and the number of pages should be clearly indicated on the permit or certificate, and each page of the annex should include the following:
 - i) the number of the permit or certificate and its date of issue; and

- ii) the signature and the stamp or seal, preferably embossed, of the authority issuing the document; and

RECOMMENDS that:

- a) Parties wishing to modify their permit and certificate forms, to reprint existing documents or to introduce new documents, first ask the Secretariat for advice;
- b) Parties adapt the contents and, to the extent practicable, the format of their export permits and re-export certificates to the standard form attached to the present Resolution as Annex 2;
- c) for tracking and annual reporting purposes, permit and certificate numbers be limited, if possible, to 14 characters in the format:

WWxxYYYYYY/zz

where WW represents the last two digits of the year of issuance; xx represents the two-letter ISO code of the country; YYYYYY represents a six-digit serial number; and zz represents two digits or letters, or a combination of a digit and a letter, that a Party may use for national informational purposes;

- d) Parties state, on each of their permits and certificates, the purpose of the transaction using the following codes:

- T** Commercial
- Z** Zoos
- G** Botanical gardens
- Q** Circuses and travelling exhibitions
- S** Scientific
- H** Hunting trophies
- P** Personal
- M** Medical (including Biomedical research)
- E** Educational
- N** Reintroduction or introduction into the wild
- B** Breeding in captivity or artificial propagation;
- L** Law enforcement / judicial / forensic

- e) the following codes be used to indicate the source of the specimens:

- W** Specimens taken from the wild
- R** Specimens originating from a ranching operation
- D** Appendix-I animals bred in captivity for commercial purposes and Appendix-I plants artificially propagated for commercial purposes, as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 4, of the Convention

- A** Plants that are artificially propagated in accordance with Resolution Conf. 11.11, paragraph a), as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5, of the Convention (specimens of species included in Appendix I that have been propagated artificially for non-commercial purposes and specimens of species included in Appendices II and III)
 - C** Animals bred in captivity in accordance with Resolution Conf. 10.16 (Rev.), as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5, of the Convention (specimens of species included in Appendix I that have been bred in captivity for non-commercial purposes and specimens of species included in Appendices II and III)
 - F** Animals born in captivity (F1 or subsequent generations) that do not fulfil the definition of 'bred in captivity' in Resolution Conf. 10.16 (Rev.), as well as parts and derivatives thereof
 - U** Source unknown (**must be justified**)
 - I** Confiscated or seized specimens;
- f) that, in cases where codes are used on permits and certificates to represent the names of countries, the description of the type of specimen and the quantity/unit, these conform to the codes provided in the Secretariat's most recent *Guidelines for the preparation and submission of annual reports*;
 - g) when a security stamp is affixed to a permit or certificate, the number of the stamp also be recorded on the document;
 - h) in addition to affixing a security stamp, all Parties consider issuing permits and certificates printed on security paper;
 - i) when issuing permits and certificates, the Parties follow the standard nomenclatures adopted by the Conference of the Parties to indicate the names of species (see Resolution Conf. 11.22);
 - j) Parties indicate on their permits and certificates the number of specimens concerned and/or the unit of measurement used, in particular the weight (in kilograms), and avoid general descriptions such as 'one case' or 'one batch';
 - k) Parties that do not already do so affix a security stamp to each export permit and re-export certificate;
 - l) when a security stamp is affixed to a permit or certificate, it be cancelled by a signature and a stamp or seal, preferably embossed;
 - m) Parties that have not yet done so communicate to the Secretariat the names of the persons empowered to sign permits and certificates, as well as three specimens of their signatures, and that all the Parties communicate, within one month of any change thereto, the names of persons who have been added to the list of those already empowered to sign, the names of persons whose signatures are no longer valid and the dates the changes took effect;
 - n) when the means of transport used requires a bill of lading or an air way-bill, the number of such document be stated on the permit or certificate;
 - o) each Party inform the other Parties, direct or through the Secretariat, of any stricter internal measures it has taken under Article XIV, paragraph 1 (a), of the Convention, and that, when a Party is informed of this, it refrain from issuing permits and certificates that run counter to these measures;
 - p) when an export permit or a re-export certificate has been cancelled, lost, stolen or destroyed, the issuing Management Authority immediately inform the Management Authority of the country of destination, as well as the Secretariat regarding commercial shipments; and

