

Resolution Conf. 12.10 (Rev. CoP14)
*Guidelines for a procedure to register and monitor operations
that breed Appendix-I animal species for commercial purposes*

Background

1. Article VII, paragraph 4, of the Convention states the following:

Specimens of an animal species included in Appendix I bred in captivity for commercial purposes, or of a plant species included in Appendix I artificially propagated for commercial purposes, shall be deemed to be specimens of species included in Appendix II.

2. Over the years, the Conference of the Parties has imposed increasingly strict conditions on the facilitation of trade in such specimens. The Conference first adopted a resolution on specimens bred in captivity or artificially propagated at its second meeting (San José, 1979) with Resolution Conf. 2.12. At its fourth meeting, (Gaborone, 1983), it adopted Resolution Conf. 4.15 where it requested the Secretariat to compile and update a register of the operations that breed specimens of species included in Appendix I in captivity for commercial purposes. At its eighth meeting (Kyoto, 1992), it established guidelines for the registration of such operations in Resolution Conf. 8.15 and mandated the Secretariat to play a much larger role in the registration. These guidelines have been revised several times since and are now found in Resolution Conf. 12.10 (Rev. CoP14).
3. The creation of a register of commercial nurseries that artificially propagate specimens of plant species included in Appendix I for export purposes is more recent as it was decided at the ninth meeting of the Conference of the Parties (Forth Lauderdale, 1994) with Resolution Conf. 9.19. The guidelines for inclusion of nurseries in that register are now found in Resolution Conf. 9.19 (Rev. CoP13).
4. Both sets of guidelines lay out conditions for export of the specimens concerned that are much stricter than what is required in Article VII of the Convention. Unlike that Article, they also establish a strong distinction between the treatment of fauna and flora. Not only is the registration more complicated for animals than for plants, but the Conference has also requested that Parties restrict imports for primarily commercial purposes of captive-bred specimens of Appendix-I species to those produced by operations included in the Secretariat's register. Conversely, the registration of plant nurseries by Parties remains voluntary.
5. At the time of writing (September 2009), the *Register of operations that breed Appendix-I animal species for commercial purposes* included 179 operations registered by 24 Parties for 25 species, mainly birds for falconry and display, fish for aquaria, and crocodiles for the leather industry. In comparison, the register of plant nurseries created through Resolution Conf. 9.19 (Rev. CoP13) (*Guidelines for the registration of nurseries exporting artificially propagated specimens of Appendix-I species*) comprised 108 operations from 11 countries and included hundreds of species.
6. The process for registration of captive-breeding operations has proven to be lengthy, costly and ineffective (only 179 operations currently included in the register after 26 years of existence). Based on the foregoing, the Secretariat has made two proposals below to facilitate the implementation of Article VII, paragraph 4 and 5.

Proposal 1

7. The Secretariat is of the long-standing opinion that the registration programme for animals is unnecessarily complicated. As a result, many Parties have chosen not to apply Resolution Conf. 12.10 (Rev. CoP14) and there are probably thousands of operations breeding Appendix-I species around the world that are not registered with the Secretariat. The Secretariat has proposed in the past that the registration programme for animals be brought into line with the one for plants outlined in Resolution Conf. 9.19 (Rev. CoP13) (see [document CoP12 Doc. 55.1](#)). It now reiterates its proposal on the grounds that:
 - a) Notwithstanding the specific physiological differences between plants and animals and the different reproduction methods that apply to each kingdom, there is no reason to resolve that a Management Authority is fully competent to assess the validity of a registration application from a nursery but not that from a captive-breeding operation;

- b) No problem has arisen from the far less complicated and less expensive nursery registration programme since its inception in 1994;
 - c) A system based on Resolution Conf. 9.19 (Rev. CoP13) would still allow Parties to retain full control of the operations they register;
 - d) The system established under Resolution Conf. 12.10 (Rev. CoP14) creates a lot of work for the Parties and the Secretariat with no obvious extra benefit compared to the nursery registration programme. For reference, since 2005, the Secretariat has received an annual average of 30 applications to register captive-breeding operations. An application takes on average two days to process, from review to inclusion in the register. Based on staff time costs, the Secretariat has calculated that this programme has cost up to USD 65,000 a year;
 - e) The review of applications that the Secretariat is mandated to conduct is a desk exercise, with all the limitations that such a verification implies; and
 - f) The review of applications by the Secretariat duplicates the work already done by the Management Authorities that have requested their inclusion in the Register.
8. In summary, the current registration programme for captive-breeding operations is not implemented universally, it absorbs a significant amount of the Secretariat's resources, and it has not proven more efficient than the simpler registration programme for plants.
9. Therefore, the Secretariat reiterates its proposal made at CoP12 (Santiago, 2002) that the registration of captive-breeding operation be modelled on the registration programme for plant nurseries described in Resolution Conf. 9.19 (Rev. CoP13). At the time, concerns were raised that the draft resolution presented by the Secretariat did not take enough account of differences in reproduction and export methods between animals and plants. The Secretariat therefore proposes to keep two resolutions: retaining Resolution Conf. 9.19 (Rev. CoP13) for nurseries, and adopting a similar one for captive-breeding operations, but where specific aspects of animal husbandry and trade are integrated. Such a draft resolution is proposed for adoption in Annex 12.b) to the present document. Prepared on the basis of Resolution Conf. 9.19 (Rev. CoP13), it also contains elements of Resolution Conf. 10.12 (Rev. CoP14), such as marking.

