

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

Species trade and conservation issues

Conservation of sturgeons and labelling of caviar

CONSOLIDATION OF RESOLUTIONS RELATING TO STURGEONS AND TRADE IN CAVIAR

1. This document has been prepared by the Secretariat, on behalf of the Animals Committee.

Background

2. In this document, a proposed consolidation of Resolutions relating to sturgeons and trade in caviar is presented as the result of a process of reviewing the implementation and effectiveness of Resolutions Conf 10.12 (Rev.) and Conf 11.13, on the Conservation of sturgeons and the Universal labelling system for the identification of caviar respectively, as had been assigned to the Animals Committee and the Secretariat through a number of Decisions adopted at the 11th meeting of the Conference of the Parties, as outlined below.

Universal labelling system for the identification of caviar

3. Decision 11.162 directs the Secretariat to:
 - a) *explore, in collaboration with the Animals Committee and the relevant Parties, mechanisms for the effective and secure labelling of caviar that is subject to repackaging and re-export, together with appropriate administrative control procedures, and report its findings and recommendations at the 12th meeting of the Conference of the Parties; and*
 - b) *monitor, in collaboration with the Animals Committee, implementation of the universal labelling system for caviar, and report deficiencies in the system at the 12th meeting of the Conference of the Parties.*
4. With Notifications to the Parties No. 2001/087 and No. 2001/088 of 19 December 2001; No. 2002/007 and No. 2002/008 of 6 March 2002; and No. 2002/019 of 9 April 2002, the Secretariat conveyed the labelling systems for the identification of caviar that were communicated by the Management Authorities of respectively the Russian Federation, China, Bulgaria, Romania and the Islamic Republic of Iran. Examples of the labels used by these range States were attached to these Notifications. With Notification to the Parties No. 2001/089 of 19 December 2001, the Secretariat encouraged all caviar-exporting countries that had not already done so to provide details of their labelling systems for exports of caviar and examples of the labels. It noted that Resolution Conf. 11.13 recommends that the procedures described in its text should take effect "as soon as possible for the export quotas for the year 2001". The Secretariat furthermore stated in this Notification that it would, from 31 December 2001 onwards, recommend to importing countries not to accept shipments of caviar

unless they are labeled in a manner that complies with the terms of Resolution Conf. 11.13 and the accompanying documents contain the information specified in the Resolution.

5. The systems and labels used by the Parties mentioned in paragraph 4 above vary considerably in design, but all comply with the requirements in Resolution Conf. 11.13. At the time of writing, the Secretariat had no information to indicate that exporting or importing countries had any problems with the labelling systems that are currently in place.
6. Of the Parties that announced export quotas for caviar from species of Acipenseriformes included in Appendix II for 2002, as communicated in Notification to the Parties No. 2002/032 of 2 May 2002, Azerbaijan, Canada, Kazakhstan and Yugoslavia had not provided details of their labelling system for exports of caviar at the time of writing.
7. Regarding the implementation of Decision 11.162, the Animals Committee established a working group at its 16th meeting (Shepherdstown, December 2000) that included representatives of several range States of Acipenseriformes, and which reconvened at its 17th (Hanoi, July - August 2001) and 18th (San José, April 2001) meetings. Its main task was to review and assess the universal labelling system for the identification of caviar, as proposed under Resolution Conf. 11.13. In collaboration with the Secretariat, the Animals Committee formulated recommendations and clarifications regarding this Resolution to improve and harmonize its implementation, and identified certain inconsistencies and deficiencies. These were communicated in Notification to the Parties No. 2001/075 of 5 November 2001, which also invited Parties to apply a system comparable to the one used for labelling primary containers of more than 249 grams of caviar entering trade from the country of origin, to the labelling of re-exported containers of caviar.
8. In order to assist the exporting countries in their effort to prevent illegal trade in caviar, the Animals Committee recommended that the universal labelling system for the identification of caviar be extended to include caviar that is re-exported, and caviar that is packaged in containers of less than 250 grams. The Secretariat supported these recommendations, noting that this would require a revision of the Resolution Conf. 11.13. The Animals Committee therefore tasked its working group to draft amendments to the Resolution. This resulted in a draft document that was adopted by the Animals Committee at its 18th meeting. The Secretariat was requested to finalize the draft document, and to merge it with a proposed revision of Resolution Conf. 10.12 (Rev.) on the Conservation of sturgeons.
9. A draft consolidated resolution concerning Conservation of and trade in sturgeons is accordingly presented in document CoP12 Doc. 42.2 Annex 1 for consideration by the Conference of the Parties. Guidelines for a universal labelling system for the trade in and identification of caviar are provided as Annex 1 to this draft resolution, and codes for the identification of Acipenseriformes species, hybrids and mixed species as Annex 2 to the draft resolution. These Annexes are based on Resolution Conf. 11.13 and the recommendations of the Animals Committee. Proposed additional text appears in **bold**, and proposed deletions appear in ~~strike through~~.
10. The principal amendments proposed by the Animals Committee to the caviar labelling system, as indicated in Annexes 1 and 2 to the draft resolution, are:
 - a) the extension of the universal labelling system to caviar produced for commercial and non-commercial trade, and for both domestic and international trade on the basis of non-reusable labels for primary containers;
 - b) to extend labelling requirements to primary containers of any size;
 - c) the inclusion of definitions of terms used in relation to trade in caviar, of minimum information that should be contained in the non-reusable labels, and of new codes for Acipenseriformes hybrids and for 'pressed' caviar;

