

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



Fourteenth meeting of the Conference of the Parties
The Hague (Netherlands), 3-15 June 2007

Interpretation and implementation of the Convention

Exemptions and special trade provisions

TRADE IN SOME CROCODILIAN SPECIMENS

1. This document has been submitted by Germany, on behalf of the European Community Member States acting in the interest of the European Community.
2. All crocodilian species were listed in Appendix I or Appendix II of CITES when the Convention came into force (1 July 1975). They are still so listed nowadays. Therefore, excluding the specimens eligible for the personal-effect exemption, any export or re-export of items entirely or partially made of readily recognizable skin pieces of crocodilians requires an import permit and/or an export permit or a re-export certificate to be previously granted and presented, in accordance with Article III, paragraphs 2) and 4), and Article IV, paragraphs 2) and 5), of the Convention.
3. Crocodilian leather items are mainly manufactured outside the range States of the species concerned. As a result, international trade in these specimens essentially consists of re-exports. According to the national reports submitted by the Parties concerning 2004, the contribution of exports to the worldwide trade in crocodilian leather items corresponding to code LPS¹ [Leather Product (Small)] is 3.5 % only, while the part of re-exports is 96.5 %.
4. In addition, 85 % of the exported LPS specimens made out of crocodilian leather (i.e. 85 % of 3.5 % of the worldwide trade in the considered specimens) originate from captive-breeding or ranching operations (sources C, D or R). If we refer to re-exported specimens, this rate increases to 92 %.
5. This means that exports of small manufactured products made out of crocodilian leather which do not originate from captive-breeding or ranching operations only represent 0.5 % (3.5 x 0.15) of the international trade in these specimens.
6. Therefore, 99.5 % of this trade does not have any impact on the conservation of the crocodilian species. This percentage would be even higher if the largest items referred to under code LPS (e.g. large bags) were excluded from this analysis.
7. It is also worth considering that all these small crocodilian leather items that are re-exported originate from raw or semi-worked skins or skin pieces, which have previously been subject to the compulsory provisions (and related controls) of the Convention and Resolution Conf. 11.12 (Universal tagging system for the identification of crocodilian skins). Now, the control of the trade in crocodilian skins is considered as being very effective and has made it possible to eliminate the greatest part of a formerly flourishing illegal trade. In fact, it is widely recognized as the best success story of CITES.

¹ As defined in the Guidelines for the preparation and submission of CITES annual reports circulated by the Secretariat with Notification to the Parties No. 2006/030 of 2 May 2006.

8. In addition, leather manufacturers must generally be able to prove the origin of the skins they use, by providing either the wholesaler invoice or the import permit if they themselves imported the skins.
9. It results from paragraphs 6, 7 and 8 above that issuing CITES documents and controlling the trade in crocodilian leather products, in particular the small ones, has not any real impact on the conservation of the species concerned.
10. Despite this reality, the countries where the specimens under consideration are manufactured and traded must issue tens of thousands of re-export certificates for these specimens each year. The quantity of these documents continually increases, especially because some parts of the manufacturing process are carried out in third countries, which implies several successive re-exports and re-imports for a single specimen.
11. Such a huge quantity of CITES documents imposes a very significant burden on Management Authorities and Customs, whose financial and human resources are often limited. In addition, the obligation to handle and manage these documents makes the transactions unnecessarily more expensive and time consuming, sometimes quite significantly, without any effect on the crocodilian populations.
12. In order to ensure that the limited human and financial resources that are available can be more wisely allocated, it would be appropriate to remove unnecessary bureaucratic controls and to focus on the actual cases of concern for biodiversity conservation.
13. The draft decisions submitted in the annex to this document aim at establishing a working group of the Standing Committee with the task to develop a proposal to exempt the trade in small crocodilian leather goods from CITES provisions, in order to contribute to the improvement of the effectiveness of the Convention.

COMMENTS FROM THE SECRETARIAT

- A. Leather goods (whether small or large) cannot be excluded from the provisions of the Convention as this would be contrary to the provisions of Article I, paragraph (b)(ii), of the Convention.
- B. The Secretariat believes that the passage of such goods through the formalities of trade can be facilitated by using pre-issued permits in line with the recommendations contained in Part XII of Resolution Conf. 12.3 (Rev. CoP13).

DRAFT DECISIONS OF THE CONFERENCE OF THE PARTIES

Trade in some crocodilian specimens

Directed to the Standing Committee

- 14.XX The Standing Committee shall, at its 57th meeting, consider the issue of trade in small crocodilian leather goods and its impact on the conservation of the species in question and on the effectiveness of the Convention. For that purpose, it shall establish a working group with representatives from exporting and importing countries, the Animals Committee, the Secretariat and other interested parties. The tasks of the working group, which might work electronically, shall be:
- a) to examine the actual benefits and costs of the need to issue CITES documents and conduct trade controls for small crocodilian leather goods;
 - b) to consider possible ways and conditions to exempt small crocodilian leather goods from CITES provisions;
 - c) to develop a proposal, if appropriate, to contribute to the improvement of the effectiveness of the Convention, providing for the exemption of small crocodilian leather goods from CITES provisions; and
 - d) to report to the Standing Committee on the results of its work at its 58th meeting (2009).
- 14.XX The Standing Committee shall at its 58th meeting consider the report of the working group established under Decision 14.XX and shall submit recommendations to the Conference of the Parties for consideration at its 15th meeting.