Proposal 2

10. If the Conference decides that it does not wish to adopt the draft resolution in Annex 12.b), or an amended version, then the Secretariat proposed that Resolution Conf. 12.10 (Rev. CoP14) be revised in depth.
11. Some of the provisions of Annex 1 to that Resolution (*Information to be provided to the Secretariat by the Management Authority on operations to be registered*) lack clarity, contain redundancies or have proven ambiguous and are therefore open to different interpretations. The proposals made in the table below endeavour to address these issues.
12. The provisions of Annex 2 to the Resolution (*Procedure to be followed by the Secretariat before registering new operations*) related to objections raised by Parties to a registration application could also be improved. The non-specification of the type of objections that can be made and the lack of a requirement to support them with evidence have resulted in registrations being blocked on grounds either too vague for applying Parties to ever be able to respond to satisfactorily, or not strictly related to the applications under consideration.
13. When the Resolution was originally drafted, it was probably thought that, if concerns were raised, they would be of a scientific nature. As a result, any objection made automatically triggers a long process of consultation with the Animals Committee. In practice, however, concerns have often been related to legal or enforcement issues. Furthermore, it must be noted that the Animals Committee's recommendations have generally had no effect on the views of the objecting Parties. The consultations have therefore been drawing on the resources of the Committee and the Secretariat (as a facilitator between the different parties concerned) without any benefit.
14. Applications that remain the subject of an objection after consultation with the Animals Committee are referred to the Conference of the Parties. As the Conference meets at three-yearly intervals, the process for registering an operation becomes so long that it may act as a disincentive for operations to apply or even for Parties to implement this Resolution.

15. To address the problems identified in paragraphs 11-14 above, the Secretariat believes that verification of the validity of a registration application should be left entirely to the Management Authority of the country concerned, leaving other Parties the possibility to comment but not to make objections. The first reason for this is that the Conference of the Parties itself has resolved in Resolution Conf. 12.10 (Rev. CoP14) that "the first and major responsibility for approving captive-breeding operations under Article VII, paragraph 4, shall rest with the Management Authority of each Party, in consultation with the Scientific Authority of that Party". Secondly, the Conference has not given Parties the possibility to comment or to raise objections in Resolution Conf. 9.19 (Rev. CoP13) on *Guidelines for the registration of nurseries exporting artificially propagated specimens of Appendix-I species*. As recalled above, the text of the Convention establishes no distinction between plants and animals in Article VII and there seems to be no reason why they should be treated differently.
16. Nonetheless, if the Conference is of the opinion that Parties should retain the possibility to object to an application, the Secretariat believes the procedure could be simplified by:
 - a) Specifying the type of objections that can be made and requiring that they be fully documented. For instance, if a Party believes that a parental breeding stock was not acquired in compliance with CITES, it should support its concerns with the evidence that has led it to this conclusion;
 - b) Allowing the Chair of the Animals Committee to decide whether the nature of the objections warrants the involvement of the Animals Committee; and
 - c) If an objection is maintained, referring the application to the Standing Committee rather than to the Conference of the Parties. This would reduce considerably the time needed to bring a registration case to a close as there would be a yearly opportunity to review applications that have been objected to. Furthermore, the Standing Committee could be asked to review not just the applications but also the objections, and to reject the latter if they consider them trivial or ill-founded. This language is already used in Resolution Conf. 14.3 (*CITES compliance procedures*), Annex, paragraph 25, which says that "The Standing Committee rejects compliance matters which it considers are trivial or ill-founded."
17. The Conference could also consider the possibility to simplify the registration process for operations that have already been registered for a species and that wish to register another species bred with similar husbandry methods. For instance, an operation already registered for *Crocodylus porosus* may wish to start exporting specimens of *Crocodylus siamensis*.
18. A simplified registration process could also be applied to breeding operations that are actively engaged in programmes contributing to the conservation of the species concerned in the wild. Paragraph 17 of Resolution Conf. 12.10 (Rev. CoP14), Annex 2, already requests that the following information be provided:

Description of the strategies used by the breeding operation, or other activities, that contribute to improving the conservation status of wild population(s) of the species.