- d) to provide recommendations regarding the labelling requirements for export and for re-export of caviar, the information on labels that should be given in export permits or re-export certificates, registration systems for caviar processing and repackaging plants, and the establishment of a clearing-house mechanism of information regarding permits issued for international caviar trade; and
- e) that the revised labelling system be implemented as soon as possible, but not later than 1 January 2004 (see draft decisions in document CoP12 Doc. 42.2 Annex 3).

Establishment of catch and export quotas

11. In the process of reviewing the implementation of Resolution Conf. 10.12 (Rev.) on the conservation of sturgeons, as assigned to the Animals Committee and the Secretariat through Decisions 11.96 and 11.152 respectively, the Secretariat and the Animals Committee concluded that changes should be proposed to the system of establishing catch and export quotas for Acipenseriformes species recommended in paragraph f) of the Resolution under RECOMMENDS and as currently outlined in Decision 11.58, which states that:

Starting from 1 January 2001, range States should declare coordinated intergovernmental level annual export and catch quotas per basin, or biogeographical region where appropriate, for all commercial trade in specimens of Acipenseriformes. Parties should inform the Secretariat prior to 31 December of the preceding year. Parties that fail to inform the Secretariat will automatically be treated as having a zero quota for the following year.

12. The Secretariat, in response to enquiries from several Parties and particularly in the first year of implementing the quota systems, has interpreted this decision as outlined below:
- a) export and catch quotas had to be declared for 2001 and in order to do so the Secretariat had to be informed of them before 31 December of the preceding year, i.e. 2000. Parties that did not inform the Secretariat would automatically be treated as having a zero quota for 2001. In subsequent years, Parties that did not inform the Secretariat of their quotas before the deadline would be treated as having a zero quota for the following year;
 - b) the word 'declare' relates to the end of a process, which implies that range States should have taken the necessary steps to coordinate at an intergovernmental level with the other range States of the species or stocks¹ the number of specimens that they intend to exploit;
 - c) the quotas concerned are catch and commercial export quotas for shared species, stocks in a basin (i.e. drainage basin) or biogeographical region only. This limitation of the scope of the Decision [also see subparagraph e) below] follows from the first paragraph d) of Resolution 10.12 (Rev.), which urges range States of Acipenseriformes species to "promote regional agreements between range States of sturgeon species aiming at proper management and sustainable utilization of sturgeons";
 - d) endemic stocks, i.e. stocks not shared with other countries, and captive-breeding or aquaculture operations are not included within the scope of Decision 11.58. Quotas communicated for these species are voluntary quotas recommended to be established and communicated in paragraph f) of Resolution Conf. 10.12 (Rev.);
 - e) quotas do not have to be declared for non-commercial trade in specimens;
 - f) countries that do not have legislation to establish export quotas at the national level should be given the opportunity to indicate that they will not export more than their catch quota and that their catch quota should be considered to be an export quota for the purposes of Decision 11.58 only; and

¹ For the purpose of this document, the term 'stock' is used as a synonym to 'population'.

g) the quotas referred to in subparagraph a) above must be coordinated between range States (i.e. countries sharing the species or stock), which is the meaning of the reference to 'intergovernmental level'. The Secretariat will assume that quotas communicated to it have been coordinated with the other range States as this is an obligation of the Parties concerned under the Decision. The Secretariat has no means or criteria to judge whether the level of coordination has been appropriate. Range States objecting to communicated quotas of other range States must be referred to the range State(s) concerned, and possible disputes should be dealt with in compliance with Article XVIII of the Convention. The procedure in paragraphs c) to e), third RECOMMENDS under 'Regarding application of Article XIII' of Resolution Conf. 11.3 may prove useful in this context as well, namely that when Parties can not resolve a problem and the Secretariat can not either, the problem must be submitted to the Standing Committee.

13. It is clear that the complexities in the Decision, as outlined above, were not immediately apparent at the time of its adoption by the Conference of the Parties. The Animals Committee and the Secretariat strongly believe that an important precedent has been established with Decision 11.58, and that the Decision has had an important catalytic effect on the improvement of regional collaboration on sturgeon harvests. It is therefore recommended that the establishment of quotas be included in the proposed draft consolidated resolution, as indicated in document CoP12 Doc. 42.2 Annex 1.

Other proposed changes to Resolution Conf. 10.12 (Rev.)

14. References to one-off events such as the communication of legislation to the Secretariat, or provisions more appropriately contained in other Resolutions, such as the inclusion of sturgeons in the Review of Significant Trade, have been deleted in the draft consolidated resolution presented in document Cop12 Doc. 42.2 Annex 1.

