

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

Thirteenth meeting of the Conference of the Parties
Bangkok (Thailand), 2-14 October 2004

Interpretation and implementation of the Convention

Exemptions and special trade provisions

Operations that breed Appendix-I species in captivity for commercial purposes

EVALUATION OF THE PROCESS FOR REGISTRATION

1. This document has been submitted by the Animals Committee.
2. The manner in which the Parties have interpreted and implemented the provisions of Article VII, paragraphs 4 and 5, of the Convention regarding specimens of animal species included in Appendix I that are bred in captivity for commercial purposes has, over the years, proven to be particularly problematic. This was the reason why the Conference of the Parties tasked the Animals Committee (AC) with looking into this registration procedure and examining how to make it less complicated. Over the years, the Secretariat received only few applications for registration, mostly for the same species and from the same Parties, and practically all have been accepted. However the Secretariat is aware of the much larger number of commercial breeding operations and amateur breeders in Europe, North America and other parts of the world that breed specimens of Appendix-I species. The Secretariat therefore perceives this small number of registered operations as an indication of the continuous malfunction of the registration schemes and procedures as laid out in relevant Resolutions, and has questioned the need for these.
3. At its 12th meeting (CoP12; Santiago, 2002), the Conference of the Parties adopted a limited number of amendments to Resolution Conf. 11.14 on Guidelines for a procedure to register and monitor operations that breed Appendix-I animal species for commercial purposes (now Resolution Conf. 12.10) in order to make the registration process somewhat easier to comply with. In addition, it adopted Decision 12.78, directed to the AC, as follows:

The Animals Committee shall study and evaluate the process for registering operations that breed Appendix-I animal species for commercial purposes and report at the 13th meeting of the Conference of the Parties. It shall:

- a) describe and analyse the specific problems that limit the wider use of the registration procedure;*
 - b) provide recommendations to resolve those problems; and*
 - c) study and evaluate how commercial captive breeding of Appendix-I species and the process for registration of breeding operations contributes to conservation of Appendix-I species.*
4. The present document deals with paragraphs a) and b) of Decision 12.78. The AC decided to address paragraph c) of Decision 12.78 separately and in combination with Decision 11.102 (Rev. CoP12) and has reported on the implementation of these Decisions in document CoP13 Doc. 56.3.1.

5. At its 19th meeting (AC19; Geneva, August 2003), the AC established an intersessional working group to address the different aspects of paragraphs a) and b) of Decision 12.78. It also adopted the draft text of a Notification, inviting Parties to provide information on their experiences with and views on the registration process. This request was circulated by the Secretariat in Notification to the Parties No. 2003/071 of 12 November 2003.
6. Examination of the responses to this Notification at AC20 (Johannesburg, March-April 2004) seemed to indicate that most problems limiting the wider use of the registration procedure rest with captive breeding operations (CBO) not submitting applications and much less with problems of rejected applications. For this reason, the Committee felt that it should focus mostly on ways to make the application process more user-friendly for the CBOs. It also decided not to propose new amendments for Resolution Conf. 12.10 since the amendments agreed to at CoP12 have not had much time to be field-tested.
7. The Committee defined a list of perceived problems limiting the wider use of the registration procedure and a corresponding list with recommendations to address these issues (see the Annex).
8. Furthermore, the AC suggested that the Secretariat send a Notification to the Parties recommending CITES Management Authorities to work with their CBOs to facilitate the preparation and submission of applications, to provide incentives to CBOs to register, and to ensure that all trade in captive-bred Appendix-I animal species is in accordance with Resolutions Conf. 12.10 and Conf. 5.10. The Notification would include a copy of Canada's application form as an example.
9. The AC considers the tasks directed to it in paragraphs a) and b) of Decision 12.78 fulfilled, and formulates recommendations concerning paragraph c) in document CoP13 Doc. 56.3.1. It therefore recommends deleting this decision. Further discussion on the process for registering operations that breed Appendix-I animal species for commercial purposes should only take place after further experience with Resolution Conf. 12.10 has been gained.