However, the degree to which breeding operations contribute to the conservation of wild populations varies greatly. Many operations put forward the argument that, by supplying markets with captive-bred specimens of legal origin, they make illegal trade less economically attractive, help to meet the demand and thus alleviate pressure on wild populations. Other operations go much further and participate in release programmes, capacity-building activities, conservation projects, educational activities, etc. The Secretariat recommends that such difference in contributions to the conservation of wild populations be acknowledged in the Resolution. The possibility of benefiting from a simplified registration procedure by taking an active part in conservation could therefore be a strong incentive for operations to do so or for Management Authorities to support such programmes.

19. In the cases envisaged under paragraphs 17 and 18 above, the Secretariat suggests that applications need contain only the information requested in paragraphs 1-6, 8, 13, 14 and 17 of Annex 2 to Resolution Conf. 12.10 (Rev. CoP14). It further suggests that the accelerated registration process allow the Secretariat to accept such applications once it is satisfied that those requirements have been met without having to submit them to other Parties for comments, again as is done for plant nurseries in compliance with Resolution Conf. 9.19 (Rev. CoP13), Annex 3. A draft resolution including the suggestions above is contained in Annex 12.c) to the present document.

20. Finally, some Parties, such as Canada, have created a registration application form based on Annex 1 to Resolution Conf. 12.10 (Rev. CoP14). An example of the Canadian form, which is mentioned in the current Resolution, is provided in Annex 12.d). The Conference could therefore consider having Annex 1 to the Resolution presented in a similar format, as it may facilitate the submission and review of information.

Conclusions and recommendation

21. The Secretariat believes that, through simplification and rationalization, the registration programme for captive-breeding operations could be not only an aid to regulation but also an incentive measure for the private sector to adhere to CITES regulations and to promote the Convention. Certifications guaranteeing the sustainable source of wildlife products are becoming more and more common (e.g. the Forest Stewardship Council's certification scheme for timber or the Marine Stewardship Council's fishery certification programme). Likewise, an efficient CITES registration scheme could offer a selling argument to private companies and a guarantee of sustainable origin to consumers.
22. Additionally, if more private companies were interested in seeking registration, this programme could be a regular source of income for Management Authorities that decide to charge a fee for registering.
23. The Conference of the Parties is invited to consider the two proposals put forward by the Secretariat and to adopt whichever it deems appropriate to streamline the captive-breeding registration programme.

Proposed new resolution for the registration of captive-breeding operations based on
Resolution Conf. 9.19 (Rev. CoP13) and Resolution Conf. 12.10 (Rev. CoP14)

**Registration of operations that breed Appendix-I animal species
in captivity for commercial purposes**

RECALLING Resolution Conf. 8.15, adopted by the Conference of the Parties at its eighth meeting (Kyoto, 1992), Resolution Conf. 11.14, adopted at its 11th meeting (Gigiri, 2000) and Resolution Conf. 12.10, adopted at its 12th meeting (Santiago, 2002) and amended at its 13th (Bangkok, 2004) and 14 meetings (The Hague, 2007);

RECOGNIZING that Article VII, paragraph 4, of the Convention provides that specimens of Appendix-I animal species bred in captivity for commercial purposes shall be deemed to be specimens of species included in Appendix II;

RECOGNIZING also that the provisions of Article III of the Convention remain the basis for permitting trade in specimens of Appendix-I species of animals that do not qualify for the exemptions of paragraphs 4 and 5 of Article VII;

NOTING that import of wild-caught specimens of Appendix-I species for purposes of establishing a commercial captive-breeding operation is precluded by Article III, paragraph 3 (c), of the Convention, as explained further in Resolution Conf. 5.10, adopted by the Conference of the Parties at its fifth meeting (Buenos Aires, 1985);

RECALLING that Resolution Conf. 10.16 (Rev.), adopted by the Conference of the Parties at its 10th meeting (Harare, 1997) and amended at its 11th meeting, establishes the definition of 'bred in captivity' and provides the basis for determining whether or not an operation is eligible to be considered for registration;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

DETERMINES that the term 'bred in captivity for commercial purposes', as used in Article VII, paragraph 4, shall be interpreted as referring to any specimen of an animal bred to obtain economic benefit, whether in cash or kind, where the purpose is directed toward sale, exchange or provision of a service or any other form of economic use or benefit;

AGREES that the exemption of Article VII, paragraph 4, should be implemented through the registration by the Secretariat of operations that breed specimens of Appendix-I species in captivity for commercial purposes;

AGREES to the following procedure to register a captive-breeding operation for each Appendix-I listed animal species bred for commercial purposes;

AGREES also that determination of whether or not to apply the exemptions in Article VII, paragraph 4, for the export of specimens of Appendix-I animals bred in captivity for commercial purposes remains the responsibility of the Management Authority of the exporting Party on the advice of the Scientific Authority that each operation complies with the provisions of Resolution Conf. 10.16 (Rev.);

RESOLVES that:

- a) the responsibility for the registration of captive-breeding operations that reproduce specimens of Appendix-I animal species for export purposes shall rest with the Management Authority of each Party, in consultation with the Scientific Authority of that Party;
- b) any Management Authority that wishes to register a commercial captive-breeding operation shall provide to the Secretariat, for inclusion in its Register, all appropriate information to obtain and maintain the registration of each such operation;