COMMENT FROM THE SECRETARIAT

The Secretariat supports the draft resolution presented in document CoP12 Doc. 42.2 Annex 2, but wishes to draw attention to the fact that it does not have the resources to develop a clearing house mechanism or permit confirmation programme for trade in caviar, as has been suggested by the Animals Committee. The Secretariat is of the opinion that the issuance and verification of CITES permits and certificates for caviar or other products of sturgeons has improved considerably in recent years, and does not currently justify the creation of a separate process for information regarding these documents. The Secretariat accordingly recommends that this element of the draft resolution prepared by the Animals Committee [see paragraph j) of the CITES guidelines for the universal labelling system for the trade in and identification of caviar, in Annex 1 to the draft resolution] not be included in the draft resolution but that it be considered separately as draft decisions, as shown in document CoP12 Doc. 42.2 Annex 3.

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Conservation of and trade in sturgeons and paddlefish

Proposed new title of the consolidated Resolution on the conservation of and trade in the Acipenseriformes, which includes sturgeons and paddlefish.

AWARE that sturgeons and paddlefish of the Order Acipenseriformes represent a valuable renewable biological and economic resource that in recent years has been affected by such negative factors as regulation of water flow, decrease in natural spawning sites, illegal fishing and illegal trade;

Combining the most pertinent aspects of the first two preambular paragraphs of Resolution Conf. 10.12 (Rev.).

~~AWARE that sturgeons (Acipenseriformes) represent a very valuable renewable biological and economic resource;~~

~~RECOGNIZING that in recent years their numbers and status have been affected by such negative factors as regulation of water flow, decrease in natural spawning sites, poaching and illegal trade in sturgeon caviar and other specimens;~~

From the preamble of Resolution Conf. 10.12 (Rev.), see first paragraph.

~~AWARE also that some range States are not yet party to CITES and that this fact could adversely affect the conservation of sturgeons;~~

From the preamble of Resolution Conf. 10.12 (Rev.). This provision is redundant because all the major range States engaged in commercial fishing of Acipenseriformes species are Parties to CITES, and the establishment of catch and export quotas, included in the operative part, which affects all States.

NOTING the need for further research and the importance of scientific monitoring of the status of stocks and an understanding of their genetic structure as the basis for sustainable fisheries management;

Reworded and expanded to add reference to the monitoring of the status of stocks as the basis for sustainable fisheries.

~~NOTING that more scientific studies are urgently needed in order to assess the sustainability of sturgeon fisheries management;~~

See the new paragraph NOTING above.

CONSIDERING that Eurasian range States of **Acipenseriformes species are in need of funds **and technical assistance** in order to develop **regional** management and **monitoring** programmes for ~~sturgeon~~ conservation, **habitat protection, and the combating of illegal fishing and trade;****

From the preamble of Resolution Conf. 10.12 (Rev.), and expanded to include other priority funding needs.

~~AWARE that all living species of sturgeon and paddlefish (Acipenseriformes) are listed in Appendix I or II of CITES, but concerned that certain parts and derivatives of some sturgeon species may be subject to some illegal trade;~~

From the preamble of Resolution Conf. 11.13, adequately covered in the new first preambular paragraph.

~~RECOGNIZING that illegal trade has in the past threatened the survival of certain populations of sturgeons and has undermined the efforts of producer countries to manage their sturgeon resources on a sustainable basis;~~

From the preamble of Resolution Conf. 11.13, adequately covered in the new first preambular paragraph.

~~RECOGNIZING that Resolution Conf. 10.12 (Rev.), adopted by the Conference of the Parties at its 10th meeting (Harare, 1997) and amended at its 11th meeting (Gigiri, 2000), directs the Secretariat in consultation with the Animals Committee to explore the development of a uniform marking system for sturgeon parts and derivatives to assist in subsequent identification of the species;~~

From the preamble of Resolution Conf. 11.13 but becoming redundant because of the proposed consolidation of the two Resolutions.

RECALLING that Article VI, paragraph 7, of the Convention provides that specimens of species listed in the Appendices may be marked to assist in identifying them;

From the preamble of Resolution Conf. 11.13.

CONSIDERING that the labelling of all caviar in trade would be a fundamental step towards the effective regulation of trade in **specimens of sturgeons and paddlefish**~~sturgeon products~~;

From the preamble of Resolution Conf. 11.13, amended and reworded to ensure consistency with earlier paragraphs.

NOTING that, in order to assist the Parties in identifying legal caviar in trade, marking should be standardized and that particular specifications for the design of labels are fundamental, ~~and~~ should be generally applied, **and should also take into account marking systems currently in place and anticipated technological advances in marking systems**;

From the preamble of Resolution Conf. 11.13, adding elements of the last preambular paragraph.