- q) when a permit or certificate is issued to replace a document that has been cancelled, lost, stolen or destroyed, or that has expired, it indicate the number of the replaced document and the reason for the replacement;

II. Regarding export permits and re-export certificates

AGREES that a re-export certificate should also specify:

- a) the country of origin, the number of the export permit of the country of origin and its date of issue; and
- b) the country of last re-export, the number of the re-export certificate of that country and its date of issue;

or if the case arises:

- c) justification for the omission of any of the aforementioned information; and

RECOMMENDS that:

- a) exported specimens and re-exported specimens not appear on the same document, unless it is clearly indicated which specimens are being exported and which re-exported;
- b) when re-export certificates are issued for specimens whose form has not changed since being imported, the unit of measure used be the same as that used on the permit or certificate accepted when they were imported;
- c) the provisions of Article III, paragraph 3, Article IV, paragraph 4, Article V, paragraph 3, and Article VI, paragraph 2, of the Convention be understood to mean that an export permit or re-export certificate shall be valid for a period of no more than six months from the date on which it was granted and that it may not be accepted to authorize export, re-export or import except during the period of validity;
- d) after the expiry of the said six-month period, an export permit or re-export certificate be considered as void and of no legal value whatsoever, except in the case referred to in section XI relating to timber species;
- e) no export permit or re-export certificate be issued for a specimen known to have been acquired illegally, even if it has been imported in accordance with the national legislation, unless the specimen has previously been confiscated; and
- f) Parties not authorize the import of any specimen if they have reason to believe that it was not legally acquired in the country of origin;

III. Regarding import permits

AGREES that an import permit for specimens of species included in Appendix I may carry, among other things, certification that the specimens will not be used for primarily commercial purposes and, in the case of live specimens, that the recipient has suitable facilities to house and care for them; and

RECOMMENDS that:

- a) the provisions of Article III, paragraphs 2 and 4, of the Convention be understood to mean that an import permit should be recognized as valid by a Management Authority of a State of export or re-export only if presented within a period of 12 months from the date on which it was granted; and
- b) after the expiry of the said 12-month period of validity, an import permit granted by the State of import in order that it can be presented to a Management Authority of a State of export or re-export in accordance with the provisions of Article III, be considered as void and of no legal value whatsoever;

IV. Regarding pre-Convention certificates

AGREES that a pre-Convention certificate should also specify:

- a) that the specimen covered by the certificate is pre-Convention; and
- b) the date of acquisition of the specimen as defined in Resolution Conf. 5.11 adopted at the fifth meeting of the Conference of the Parties (Buenos Aires, 1985);

V. Regarding certificates of origin

RECOMMENDS that:

- a) certificates of origin for export of specimens of species listed in Appendix III only be issued by a designated Management Authority or by the competent authority if trade is from a State not a Party to the Convention, and that Parties not accept certificates of origin unless they are issued by such authorities; and
- b) a certificate of origin be recognized as valid only if presented for import within a period of 12 months from the date on which it was granted;

VI. Regarding travelling-exhibition certificates

RECOMMENDS that:

- a) each Party issue a travelling-exhibition certificate to any travelling exhibition based and registered in its State and wishing to transport specimens of CITES species to other States, on the condition that they were legally acquired and will be returned to the State in which the exhibition is based and that they were:
 - i) acquired before 1 July 1975 or before the date of inclusion of the species in any of the Appendices of the Convention;
 - ii) bred in captivity as defined in Resolution Conf. 10.16 (Rev.); or
 - iii) artificially propagated as defined in Resolution Conf. 11.11;
- b) travelling-exhibition certificates should be based on the model included in Annex 3 of the present Resolution and should contain as a minimum the information indicated in the model. They should be printed in one or more of the working languages of the Convention (English, French, Spanish) and in the national language if it is not one of these;
- c) travelling-exhibition certificates should contain the purpose code 'Q' and include in box 5, or in another box if the model form is not used, the following language: "The specimen/s covered by this certificate belong to a travelling exhibition. If the specimen/s leave the possession of the exhibition, this certificate must be immediately returned to the issuing Management Authority";
- d) travelling-exhibition certificates should be valid for a maximum period of three years to allow multiple imports, exports and re-exports of the individual specimens in these exhibitions;
- e) Parties consider such travelling-exhibition certificates as proof that the specimens concerned have been registered with the issuing Management Authority and allow the movement of such specimens across their borders;
- f) Parties not collect travelling-exhibition certificates at their borders but allow them to remain with the specimens and be considered valid for export or re-export from each Party;