- c) captive-bred specimens of Appendix-I species produced in registered operations may only be exported when:
- i) an appropriate and secure marking system is used to clearly identify all breeding stock and specimens in trade;
 - ii) they are transported and labelled in such a way that they are clearly separated from Appendix-II and Appendix-III specimens in the same consignment; and
 - iii) the CITES export permit clearly states the registration number attributed by the Secretariat and the name of the operation of origin if it is not the exporter;
- d) notwithstanding the right of each Party to remove an operation within its jurisdiction from the Register, any Party that becomes aware of, and can demonstrate, a failure of a registered operation to comply satisfactorily with the requirements for registration may propose to the Secretariat that it be deleted from the Register, but the Secretariat will only make the deletion after consultation with the Management Authority of the Party in which the operation is located; and
- e) Parties provide incentives to their captive-breeding operations to register, such as faster processing of permit applications, issuance of a formal certificate of approval as an internationally registered breeding operation, or possibly reduced export permit fees;

ENCOURAGES importing countries to facilitate import of Appendix-I species from registered captive-breeding operations;

AGREES further that:

- a) Parties shall restrict imports for primarily commercial purposes, as defined in Resolution Conf. 5.10, of captive-bred specimens of Appendix-I species to those produced by operations included in the Secretariat's Register and shall reject any document granted under Article VII, paragraph 4, if the specimens concerned do not originate from such an operation and if the document does not describe the specific identifying mark applied to each specimen; and
- b) comparable documentation granted in accordance with the Convention by States that are not party to the Convention shall not be accepted by Parties without prior consultation with the Secretariat; and

DIRECTS the Secretariat to review any application for registration, and to compile and update a Register of captive-breeding operations on the basis of information received from the Parties, and to communicate this Register to the Parties; and

REPEALS Resolution Conf. 12.10 (Rev. CoP14) – Guidelines for a procedure to register and monitor operations that breed Appendix-I animal species for commercial purposes

Annex 1 Role of the commercial operation

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RESOLVES that the owner/manager of any commercial captive-breeding operation seeking inclusion in the Secretariat's Register shall be responsible for providing to the Management Authority of the country in which it is located the following information:

1. name and address of the owner and manager or technical director of the operation;
2. date of establishment;
3. description of the facilities and breeding techniques;

4. description of the historical background of the operation, in particular information on which species or groups of species have been commercially produced in the past;
 5. taxa currently in production (Appendix I only);
 6. description of the Appendix-I parental stock, including quantities and evidence of legal acquisition; and
 7. quantities of specimens expected to be exported in the near future.
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Annex 2 Role of the Management Authority

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RESOLVES that each Management Authority shall perform the following functions:

- a) request the Secretariat to register an operation that breeds in captivity and exports specimens of Appendix-I species and provide the following:
 - i) information about the scientific names (and full synonymy) of the taxa concerned;
 - ii) a description of the facilities and breeding techniques, as provided by the operation in accordance with Annex 1;
 - iii) a description of the inspection procedures used by the Management Authority to confirm the identity and the legal origin of the parental stock; and
 - iv) evidence of the legal origin of any other specimens of Appendix-I species of wild origin present in the operation concerned, or adequate assurance that such specimens are controlled under existing national legislation;
- b) ensure that the number of specimens of wild origin in a registered operation designated as parental stock of species in Appendix I is not depleted by the disposal of specimens other than through natural causes, unless the Management Authority consents, on the request of the registered operation, to the transfer of the parental stock (or of part thereof) to another registered exporting operation;
- c) ensure that the registered exporting operations are reviewed on a regular basis by a specialist from the Management or Scientific Authority or other qualified entity appointed by the Management Authority, to certify the size of the parental stock of wild origin and that the operations hold no other specimens of wild origin of Appendix-I species; and
- d) design a simple procedure for the issuance of export permits to each registered operation, in accordance with Article VII, paragraph 4, of the Convention, and with Resolution Conf. 12.3 (Rev. CoP14). Such a procedure could involve the pre-issuance of CITES export permits on which:
 - i) in box 12b, the registration number of the operation is included; and
 - ii) in box 5, at least the following information is included:

PERMIT VALID ONLY FOR ANIMALS BRED IN CAPTIVITY
AS DEFINED BY CITES RESOLUTION CONF. 10.16 (REV.)
VALID ONLY FOR THE FOLLOWING TAXA.

Annex 3

Role of the Secretariat

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RESOLVES that the Secretariat shall perform the following functions:

- a) receive from Management Authorities and review applications for registration of operations that breed in captivity specimens of Appendix-I species for export;
- b) when satisfied that an operation meets all requirements, publish the name, the registration number and other particulars in its Register within 30 days after receipt of the report;
- c) when not satisfied that an operation meets all the requirements, provide the relevant Management Authority with a full explanation and indicate the specific conditions that must be met;
- d) delete the name of an operation from its Register when requested to do so, in writing, by the responsible Management Authority; and
- f) receive and review information from Parties or other sources regarding failure of a registered operation to comply satisfactorily with the requirements for registration and, after consultation with the Management Authority of the Party in which the operation is located, delete it from the Register if appropriate.