~~RECOGNIZING, however, that the Animals Committee, at its 15th meeting (Antananarivo, 1999), decided to recommend only, at this stage, the adoption of a universal marking system for the export of caviar from producing countries to the initial country of import;~~

From the preamble of Resolution Conf. 11.13, deleted because the Animals Committee at its 18th meeting decided to change its recommendation in this regard.

~~NOTING that strategies for the uniform marking of caviar should take into account marking systems currently in place and should not prevent producer countries and legitimate processing and trading industries from marking the caviar in trade in a further developed way;~~

From the preamble of Resolution Conf. 11.13, adequately reflected in the paragraph NOTING above.

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

The text in the operative part is from Resolution Conf. 10.12 (Rev.) unless stated otherwise.

URGES the range States of species in the Order Acipenseriformes to:

- a) encourage scientific research **and ensure adequate monitoring of the status of stocks¹** ~~particularly in the Eurasian region~~ to promote the sustainability of sturgeon **and paddlefish** fisheries through **appropriate** management programmes;

¹ For the purpose of this Resolution, the term 'stock' is used as a synonym to 'population'.

Expanded to include the extremely important monitoring of stocks, deletion of the regional reference because of the universal importance of ongoing research and monitoring.

- b) curtail the ~~actual~~ illegal fishing **of** and ~~trade export of~~ **in** sturgeon **and paddlefish** specimens by improving the **provisions in and** enforcement of existing laws regulating fisheries and export in close **collaboration contact** with the CITES Secretariat, ICPO-Interpol and the World Customs Organization;

Expanded to include all elements of trade and not just illegal exports, as well as the improvement of current legislation.

- c) explore ways of enhancing the participation of representatives of all agencies responsible for sturgeon **and paddlefish** fisheries in conservation and sustainable-use programmes for these species; and
- d) promote regional agreements between range States of sturgeon **and paddlefish** species aiming at proper management and sustainable utilization of **these species** ~~sturgeons~~;

RECOMMENDS:

- a) ~~that Parties provide the Secretariat with copies of applicable legislation on CITES, including legislation on sturgeon species, particularly referring to the export of personal effects (property);~~

Deleted because the submission of legislation is a one off event and covered under other provisions concerning legislation.

- a**b**) that range States **license legal exporters of specimens of sturgeon and paddlefish species and maintain a register of such persons or companies and provide this register to the Secretariat upon request;** and ~~inform the Secretariat about legal exporters of sturgeon parts and derivatives;~~

Amended to reinforce the importance of regulating exporters.

- b**e**) that importing countries be particularly vigilant in controlling **all aspects of the trade in specimens of sturgeon and paddlefish species, including** the unloading of sturgeon specimens, **transit, re-packaging, re-labelling and re-exports;**

Amended to expand the scope of the recommendation to other aspects of trade than unloading of specimens.

- c) that Parties monitor the storage, processing and re-packaging of ~~sturgeon~~ specimens **of sturgeon and paddlefish species** in Customs free zones and free ports, and for airline and cruise line catering;

Previously subparagraph g), but moved to preceding paragraphs with similar subject matter.

- d) that Parties ensure that all their relevant agencies cooperate in establishing the necessary **administrative organization, management**, scientific and control mechanisms needed to implement the provisions of the Convention with respect to ~~the sturgeon and paddlefish, and in any projects designed to conserve sturgeon~~ species; **and**

Amended to ensure consistency and slightly reworded.

- e) that Parties consider the harmonization of their national legislation related to personal exemptions for caviar, to allow for the personal effects exemption under Article VII, paragraph 3, and consider limiting this exemption to no more than **250 grams of caviar** per person;

RECOMMENDS further, with regards to catch and export quotas, that Parties not accept the import of specimens of *Acipenseriformes* species from stocks shared between different range States¹ unless:

- a) export quotas for that year have been established by the range States² concerned and have been communicated by the Secretariat to the Parties;
- b) the export quotas referred to in subparagraph a) have been derived from catch quotas agreed amongst States that provide habitat for the same stock of an *Acipenseriformes* species;
- c) catch quotas are based on an appropriate regional conservation strategy and monitoring regime for the species concerned; and
- d) the Secretariat is satisfied that catch and export quotas are sustainable and agreed by all relevant range States, on the basis of information provided to it on the status of stocks of the species concerned;

New text to replace paragraph f) under RECOMMENDS of Resolution Conf. 10.12 (Rev.) and Decision 11.58, based on the interpretation of Decision 11.58 provided in paragraph 12.

- ~~f) that range States of sturgeon species included in Appendix II in accordance with Article II, paragraph 2 (a), consider the feasibility of establishing annual export quotas for sturgeon specimens and, if they are established, communicate such quotas to the Secretariat;~~

URGES Parties to implement without delay the labelling of caviar in accordance with Annexes 1 and 2;

CALLS UPON ~~h) that the range States, importing countries and other appropriate experts and organizations such as the IUCN/SSC Sturgeon Specialist Group, in consultation with the Secretariat and, in consultation with the Animals Committee, to explore the development of a uniform DNA-based identification marking system for sturgeon parts and derivatives and aquaculture stocks of *Acipenseriformes* species to assist in the subsequent identification of the origin of specimens in trade. the species while consulting with appropriate experts in fisheries, aquaculture and industry, and particularly in collaboration with range States;~~ and

The proposed amendment is intended to strengthen and focus action on the development of a uniform DNA-based identification system, as also recommended by the Animals Committee at their 18th meeting.