- g) Parties check travelling exhibitions closely, at the time of export/re-export and import, and note especially whether live specimens are transported and cared for in a manner that minimizes the risk of injury, damage to health or cruel treatment;
- h) Parties require that specimens be marked or identified in such a way that the authorities of each State into which an exhibition enters can verify that the travelling-exhibition certificates correspond to the specimens being imported;
- i) when, during a stay in a State, an animal in possession of an exhibition gives birth, the Management Authority of that State be notified and issue a Convention permit or certificate as appropriate. In the case of an addition of specimens to an exhibition, the Management Authority of the Party in which the addition takes place should issue the appropriate document for each new specimen to be used in the exhibition. When a specimen covered by a travelling-exhibition certificate is no longer in the possession of the exhibition (because of death, sale, theft, etc.), the original certificate should be immediately returned to the issuing Management Authority; and
- j) when, during a stay in a State, a travelling-exhibition certificate for a specimen is lost, stolen or accidentally destroyed, only the Management Authority which has issued the document may issue a duplicate. This duplicate will bear the same number, if possible, and the same date of validity as the original document, and contain the following statement: "This certificate is a true copy of the original";

VII. Regarding phytosanitary certificates

RECOMMENDS that:

- a) any Party having considered the practices governing the issue of its phytosanitary certificates for export and re-export of artificially propagated Appendix-II specimens, and having determined that such practices provide adequate assurance that the specimens are artificially propagated (as defined in Resolution Conf. 11.11), may consider these documents as certificates of artificial propagation in accordance with Article VII, paragraph 5, of the Convention. Such certificates must include the scientific name of the species and the type and quantity of the specimens and bear a stamp, seal or other specific indication stating that the specimens are artificially propagated as defined by CITES; and
- b) any Party using phytosanitary certificates as certificates of artificial propagation inform the Secretariat and provide copies of the certificates, stamps, seals, etc. that are used;

VIII. Regarding permits and certificates for species subject to quotas

RECOMMENDS that:

- a) when a Party has voluntarily fixed national export quotas for specimens of species included in Appendix I, for non-commercial purposes, and/or in Appendices II and III, it inform the Secretariat of the quotas before issuing export permits and of any changes thereto as soon as they are made and it state on each export permit the total number of specimens already exported in the current year (including those covered by the permit in question) and the quota for the species concerned;
- b) when a Party has export quotas allocated by the Conference of the Parties for specimens of species included in Appendices I and II, it state on each export permit the total number of specimens already exported in the current year (including those covered by the permit in question) and the quota for the species concerned; and
- c) Parties send to the Secretariat copies of permits issued for species subject to quotas if so requested by the Conference of the Parties, the Standing Committee or the Secretariat;

IX. Regarding permits and certificates for crocodylian specimens

RECOMMENDS that:

- a) when trade in tagged crocodilian skins is authorized, the same information as is on the tags be given on the export permit or re-export certificate (or other Convention document);
- b) in the case of crocodilian species subject to quotas approved by the Conference of the Parties, no permit, certificate or other document for skins be issued before the skins are tagged in accordance with the requirements of the issuing Management Authority and their sizes are recorded; and
- c) in the event of mismatches of information within a permit, re-export certificate, or other Convention document for crocodilian skins, the Management Authority of the importing Party immediately contact its counterpart in the exporting/re-exporting Party to establish whether this was a genuine error arising from the volume of information required by this Resolution and Resolution Conf. 11.12, and that, if this is the case, every effort be made to avoid penalizing those involved in such transactions;

X. Regarding permits and certificates for trade in coral specimens

RECOMMENDS that:

- a) on permits and certificates for trade in specimens that are readily recognizable as coral rock, where the genus cannot be readily determined, the scientific name for the specimens should be 'Scleractinia';
- b) any Party wishing to authorize export of coral rock (as defined in Resolution Conf. 11.10 Annex) identified to ordinate level only should, in view of the inability to make a non-detriment finding for coral rock pursuant to Article IV, paragraph 2 (a), of the Convention, apply the provisions of Article IV, paragraph 3; and
- c) Parties that authorize export of coral rock should:
 - i) establish an annual quota for exports and communicate this quota to the Secretariat for distribution to the Parties; and
 - ii) through their Scientific Authorities, make an assessment (which would be available to the Secretariat on request), based on a monitoring programme, that such export will not affect the role that coral rock has in ecosystems affected by the extraction of such specimens;

XI. Regarding permits and certificates for timber species included in Appendices II and III with the annotation #5

RECOMMENDS that the validity of the export permit or re-export certificate may be extended beyond the normal maximum of six months after the date of issue, on the condition that:

- i) the shipment has arrived in the port of final destination before the date of expiration indicated on the permit or certificate and is being held in Customs bond (i.e. is not considered as imported);
- ii) the time extension does not exceed six months from the date of expiration of the permit or certificate and no previous extension has been granted;
- iii) the appropriate enforcement personnel has included the date of arrival and the new date of expiration in the box relating to special conditions, or an equivalent place, on the export permit or re-export certificate, certifying the modification with an official stamp or seal and signature;
- iv) the shipment is imported for consumption from the port where it was located when the extension was approved and before the new date of expiration; and
- v) a copy of the export permit or re-export certificate as amended in accordance with sub-paragraph iii) above is sent to the country of export or re-export, allowing it to amend its annual report, and to the CITES Secretariat; and

FURTHER RECOMMENDS that an export permit or a re-export certificate that indicates the complete names and addresses of the (re-)exporter and importer, in conformity with Annex 1, paragraph d), to this Resolution,

not be accepted for import into a country other than the one for which it was issued, except under the following conditions:

- a) the actual quantity of specimens exported or re-exported is included in the designated box on the export permit or re-export certificate, certified by the stamp or seal and signature of the authority that carried out the inspection at the time of export or re-export;
- b) the exact quantity referred to under a) is imported;
- c) the number of the bill of lading of the shipment is included on the permit or certificate;
- d) the bill of lading of the shipment is presented to the Management Authority together with the original of the export permit or re-export certificate at the time of import;
- e) the import takes place within six months after the issue of the export permit or re-export certificate;
- f) the period of validity of the export permit or re-export certificate has not already been extended;
- g) the Management Authority of the importing country includes on the permit or certificate, in the box relating to special conditions, or an equivalent place, the following text, certified by its stamp or seal and signature:

"import into [name of country] permitted in accordance with Resolution [number of this Resolution] (section XI) on [date]"; and
- h) a copy of the export permit or re-export certificate as amended in accordance with sub-paragraph g) above is sent to the country of export or re-export, allowing it to amend its annual report, and to the CITES Secretariat;

XII. Regarding retrospective issue of permits and certificates

RECOMMENDS that:

- a) a Management Authority of an exporting or re-exporting country:
 - i) not issue CITES documents retrospectively;
 - ii) not provide exporters, re-exporters and/or consignees in importing countries with declarations about the legality of exports or re-exports of specimens having left its country without the required CITES documents; and
 - iii) not provide exporters, re-exporters and/or consignees in importing countries with declarations about the legality of export or re-export documents which at the time of export, re-export or import did not meet the requirements of the Convention;
- b) a Management Authority of an importing country, or of a country of transit or transshipment, not accept export or re-export documents that were issued retrospectively;
- c) exceptions from the recommendations under a) and b) above not be made with regard to Appendix-I specimens, and be made with regard to Appendix-II and -III specimens only where the Management Authorities of both the exporting (or re-exporting) and the importing countries are, after a prompt and thorough investigation in both countries and in close consultation with each other, satisfied:
 - i) that the irregularities that have occurred are not attributable to the exporter (or re-exporter) or the importer; and

- ii) that the export (or re-export) and import of the specimens concerned are otherwise in compliance with the Convention and with the relevant legislation of the countries of export (or re-export) and import; and
- d) whenever exceptions are made:
 - i) the export permit or re-export certificate clearly indicate that it is issued retrospectively; and
 - ii) the reasons for the relaxation, which should come within the purview of paragraph c), subparagraphs i) and ii) above, are specified on the permit or certificate and a copy sent to the Secretariat; and