COMMENTS FROM THE SECRETARIAT

- A. The Secretariat doubts the utility of internationally registering operations that breed Appendix-I species in captivity for commercial purposes, and believes that the procedures for registering such operations, as now laid out in Resolution Conf. 12.10 for animals, are unnecessarily complicated and over-bureaucratic. The intersessional work of the Animals Committee has confirmed this opinion.
- B. The Animals Committee identified a number of problems that may limit the wider use of the current registration process. The Committee's corresponding recommendations in the Annex, which would become decisions of the Conference of the Parties if adopted, mostly suggest that Management Authorities should attempt to facilitate the existing process and the Secretariat disseminate some further guidance. They are undemanding and unlikely to improve the current situation significantly. It is unfortunate that the Animals Committee was unable to agree on more fundamental changes to the processes and Resolution Conf. 12.10. The Secretariat disagrees with the notion that this Resolution needs further field-testing before amendments can be considered because it is very similar to the preceding ones on this subject.
- C. If there needs to be a system for the registration of certain or all captive-breeding operations producing Appendix-I animal species for commercial purposes, it should be practical, realistic in scope, easy to monitor and up-to-date. The Secretariat has made suggestions in the past of how it thought this could be achieved (see document CoP12 Doc. 55.1 in which a uniform approach for the registration of commercial operations producing Appendix-I animals or plants was proposed based on Resolution Conf. 9.19). The Secretariat recommends that the Standing Committee examine not only the issue of trade in Appendix-I species from non-registered operations, as recommended by the Animals Committee, but also whether registration is required at all, and if so how a more practical registration procedure can be established.

**Summary of the findings and recommendations of the Animals Committee
related to paragraphs a) and b) of Decision 12.78**

a. Perceived problems limiting the wider use of the registration procedure laid out in Resolution Conf. 12.10	b. Recommendations for resolving the perceived problems
1. Preparing the application is too complicated or complex, especially for small operations	<ul style="list-style-type: none"> – The Management Authorities (MA) should work closely with the captive breeding operation (CBO) to prepare the information required in Annex I of Resolution Conf. 12.10, or establish a support group with breeders and Government in order to facilitate the procedure. – Simplify the language by using a basic application form, such as the one used by the MA of Canada.
2. It is difficult to provide proof of legal acquisition of breeding or parental stock	<ul style="list-style-type: none"> – Where actual documentation is difficult to obtain, the MA may accept signed affidavits in lieu of actual copies of old or unobtainable documents, as is provided for in Resolution Conf. 12.10.
3. Concerns over laundered Appendix-I animal specimens getting into international trade	<ul style="list-style-type: none"> – The Secretariat should disseminate, together with Notifications proposing new CBOs to be added to the registry, details of the specific marking method (and the identifying codes or prefixes used by the CBO, where possible) used by the registered CBO. – Adequate enforcement by all Parties to eliminate illegal trade.
4. Some Parties are allowing import of specimens of Appendix-I animal species under Article III, so registration is deemed as unnecessary	<ul style="list-style-type: none"> – No Parties should allow trade for commercial purposes of Appendix-I animal species, unless it conforms strictly to Resolutions Conf. 5.10 and Conf. 12.10. – The AC recommends that the Standing Committee examine the issue of international trade in Appendix-I species from non-registered CBOs.
5. National legislation of some importing countries prohibits the importing MA from identifying the purpose of import of Appendix-I species as commercial	<ul style="list-style-type: none"> – Encourage importing countries to amend legislation to facilitate import of Appendix-I species from registered CBOs.
6. Commercial trade of Appendix-I listed animal species may stimulate poaching of the species	<ul style="list-style-type: none"> – Adequate enforcement by all Parties to eliminate illegal trade.
7. There are not enough incentives for CBOs to apply for registration	<ul style="list-style-type: none"> – Provide incentives to CBOs such as: <ul style="list-style-type: none"> ○ Faster processing time of permit applications ○ MA can provide the CBO with a formal certificate of approval as an internationally registered breeding facility ○ Possibly reduced export permit fees.