Draft revision of Resolution Conf. 12.10 (Rev. CoP14)

NB: the left column contains the original text with proposed new text underlined and deletions struck out. The right column contains an explanation of the proposed amendments.

Resolution Conf. 12.10 (Rev. CoP14)*	
* Amended at the 13th and 14th meetings of the Conference of the Parties.	
<p>Guidelines for a procedure to register and monitor <u>Registration of operations that breed Appendix-I animal species in captivity for commercial purposes</u></p>	<ul style="list-style-type: none"> – The title has been simplified because the procedure described therein is not a set of guidelines but instructions, and because the monitoring aspect is very minor in the Resolution [only mentioned in paragraph g) of the operative part]. – The words "in captivity" have been added for terminological standardization and to distinguish these operations from ranching.
<p>RECALLING Resolution Conf. 8.15, adopted by the Conference of the Parties at its eighth meeting (Kyoto, 1992) and Resolution Conf. 11.14, adopted at its 11th meeting (Gigiri, 2000);</p>	
<p>RECOGNIZING that Article VII, paragraph 4, of the Convention provides that specimens of Appendix-I animal species bred in captivity for commercial purposes shall be deemed to be specimens of species included in Appendix II;</p>	
<p>RECOGNIZING also that the provisions of Article III of the Convention remain the basis for permitting trade in specimens of Appendix-I species of animals that do not qualify for the exemptions of paragraphs 4 and 5 of Article VII;</p>	
<p>NOTING that import of wild-caught specimens of Appendix-I species for purposes of establishing a commercial captive-breeding operation is precluded by Article III, paragraph 3 (c), as explained further in Resolution Conf. 5.10, adopted by the Conference of the Parties at its fifth meeting (Buenos Aires, 1985);</p>	
<p>RECALLING that Resolution Conf. 10.16 (Rev.), adopted by the Conference of the Parties at its 10th meeting (Harare, 1997) and amended at its 11th meeting, establishes the definition of 'bred in captivity' and provides the basis for determining whether or not an operation is eligible to be considered for registration;</p>	
<p>NOTING that, in accordance with Article VII, paragraph 5, the import of specimens of Appendix-I species bred in captivity not for commercial purposes that are covered by a certificate of captive breeding does not require the issuance of an import permit and may therefore be authorized whether or not the purpose is commercial;</p>	
<p>THE CONFERENCE OF THE PARTIES TO THE CONVENTION</p>	
<p>DETERMINES that the term 'bred in captivity for</p>	<p>As "profit" is a type of "economic benefit", this word</p>

commercial purposes', as used in Article VII, paragraph 4, shall be interpreted as referring to any specimen of an animal bred to obtain economic benefit, including profit , whether in cash or kind otherwise, where the purpose is directed toward sale, exchange or provision of a service or any other form of economic use or benefit;	is unnecessary. Besides, the specification "whether in cash or in kind" clarifies that this benefit may be other than just money. Nevertheless, to make it perfectly clear that an "economic benefit" can take many forms, the Secretariat suggests replacing "in kind" with "otherwise". The same terms appear in Resolution Conf. 5.10 and the Secretariat is proposing the same amendment therein.
AGREES that the exemption of Article VII, paragraph 4, should be implemented through the registration by the Secretariat of operations that breed specimens of Appendix-I species <u>in captivity</u> for commercial purposes;	The words "in captivity" have been added for terminological standardization and to distinguish these operations from ranching.
AGREES to the following procedure to register a captive-breeding operation for each Appendix-I listed animal species bred for commercial purposes;	
AGREES also that determination of whether or not to apply the exemptions in Article VII, paragraph 4, for the export of specimens of Appendix-I animals bred in captivity for commercial purposes remains the responsibility of the Management Authority of the exporting Party on the advice of the Scientific Authority that each operation complies with the provisions of Resolution Conf. 10.16 (Rev.);	
RESOLVES that:	
a) an operation may only be registered according to the procedure in this Resolution if specimens produced by that operation qualify as 'bred in captivity' according to the provisions of Resolution Conf. 10.16 (Rev.);	
b) the first and major responsibility for approving captive-breeding operations under Article VII, paragraph 4, shall rest with the Management Authority of each Party, in consultation with the Scientific Authority of that Party;	
c) the Management Authority shall provide the Secretariat with appropriate information to obtain, and to maintain, the registration of each captive-breeding operation as set out in Annex 1 <u>or 2, as appropriate</u> ;	This addition refers to the simplified registration developed in the new Annex 2.
d) the Secretariat shall notify all Parties of each application for registration following the procedure set out in Annex <u>32</u> ;	Renumbering due to the addition of an annex.
e) Parties shall strictly implement the provisions of Article IV of the Convention with respect to specimens of species included in Appendix I originating from operations that breed such specimens in captivity for commercial purposes;	This word is superfluous as Parties have to implement the Convention in a uniform manner.
f) registered captive-breeding operations shall ensure that an appropriate and secure marking system is used to clearly identify all breeding stock and specimens in trade, and shall undertake to adopt superior marking and identification methods as these become available;	
g) the Management Authority, in collaboration with the Scientific Authority, shall monitor the management of each registered captive-breeding	The Animals Committee only intervenes in the registration process when objections are made, when it acts as a consultative body. Giving the