XIII. Regarding acceptance and clearance of documents and security measures

RECOMMENDS that:

- a) the Parties refuse to accept permits and certificates if they have been altered (by rubbing out, scratching out, etc.), modified or crossed out, unless the alteration, modification or crossing-out has been authenticated by the stamp and signature of the authority issuing the document;
- b) whenever irregularities are suspected, the Parties exchange issued and/or accepted permits or certificates to verify their authenticity;
- c) when a security stamp is affixed to a permit or certificate, the Parties refuse the document if the security stamp is not cancelled by a signature and a stamp or seal;
- d) the Parties refuse to accept any permit or certificate that is invalid, including authentic documents that do not contain all the required information as specified in this Resolution;
- e) the Parties refuse to accept permits and certificates that do not indicate the name of the species concerned (including subspecies when appropriate), except in the case where:
 - i) the Conference of the Parties has agreed that the use of higher-taxon names is acceptable;
 - ii) the issuing Party can show it is well justified and has communicated the justification to the Secretariat; or
 - iii) certain manufactured products contain pre-Convention specimens that can not be identified to the species level;
- f) when a Party refuses to accept a permit or certificate, it keep the original or, if this is against its national laws, it cancel the document indelibly, preferably by perforation, particularly the security stamp;
- g) when a Party refuses to accept a permit or certificate issued for export or re-export, it immediately inform the exporting or re-exporting country;
- h) when a Party is informed that a permit or certificate it has issued for export or re-export has been refused, it take measures to ensure that the specimens in question do not enter into illegal trade; and
- i) Parties ensure that, when the original of an export permit or re-export certificate is not used by the permittee for the trade authorized, it is returned by the permittee to the issuing Management Authority in order to prevent the illegal use of the document; and

REPEALS:

Resolution Conf. 8.16 (Kyoto, 1992) – Travelling live -animal exhibitions and

Resolution Conf. 10.2 (Rev.) (Harare, 1997, as amended at Gigiri, 2000) – Permits and certificates.

Annex 1

Information that should be included in CITES permits and certificates

- a) The full name and the logo of the Convention
- b) The complete name and address of the Management Authority issuing the permit
- c) A unique control number
- d) The complete names and addresses of the exporter and importer
- e) The scientific name of the species to which the specimens belong (or the subspecies when it is relevant in order to determine in which Appendix the taxon concerned is included) in accordance with the adopted standard nomenclature
- f) The description of the specimens, in one of the Convention's three working languages, using the nomenclature of specimens distributed by the Secretariat
- g) The numbers of the marks appearing on the specimens if they are marked or if a Resolution of the Conference of the Parties prescribes marking (specimens from ranches, subject to quotas approved by the Conference of the Parties, originating from operations which breed animals included in Appendix I in captivity for commercial purposes, etc.)
- h) The Appendix in which the species or subspecies or population is listed
- i) The source of the specimens
- j) The quantity of specimens and, if appropriate, the unit of measure used
- k) The date of issue and the date of expiry
- l) The name of the signatory and his/her handwritten signature
- m) The embossed seal or ink stamp of the Management Authority
- n) A statement that the permit, if it covers live animals, is only valid if the transport conditions comply with the CITES Guidelines for Transport of Live Animals or, in case of air transport, with the IATA Live Animals Regulations
- o) The registration number of the operation, attributed by the Secretariat, when the permit involves specimens of a species included in Appendix I that originate from an operation practising breeding in captivity or artificial propagation for commercial purposes (Article VII, paragraph 4, of the Convention), and the name of the operation when it is not the exporter
- p) The actual quantity of specimens exported, certified by the stamp or seal and signature of the authority that carried out the inspection at the time of the exportation
- q) When specimens are marked with microchip transponders, all microchip codes, together with the trade mark of the transponder manufacturer, and, where possible, the location of the microchip in the specimen.

To be included in certificates of origin only

- r) A statement that the specimens originate in the country that issued the certificate.