- ~~i) that the Animals Committee consider the trade in sturgeon specimens in the context of the review of significant trade, pursuant to Resolution Conf. 8.9 (Rev.); and~~

DIRECTS the Secretariat:

- a) in collaboration with range States and international organizations from both industry and the conservation community, to assist with the development of a strategy including action plans for the conservation of *Acipenseriformes*; and
- b) **to provide assistance with securing** ~~for that purpose, to seek financial resources assistance~~ from Parties, international organizations, United Nations specialized agencies, intergovernmental and non-governmental organizations and industry; **and**

The proposed amendment is required in order to avoid the impression that the Secretariat is solely responsible for obtaining funding for what is ultimately a national and regional responsibility.

¹ Quotas do not have to be established for specimens from endemic stocks, i.e. stocks not shared with other countries, and captive breeding or aquaculture operations. Quotas communicated for such specimens are voluntary quotas recommended to be established and communicated in paragraph f) of Resolution Conf. 10.12 (Rev.).

² For States that do not have legislation to establish export quotas at the national level, export quotas communicated to the Parties are considered to be export quotas for the purposes of this resolution only.

REPEALS:

- a) Resolution Conf. 10.12 (Rev.) (Harare, 1997, amended Gigiri, 2000) – Conservation of sturgeon; and
- b) Resolution Conf. 11.13 (Gigiri, 2000) – Universal labelling system for the identification of caviar.

All amendments to Resolution Conf. 11.13 on a universal labelling system for the identification of caviar were proposed by the Animals Committee, with the exception of those that are commented upon separately and which are proposed by the Secretariat. The Secretariat also changed the Resolution paragraphs into full sentences, which are more appropriate for guidelines.

Annex 1

CITES guidelines for a universal labelling system for the trade in and identification of caviar

- a) ~~The uniform labelling marking system for~~ **applies to all caviar produced for commercial and non-commercial purposes, for either domestic or international trade, and is based on the application of a non-reusable label on each primary container~~any primary container (tin, jar, or box into which caviar is directly packed)~~ of more than 249 grams of caviar entering international trade from the countries of origin, based on the application of non-reusable labels on each primary container;**
- b) **The following definitions apply in relation to trade in caviar:**
 - **Caviar: processed roe of Acipenseriformes species.**
 - **Lot identification number: a number that corresponds to information related to the caviar tracking system used by the processing or repackaging plant.**
 - **Non-reusable label: any label or mark that cannot be removed undamaged or transferred to another container.**
 - **Pressed caviar: caviar composed of the roe of one or more sturgeon or paddlefish species, remaining after the processing and preparation of higher quality caviar.**
 - **Primary container: tin, jar or other receptacle that is in direct contact with the caviar.**
 - **Processing plant: facility in the country of origin responsible for the first packaging of caviar into a primary container.**
 - **Repackaging plant: facility responsible for receiving and repackaging caviar into new primary containers.**
 - **Secondary container: receptacle into which primary containers are placed.**
 - **Source code: letter corresponding to the source of the caviar, as defined by the relevant CITES resolutions (e.g. 'W' for wild or 'C' for captive bred).**
- ~~b) that for export of primary containers containing less than 250 grams of caviar, the non-reusable labels referred to in paragraph a) above be affixed only to the secondary containers, which should also include a description of the content;~~
- c) ~~that,~~ **In the country of origin, the non-reusable label should be affixed by the processing plant to any primary container. This label must include, as a minimum: grade of the caviar (beluga, sevruga, or ossetra); a standard species code as provided in the Annex 2; the source code of the caviar; and a unique serial number for the shipment, consisting of the ISO two-letter code for the country of origin; the year of harvest; the official registration code of the processing plant (e.g. xxxx); and a unique**

~~number for the primary container that corresponds to the processing plant and the lot identification number for the caviar (e.g. yyyy), for instance:~~

Beluga/HUS/RU/2000/xxxx/yyyy

- d) ~~that the information, referred to in paragraph c) above be clearly marked on all secondary containers containing one or more primary containers of caviar~~ **When no repackaging takes place, the non-reusable label referred to in paragraph c) above should be maintained on the primary container and be considered sufficient, including for re-export.**
- e) ~~that, in order to facilitate tracking and monitoring of caviar exports, the same information that is on the label affixed to the secondary container be given on the export permit;~~
- e) **A non-reusable label should be affixed by the repackaging plant to any primary container in which caviar is repackaged. This label must include, as a minimum: a standard species code as provided in the Annex; the source code of the specimen; the ISO two-letter code of the country of origin; the year of repackaging; the official registration code of the repackaging plant, which incorporates the ISO two-letter code of the country of repackaging if different from the country of origin (e.g. IT-wwww); and the lot identification number, or CITES export permit or re-export certificate number (e.g., zzzz), for instance:**