<p>operation under its jurisdiction and advise the Secretariat in the event of any major change in the nature of an operation or in the type(s) of products being produced for export, in which case the Animals Committee shall review the operation to determine whether it should remain registered;</p>	<p>Animals Committee the mandate to determine whether an operation should remain registered in this specific case therefore seems not in keeping with the rest of the Resolution.</p>
<p>h) any Party within whose jurisdiction an operation is registered may unilaterally request the removal of that operation from the Register without reference to other Parties by so notifying the Secretariat, and, in this case, the operation shall be removed immediately;</p>	
<p>i) any Party believing that a registered operation does not comply with the provisions of Resolution Conf. 10.16 (Rev.) may, after consultation with the Secretariat and the Party concerned, propose that to the Conference of the Parties <u>Standing Committee that this delete the operation be deleted from the Register by a two-thirds vote of the Parties as described in Article XV of the Convention; and, once</u>. If so deleted, such an operation may only be reinstated in the Register by satisfying the procedure outlined in Annex 32; and</p>	<ul style="list-style-type: none"> - Amendment to give the mandate to review registrations to the Standing Committee. - Rewording to clarify that the maintenance of the register (including deletions) is actually done by the Secretariat and not the Standing Committee; and that other deletions, such as those requested by the Party on whose territory the operation is located, does not fall in this category. - Renumbering due to the addition of an annex.
<p>j) the Management Authority shall satisfy itself that the captive-breeding operation will make a continuing meaningful contribution according to the conservation needs of the species concerned;</p>	<p>Rewording to clarify the meaning of this paragraph.</p>
<p>URGES that:</p> <p>a) Parties, prior to the establishment of captive-breeding operations for exotic species, undertake an assessment of the ecological risks, in order to safeguard against any negative effects on local ecosystems and native species;</p>	
<p>b) Management Authorities work closely with captive-breeding operations to prepare the information required in Annex 1 of this Resolution, or establish a support group with members representing breeders and Government in order to facilitate the procedure; and</p>	
<p>c) Parties provide incentives to their captive-breeding operations to register, such as faster processing of permit applications, issuance of a formal certificate of approval as an internationally registered breeding operation, or possibly reduced export permit fees;</p>	
<p>ENCOURAGES:</p> <p>a) Parties to provide simple application forms (such as the one used by the Management Authority of Canada) and clear instructions to operations that wish to be registered; and</p>	<p>This reference is not very helpful if the form is not attached to the Resolution. However, the Secretariat thinks that standardizing the way information should be presented by applicants is a good idea. It has therefore provided in Annex 3 to the present section a draft form with a clean version of Option B of Annex 1, with the amendments proposed across. It recommends that the Conference adopt the idea of presenting Annex 1 as a form.</p>
<p>b) importing countries to facilitate import of Appendix-I species from registered captive-</p>	

breeding operations;	
<p>AGREES further that:</p> <p>a) Parties shall restrict imports for primarily commercial purposes, as defined in Resolution Conf. 5.10, of captive-bred specimens of Appendix-I species to those produced by operations included in the Secretariat's Register and shall reject any document granted under Article VII, paragraph 4, if the specimens concerned do not originate from such an operation and if the document does not describe the specific identifying mark applied to each specimen; and</p>	
<p>b) comparable documentation granted in accordance with the Convention by States that are not Parties to the Convention shall not be accepted by Parties without prior consultation with the Secretariat; and</p>	
<p>REPEALS the Resolutions listed hereunder:</p> <p>a) Resolution Conf. 8.15 (Kyoto, 1992) – <i>Guidelines for a procedure to register and monitor operations breeding Appendix-I animal species for commercial purposes</i>; and</p> <p>b) Resolution Conf. 11.14 (Gigiri, 2000) – <i>Guidelines for a procedure to register and monitor operations that breed Appendix-I animal species for commercial purposes</i>.</p>	<p>The titles of the Resolutions have been changed to italic typeface, in line with current editorial practice.</p>
<p>Annex 1</p> <p>Information to be provided to the Secretariat by the Management Authority on operations to be registered</p>	
1. Name and address of the owner and manager of the captive-breeding operation.	
2. Date of establishment.	
3. Appendix-I Species proposed for registration (Appendix I only).	Clarification that applicants need not indicate other Appendix-I species they might be breeding.
<p>4. Details of the Numbers and ages (if known or appropriate) of males and females that comprise the parental breeding stock.</p> <p>Evidence of legal acquisition of each male and female, including receipts, CITES documents, capture permits, etc.</p>	<ul style="list-style-type: none"> – Wording simplified. – The sentence proposed for deletion is already covered under paragraphs 5 and 6 below, and therefore redundant.
<p>5. Operations located within range States must produce evidence that the parental stock was obtained in accordance with the relevant national laws (e.g. capture permits, receipts, etc.), or, if imported, in accordance with the provisions of the Convention (e.g. receipts, CITES documents, etc.).</p>	<p>The Secretariat suggests merging paragraphs 5 and 6 and summarizing them. Referring to "relevant national legislation and the provisions of the Convention" covers operations located both in range States and in non range States and therefore covers all cases envisaged under the current paragraphs.</p>
<p>6. Operations located in non-range States must produce evidence that the animals comprising the parental stock:</p> <p>a) are pre-Convention specimens (e.g. relevant dated receipts or other acceptable proof of lawful acquisition);</p>	