Annex 2

[NB the first page of Annex 1 is the standard model permit – not reproduced here as no change is proposed]

Instructions and explanations

(These correspond to block numbers on the form)

1. Tick the square which corresponds to the type of document issued (export permit, re-export certificate, import permit or other). If the box "other" has been ticked, the type of document must be indicated. The original number is a unique number allocated to each document by the Management Authority.
2. For export permits and re-export certificates, the date of expiry of the document may not be more than six months after the date of issuance (one year for import permits).
3. **Complete** name and address of the importer.
 - 3a. The name of the country must be written in full.
4. **Complete** name and address of the exporter/re-exporter. The name of the country must be stated. The absence of the signature of the applicant renders the permit or certificate invalid.
5. Special conditions may refer to national legislation or special conditions placed on the shipment by the issuing Management Authority. This block can also be used to justify the omission of certain information.
 - 5a. The following codes should be used: **T** for commercial, **Z** for zoos, **G** for botanical gardens, **Q** for circuses and travelling exhibitions, **S** for scientific purposes, **H** for hunting trophies, **P** for personal, **M** for medical, **E** for education, **N** for reintroduction or introduction into the wild, and **B** for breeding in captivity or artificial propagation, **L** for law enforcement / judicial / forensic.
 - 5b. Indicate the number (including the country's ISO code) of the security stamp affixed in block 13.
6. The name, address and country of the issuing Management Authority should already be printed on the form.
- 7-8. Indicate the scientific name (genus and species, where appropriate subspecies) of the animal or plant as it appears in the Convention Appendices or the reference lists approved by the Conference of the Parties, and the common name of the animal or plant as known in the country issuing the permit.
9. Describe, as precisely as possible, the specimens entering trade (live animals, skins, flanks, wallets, shoes, etc.). If a specimen is marked (tags, identifying marks, rings, etc.), whether or not this is required by a Resolution of the Conference of the Parties (specimens originating in a ranching operation, specimens subject to quotas approved by the Conference of the Parties, specimens of Appendix-I species bred in captivity for commercial purposes, etc.), indicate the number and type of mark. The sex and age of the live animals should be recorded, if possible.
10. Enter the number of the Appendix of the Convention (I, II or III) in which the species is listed.

Use the following codes to indicate the source:

- W** Specimens taken from the wild
- R** Specimens originating from a ranching operation
- D** Appendix-I animals bred in captivity for commercial purposes and Appendix-I plants artificially propagated for commercial purposes, as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 4, of the Convention
- A** Plants that are artificially propagated in accordance with Resolution Conf. 11.11, paragraph a), as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5, of the Convention (specimens of species included in Appendix I that have been propagated artificially for non-commercial purposes and specimens of species included in Appendices II and III)

- C** Animals bred in captivity in accordance with Resolution Conf. 10.16 (Rev.), as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5, of the Convention (specimens of species included in Appendix I that have been bred in captivity for non-commercial purposes and specimens of species included in Appendices II and III)
- F** Animals born in captivity (F1 or subsequent generations) that do not fulfil the definition of 'bred in captivity' in Resolution Conf. 10.16 (Rev.), as well as parts and derivatives thereof
- U** Source unknown (**must be justified**)
- I** Confiscated or seized specimens.

11. Indicate the total number of specimens or, if this is not possible, the quantity, and specify the unit of measurement used (for example the weight in kilograms). Do not use general terms such as "one case" or "one batch".
- 11a. Indicate the total number of specimens exported in the current calendar year (including those covered by the present permit) and the current annual quota for the species concerned (for example 500/1000). This should be done for the national quotas as well as for those determined by the Conference of the Parties.
12. The country of origin is the country in which the specimens were taken from the wild, bred in captivity or artificially propagated. Indicate the number of the export permit of the country and the date of issuance. If all or part of the information is not known, this should be justified in block 5. This block must only be completed in case of re-exports.
- 12a. The country of last re-export is the country from which the specimens were re-exported before entering the country in which the present document is issued. Enter the number of the re-export certificate of the country of last re-export and its date of issuance. If all or part of the information is not known, this should be justified in block 5. This block must only be completed in case of re-export of specimens previously re-exported.
- 12b. The "No. of the operation" is the number of the registered captive-breeding or artificial propagation operation, required where the source code is 'D'. The "date of acquisition" is defined in Resolution Conf. 5.11 and is required only for pre-Convention specimens.
13. To be completed by the official who issues the permit. The name of the official (and his title) must be written in full. The security stamp must be affixed in this block and must be cancelled by the signature of the issuing official and a stamp or seal. The seal, signature and security-stamp number should be clearly legible.
14. To be completed by the official who inspects the shipment at the time of export or re-export. Enter the quantities of specimens actually exported or re-exported. Strike out the unused blocks.
15. Enter the number of the bill of lading or air way-bill if the method of transport used requires the use of such a document.