PER/W/IR/2001/IT-wwww/zzzz

- f) **When caviar is exported or re-exported, the exact quantity of caviar must be indicated on any secondary container in addition to the description of the content in accordance with international Customs regulations.**
- g) **The same information that is on the label affixed to the container must be given on the export permit or re-export certificate, or in an annex attached to the CITES permit or certificate.**
- h) ~~that, in the event of inconsistencies between mismatches of information between on a label and a permit or certificate, the Management Authority of the importing Party immediately should contact its counterpart in the exporting or re-exporting Party as soon as possible to establish whether this was a genuine error arising from the complexity volume of information required by this Resolution these guidelines, and that, if this is the case, every effort should be made to avoid penalizing those involved in such transactions.~~
- g) ~~that the Management Authority of the exporting, re-exporting, and importing Parties provide to the Secretariat, when directed by the Standing Committee or agreed to between the range State and the CITES Secretariat, a copy of each export permit for caviar immediately after issuance or upon receipt, as appropriate;~~
- i) **Each importing, exporting and re-exporting Party should establish, where consistent with national law, a registration system for processing and repackaging plants in its territory and provide to the Secretariat the list of these facilities and their official registration codes. The list should be updated as needed.**
- j) ~~In consultation with the Parties and other relevant entities, the Secretariat should explore the possibility of the establishment of a clearing house mechanism for information regarding all permits issued for international trade in caviar to assist in the control of illegal trade.~~

This provision has been incorporated into the draft decisions in Annex 3.

- ja) ~~that Parties should accept shipments of caviar imported directly from countries of origin only if they are accompanied by appropriate documents containing the information referred to in paragraph c), d) or e). and if the related processed products are labelled as directed in this Resolution; and~~

~~i) that Parties establish, where legally possible, a system of registration or licensing or both for importers and exporters of caviar;~~

This provision has been incorporated into the operative part of the draft Resolution.

~~RECOMMENDS that the preceding set of procedures take effect as soon as possible for export quotas for the year 2001; and~~

This provision has been incorporated into the operative part of the resolution and, with an implementation date, into a draft decision.

~~URGES all Parties that trade (export, import or re-export) in caviar to report promptly to the Secretariat the volumes involved each year.~~

Other provisions on the reporting of trade in CITES-specimens adequately cover this provision.

Annex 2

Codes for identification of Acipenseriformes species, hybrids and mixed species

Species	Code
<i>Acipenser baerii</i>	BAE
<i>Acipenser baerii baicalensis</i>	BAI
<i>Acipenser brevirostrum</i>	BVI
<i>Acipenser dabryanus</i>	DAB
<i>Acipenser fulvescens</i>	FUL
<i>Acipenser gueldenstaedtii</i>	GUE
<i>Acipenser medirostris</i>	MED
<i>Acipenser mikadoi</i>	MIK
<i>Acipenser naccarii</i>	NAC
<i>Acipenser nudiventris</i>	NUD
<i>Acipenser oxyrhynchus</i>	OXY
<i>Acipenser oxyrhynchus desotoi</i>	DES
<i>Acipenser persicus</i>	PER
<i>Acipenser ruthenus</i>	RUT
<i>Acipenser schrencki</i>	SCH
<i>Acipenser sinensis</i>	SIN
<i>Acipenser stellatus</i>	STE
<i>Acipenser sturio</i>	STU
<i>Acipenser transmontanus</i>	TRA
<i>Huso dauricus</i>	DAU
<i>Huso huso</i>	HUS
<i>Polyodon spathula</i>	SPA
<i>Psephurus gladius</i>	GLA
<i>Pseudoscaphirhynchus fedtschenkoi</i>	FED
<i>Pseudoscaphirhynchus hermanni</i>	HER

Species	Code
<i>Pseudoscaphirhynchus kaufmanni</i>	KAU
<i>Scaphirhynchus platorynchus</i>	PLA
<i>Scaphirhynchus albus</i>	ALB
<i>Scaphirhynchus suttkusi</i>	SUS
Mixed species (for 'pressed' caviar exclusively)	MIX
Hybrid specimens: code for the species of the male x code for the species of the female	YYYxXXX

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Conservation of and trade in sturgeons and paddlefish

AWARE that sturgeons and paddlefish of the Order Acipenseriformes represent a valuable renewable biological and economic resource that in recent years has been affected by such negative factors as regulation of water flow, decrease in natural spawning sites, illegal fishing and illegal trade;

NOTING the need for further research and the importance of scientific monitoring of the status of stocks and an understanding of their genetic structure as the basis for sustainable fisheries management;

CONSIDERING that Eurasian range States of Acipenseriformes species are in need of funds and technical assistance in order to develop regional management and monitoring programmes for conservation, habitat protection, and the combating of illegal fishing and trade;

RECALLING that Article VI, paragraph 7, of the Convention provides that specimens of species listed in the Appendices may be marked to assist in identifying them;