<p>b) have been derived from pre-Convention specimens (e.g. relevant dated receipts or other acceptable proof of lawful acquisition); or</p> <p>c) were acquired from the range State(s) in accordance with the provisions of the Convention (e.g. receipts, CITES documents, etc.).</p> <p>5. Evidence that the parental stock has been obtained in accordance with relevant national legislation and the provisions of the Convention (e.g. dated capture permits or receipts, CITES documents, etc.)</p>	
<p>76. Current stock (numbers, by sex and age, of progeny held in addition to parental breeding stock above).</p>	<p>The positioning of the closing parenthesis makes this sentence ambiguous. It can be interpreted as asking either for details of the current stock of progeny, or for number of all current stock and specific detailed information on progeny. The Secretariat believes the original intention was to obtain information on all stock and not just progeny. Otherwise, an operation could report only those adults it can prove the legality of and, once registered, add to the breeding stock any others it may have in stock without further control. The deletion of the reference to progeny would oblige a breeder to declare all stock.</p> <p>However, if the Conference interprets this provision as referring to the progeny only, then the closing parenthesis should replace the comma after "age", so that it would read as follows:</p> <p><i>Current stock (numbers, by sex and age), of progeny held in addition to parental breeding stock above).</i></p>
<p>87. Information on the percentage mortalities and, where possible, on the percentage mortalities in the different age groups and between males and females, if possible reported by age and sex.</p>	<p>Wording simplified.</p>
<p>98. Documentation showing either:</p> <p>a) that the operation has bred at least two generations of the species (e.g. F1 and F2) has been bred to second-generation offspring (F2) at the facility and a description of the method used; or-</p>	<p>– Old paragraph 9 has proven to be a great source of confusion and subsequent delays in registration until all information was submitted. Most breeders understand it as meaning that they can sell the first generation they produce as long as the breeding stock they acquired was itself captive-bred. They therefore ignore the specification "at the facility". An operation that has only produced one generation only should report under the following paragraph, and then provide documentation on husbandry methods. The merging of and changes made to old paragraphs 9 and 10 aim at clarifying these requirements.</p> <p>– "Elsewhere" has been changed for clarification.</p>
<p>10.b) If the operation has only bred one generation of the species to the first generation (whether F1 or beyond), documentation showing that the husbandry methods used are the same as, or similar to, those that have resulted in second-generation offspring elsewhere in other operations.</p>	
<p>149. Past, current and expected annual production of offspring and, where possible, information on:</p> <p>a) the number of females producing offspring</p>	