The document must be written in one of the three working languages of the Convention (English, French and Spanish) or must include a full translation into one of these three languages. Exported and re-exported specimens should not appear on the same document unless it is clearly indicated which specimens are being exported and which re-exported.

AFTER USE THIS DOCUMENT MUST BE RETURNED TO A MANAGEMENT AUTHORITY OF THE IMPORTING COUNTRY.

Instructions and Explanations

The following correspond to the block numbers on the reverse of this form.

19. A unique number should be generated by the issuing Management Authority for the Certificate.
20. The date of expiry of the document may not be more than three years after the date of issuance.
21. Complete the full name, permanent address and country of the owner of the specimen covered by the Certificate. Absence of the signature of the owner renders the certificate invalid.
22. This block has been pre-printed to indicate that cross-border movement is permitted to any country accepting this certificate as a matter of national law.
23. This block has been pre-printed to indicate the validity of the Certificate for multiple cross-border movements of the specimen with its exhibition for exhibition purposes only and to clarify that the Certificate is not to be collected but is to remain with the specimen/owner. This block also can be used to justify the omission of certain information.
24. The name, address and country of the issuing Management Authority should already be pre-printed on the form.
25. This block has been pre-printed with the code Q for circuses and travelling exhibitions.
26. Indicate the number (including the country's ISO code) of the security stamp affixed in block 17.
27. Indicate the scientific name (genus and species, where appropriate subspecies) of the species as it appears in the Convention Appendices or the reference lists approved by the Conference of the Parties, and the common name as known in the country issuing the Certificate.
28. Describe, as precisely as possible, the specimen covered by the Certificate, including identifying marks (tags, rings, unique markings, etc.) sufficient to permit the authorities of the Party into which the exhibition enters to verify that the Certificate corresponds to the specimen covered. The sex and age, at the time of the issuance of the Certificate, should be recorded, where possible.
29. This block is pre-printed to indicate that the Certificate covers only one specimen.
30. Enter the number of the Appendix of the Convention (I, II, or III) in which the species is listed. Use the following source codes to indicate the source:
 - W Specimens taken from the wild
 - R Specimens originating from a ranching operation
 - D Appendix I animals bred in captivity for commercial purposes and exported under the provisions of Article VII, paragraph 4, of the Convention
 - C Animals bred in captivity in accordance with Resolution Conf. 10.16(Rev) and exported under the provisions of Article VII, paragraph 5 of the Convention (specimens of species included in Appendix I that have been bred in captivity for non-commercial purposes and specimens of species included in Appendices II and III).
 - F Animals born in captivity (F1 or subsequent generations) that do not fulfil the definition of "bred in captivity" in Resolution Conf. 10.16(Rev.).
 - U Source unknown (must be justified)
 - I Confiscated or seized specimen
31. The country of origin is the country in which the specimens were taken from the wild or bred in captivity.
32. Indicate the number of the export permit of the country of origin and the date of issuance. If all or part of that information is not known, this should be justified in block 5.
33. This block has been pre-printed to refer to the attached Continuation Sheet, which should indicate all cross-border movements.
34. Enter the number of the operation only for specimens of Appendix I species bred in captivity for commercial purposes. Enter the date of acquisition only for pre-Convention specimens.
35. To be completed by the official who issues the Certificate. A Certificate may only be issued by the Management Authority of the country where an exhibition is based and only when the owner of the exhibition has registered full details of the specimen with that Management Authority. The name of the issuing official (and his title) must be written in full. The security stamp must be affixed in this block and must be cancelled by the signature of the issuing official and a stamp or seal. The seal, signature and security stamp number should be clearly legible.
36. This block has been pre-printed to indicate that the specimen covered by this Certificate belongs to a travelling exhibition. If the specimen leaves the possession of the exhibition, this Certificate must be immediately returned to the issuing Management Authority. This block may also be used to refer to national legislation or additional special conditions placed on the cross-border movement by the issuing Management Authority.

Subject to 18. above, upon expiration, this document must be returned to the issuing Management Authority.