CONSIDERING that the labelling of all caviar in trade would be a fundamental step towards the effective regulation of trade in specimens of sturgeons and paddlefish;

NOTING that, in order to assist the Parties in identifying legal caviar in trade, marking should be standardized and that particular specifications for the design of labels are fundamental, should be generally applied and should also take into account marking systems currently in place and anticipated technological advances in marking systems;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

URGES the range States of species in the Order Acipenseriformes to:

- a) encourage scientific research and ensure adequate monitoring of the status of stocks¹ to promote the sustainability of sturgeon and paddlefish fisheries through appropriate management programmes;
- b) curtail the illegal fishing of and trade in sturgeon and paddlefish specimens by improving the provisions in and enforcement of existing laws regulating fisheries and export in close collaboration with the CITES Secretariat, ICPO-Interpol and the World Customs Organization;
- c) explore ways of enhancing the participation of representatives of all agencies responsible for sturgeon and paddlefish fisheries in conservation and sustainable-use programmes for these species; and
- d) promote regional agreements between range States of sturgeon and paddlefish species aiming at proper management and sustainable utilization of these species;

RECOMMENDS:

- a) that range States license legal exporters of specimens of sturgeon and paddlefish species and maintain a register of such persons or companies and provide this register to the Secretariat upon request;

¹ The term 'stock' is regarded, for the purposes of this Resolution, to be synonymous to 'population'.

- b) that importing countries be particularly vigilant in controlling all aspects of the trade in specimens of sturgeon and paddlefish species, including the unloading of sturgeon specimens, transit, re-packaging, re-labelling and re-exports;
- c) that Parties monitor the storage, processing and re-packaging of specimens of sturgeon and paddlefish species in Customs free zones and free ports, and for airline and cruise line catering;
- d) that Parties ensure that all their relevant agencies cooperate in establishing the necessary administrative, management, scientific and control mechanisms needed to implement the provisions of the Convention with respect to sturgeon and paddlefish species; and
- e) that Parties consider the harmonization of their national legislation related to personal exemptions for caviar, to allow for the personal effects exemption under Article VII, paragraph 3, and consider limiting this exemption to no more than 250 grams of caviar per person;

RECOMMENDS further, with regards to catch and export quotas, that Parties not accept the import of specimens of Acipenseriformes species from stocks shared between different range States¹ unless:

- a) export quotas for that year have been established by the range States² concerned and have been communicated by the Secretariat to the Parties;
- b) the export quotas referred to in subparagraph a) have been derived from catch quotas agreed amongst States that provide habitat for the same stock of an Acipenseriformes species;
- c) catch quotas are based on an appropriate regional conservation strategy and monitoring regime for the species concerned; and
- d) the Secretariat is satisfied that catch and export quotas are sustainable and agreed by all relevant range States, on the basis of information provided to it on the status of stocks of the species concerned;

URGES Parties to implement without delay the labelling of caviar in accordance with Annexes 1 and 2;

CALLS UPON range States, importing countries and other appropriate experts and organizations such as the IUCN/SSC Sturgeon Specialist Group, in consultation with the Secretariat and the Animals Committee, to explore the development of a uniform DNA-based identification system for parts and derivatives and aquaculture stocks of Acipenseriformes species to assist in the subsequent identification of the origin of specimens in trade;

DIRECTS the Secretariat:

- a) in collaboration with range States and international organizations from both industry and the conservation community, to assist with the development of a strategy including action plans for the conservation of Acipenseriformes; and
- b) to provide assistance with securing financial resources from Parties, international organizations, United Nations specialized agencies, intergovernmental and non-governmental organizations and industry; and

¹ *Quotas do not have to be established for specimens from endemic stocks, i.e. stocks not shared with other countries, and captive breeding or aquaculture operations. Quotas communicated for such specimens are voluntary quotas recommended to be established and communicated in paragraph f) of Resolution Conf. 10.12 (Rev.).*

² *For States that do not have legislation to establish export quotas at the national level, export quotas communicated to the Parties are considered to be export quotas for the purposes of this Resolution only.*

REPEALS:

- a) Resolution Conf. 10.12 (Rev.) (Harare, 1997, amended Gigiri, 2000) – Conservation of sturgeon; and
- b) Resolution Conf. 11.13 (Gigiri, 2000) – Universal labelling system for the identification of caviar.

Annex 1

CITES guidelines for a universal labelling system for the trade in and identification of caviar

- a) The uniform labelling system applies to all caviar produced for commercial and non-commercial purposes, for either domestic or international trade, and is based on the application of a non-reusable label on each primary container.
- b) The following definitions apply in relation to trade in caviar:
 - Caviar: processed roe of Acipenseriformes species.
 - Lot identification number: a number that corresponds to information related to the caviar tracking system used by the processing or repackaging plant.
 - Non-reusable label: any label or mark that cannot be removed undamaged or transferred to another container.
 - Pressed caviar: caviar composed of the roe of one or more sturgeon or paddlefish species, remaining after the processing and preparation of higher quality caviar.
 - Primary container: tin, jar or other receptacle that is in direct contact with the caviar.
 - Processing plant: facility in the country of origin responsible for the first packaging of caviar into a primary container.
 - Repackaging plant: facility responsible for receiving and repackaging caviar into new primary containers.
 - Secondary container: receptacle into which primary containers are placed.
 - Source code: letter corresponding to the source of the caviar, as defined by the relevant CITES resolutions (e.g. 'W' for wild or 'C' for captive bred).
- c) In the country of origin, the non-reusable label should be affixed by the processing plant to any primary container. This label must include, as a minimum: a standard species code as provided in Annex 2; the source code of the caviar; the ISO two-letter code for the country of origin; the year of harvest; the official registration code of the processing plant (e.g. xxxx); and the lot identification number for the caviar (e.g. yyyy), for instance:

Beluga/HUS/RU/2000/xxxx/yyyy
- d) When no repackaging takes place, the non-reusable label referred to in paragraph c) above should be maintained on the primary container and be considered sufficient, including for re-export.
- e) A non-reusable label should be affixed by the repackaging plant to any primary container in which caviar is repackaged. This label must include, as a minimum: a standard species code as provided in the Annex; the source code of the specimen; the ISO two-letter code of the country of origin; the year of repackaging; the official registration code of the repackaging plant, which incorporates the ISO two-

letter code of the country of repackaging if different from the country of origin (e.g. IT-wwwww); and the lot identification number, or CITES export permit or re-export certificate number (e.g., zzzz), for instance:

PER/W/IR/2001/IT-wwwww/zzzz

- f) When caviar is exported or re-exported, the exact quantity of caviar must be indicated on any secondary container in addition to the description of the content in accordance with international Customs regulations.
- g) The same information that is on the label affixed to the container must be given on the export permit or re-export certificate, or in an annex attached to the CITES permit or certificate.
- h) In the event of inconsistencies between information on a label and a permit or certificate, the Management Authority of the importing Party should contact its counterpart in the exporting or re-exporting Party as soon as possible to establish whether this was a genuine error arising from the complexity of information required by these guidelines. If this is the case, every effort should be made to avoid penalizing those involved in such transactions.
- i) Each importing, exporting and re-exporting Party should establish, where consistent with national law, a registration system for processing and repackaging plants in its territory and provide to the Secretariat the list of these facilities and their official registration codes. The list should be updated as needed.
- j) Parties should accept shipments of caviar only if they are accompanied by appropriate documents containing the information referred to in paragraph c), d) or e).

Annex 2

Codes for identification of Acipenseriformes species, hybrids and mixed species

Species	Code
<i>Acipenser baerii</i>	BAE
<i>Acipenser baerii baicalensis</i>	BAI
<i>Acipenser brevirostrum</i>	BVI
<i>Acipenser dabryanus</i>	DAB
<i>Acipenser fulvescens</i>	FUL
<i>Acipenser gueldenstaedtii</i>	GUE
<i>Acipenser medirostris</i>	MED
<i>Acipenser mikadoi</i>	MIK
<i>Acipenser naccarii</i>	NAC
<i>Acipenser nudiventris</i>	NUD
<i>Acipenser oxyrhynchus</i>	OXY
<i>Acipenser oxyrhynchus desotoi</i>	DES
<i>Acipenser persicus</i>	PER
<i>Acipenser ruthenus</i>	RUT
<i>Acipenser schrencki</i>	SCH
<i>Acipenser sinensis</i>	SIN
<i>Acipenser stellatus</i>	STE
<i>Acipenser sturio</i>	STU

Species	Code
<i>Acipenser transmontanus</i>	TRA
<i>Huso dauricus</i>	DAU
<i>Huso huso</i>	HUS
<i>Polyodon spathula</i>	SPA
<i>Psephurus gladius</i>	GLA
<i>Pseudoscaphirhynchus fedtschenkoii</i>	FED
<i>Pseudoscaphirhynchus hermanni</i>	HER
<i>Pseudoscaphirhynchus kaufmanni</i>	KAU
<i>Scaphirhynchus platyrhynchus</i>	PLA
<i>Scaphirhynchus albus</i>	ALB
<i>Scaphirhynchus suttkusi</i>	SUS
Mixed species (for 'pressed' caviar exclusively)	MIX
Hybrid specimens: code for the species of the male x code for the species of the female	YYYxXXX

DRAFT DECISIONS OF THE CONFERENCE OF THE PARTIES

- 12.xx From 1 January 2004, importing countries should not accept shipments of caviar unless marked in accordance with the universal labelling system outlined in Annexes 1 and 2 of the Resolution on the conservation of and trade in Acipenseriformes species.
- 12.xx In consultation with the Parties and other relevant entities, the Secretariat should explore the possibility of the establishment of a clearing-house mechanism for information regarding all permits issued for international trade in caviar to assist in the control of illegal trade and reports its findings to the Standing Committee prior to CoP13.