<p>each year; and</p> <p>b) unusual fluctuations in the annual production of offspring (including an explanation of the probable cause).</p>	
<p>102. An assessment of the anticipated need for, and source of, additional specimens to augment the breeding stock to increase the genetic pool of the captive population in order to avoid any deleterious inbreeding.</p>	
<p>113. Type of product exported (e.g. live specimens, skins, hides, and/or other body parts, etc.).</p>	<p>The "e.g." renders the "and/or" superfluous.</p>
<p>124. Detailed description of the marking methods (e.g. bands, tags, transponders, branding, etc.) used for the breeding stock and offspring and for the types of specimens (e.g. skins, meat, live animals, etc.) that will be exported.</p>	
<p>135. Description of the inspection and monitoring procedures to be used by the CITES Management Authority to confirm the identity of the breeding stock and offspring and to detect the presence of unauthorized specimens held at or exported by incorporated within the operation, or being provided for exported.</p>	<ul style="list-style-type: none"> – "incorporated within" is redundant with "held at". – Rewording to improve clarity (bearing in mind that the export may be carried out by a trader who did not breed the specimens).
<p>146. Description of the facilities to house the current and expected captive stock, including security measures to prevent escapes and/or thefts. Detailed information should be provided on the number and size of breeding and rearing enclosures, <u>tanks, ponds</u>, egg incubation capacity, food production or supply, availability of veterinary services and record-keeping.</p>	<p>Many applications concern fish species.</p>
<p>157. Description of the <u>strategies used or activities conducted</u> by the breeding operation, or other activities, that <u>to contribute to improving the conservation status</u> of wild population(s) of the species.</p>	<p>Placing "activities" after "used by the breeding operation" implies that those activities may be carried out by others than the operation, for instance the Management Authority. Moving that segment in front places the responsibility on the operation only. This proposed change stems from the Secretariat's suggestion to reward operations that play an active role in the conservation of wild populations through an accelerated registration procedure, which is developed below.</p>
<p>168. Assurance that the operation shall be carried out at all stages in a humane (non-cruel) manner.</p>	
<p>Annex 2</p> <p><u>Accelerated registration procedure</u></p>	<p>This new annex reflects the arguments developed by the Secretariat in paragraphs 17-19 in the introductory text above.</p>
<p><u>The following operations may benefit from an accelerated registration procedure:</u></p> <p>a) <u>Operations that have already been registered for a species and that wish to register another species bred with similar husbandry methods and for similar ends (e.g. two crocodile species).</u></p> <p>b) <u>Operations that have a proven record of activities that contribute directly to the conservation of wild population(s) of the species (e.g. participation in release programmes, capacity-building activities,</u></p>	

<p><u>conservation projects, educational activities, etc.).</u></p> <p><u>Operations that fall into either of the above categories need only submit an application containing the information requested under paragraphs 1-4, 8, 11-12 and 15 above. Furthermore, only the provisions of Annex 3, paragraphs 1, 5 and 6 would apply.</u></p>	
<p>Annex 2-3</p> <p>Procedure to be followed by the Secretariat before registering new operations</p>	
<p>1. For all applications:</p> <p>a) review each application for registration to verify that it meets the requirements of Annex 1;</p> <p>b) notify all Parties of each application for registration and provide full information (specified in Annex 1) on the operation to any Party that requests it; and</p> <p>c) disseminate<u>publish</u>, with the Notifications to the Parties proposing new captive-breeding operations to be added to the Register, details of the specific marking method (and the identifying codes or prefixes, where possible) used by the captive-breeding operation.</p>	<ul style="list-style-type: none"> - <u>Option A</u>: If the Conference agrees to leave the registration process to the applying Party and the Secretariat, subparagraphs 1. b) and c), and paragraphs 3-4 should be deleted; paragraph 2 should remain unmodified; and paragraphs 5 and 6 should be adopted. - <u>Option B</u>: If the Conference decides to retain the possibility for Parties to object to an application, the Secretariat suggests making the amendments shown opposite in paragraphs 1-6. - As this is in reference to Notifications, "publish" is a more appropriate word than "disseminate".
<p>2. Any Party wishing to do so must comment on<u>object to</u> the registration of an operation within a period of 90 days from the date of notification by the Secretariat. <u>Objections may be made if they are directly related to the species and application under consideration, and if they are fully documented and include the supporting evidence that has given rise to concerns.</u></p>	<ul style="list-style-type: none"> - <u>Option A</u>: this paragraph remains unmodified. - <u>Option B</u>: <ul style="list-style-type: none"> a) Changing "comment" to "object" reflects the fact that Parties that have concerns directly raise an objection. b) The additional sentence aims at avoiding objections that are impossible for the applying Party to respond to or that go beyond the remit of the application.
<p>3. If any Party objects to the registration, or expresses concern about the application, the Secretariat shall refer the documentation to the Chair of the Animals Committee, <u>who shall decide whether this Committee is the appropriate forum to review the objection. If so, the Animals Committee which shall respond to these objections within 360 days.</u></p> <p>a) <u>If the Animals Committee does not review the objection, the Secretariat shall facilitate a dialogue between the applying and objecting Parties and allow 30 days for resolution of the identified problem(s).</u></p> <p>b) <u>If the Animals Committee reviews the objection, Then, the Secretariat shall forward its recommendations facilitate a dialogue between the Management Authority of the Party submitting the application and the Party or to the Parties concerned objecting to the registration, and shall provide the recommendations of the Animals Committee, and allow a further 360 days for resolution of the identified problem(s).</u></p>	<ul style="list-style-type: none"> - <u>Option A</u>: this paragraph is deleted. - <u>Option B</u>: <ul style="list-style-type: none"> a) In practice, Parties that have concerns raise directly an objection. The reference to "concerns" is therefore unnecessary. b) The additional changes would allow the Animals Committee to opt out of the consultation process when its advice is not relevant. The further changes clarify the process and timeline to follow in both cases. c) The 60-day deadlines are reduced to 30 days to expedite the procedure.

<p>4. If the objection is not withdrawn or the identified problem(s) not resolved <u>within the 30-day period</u>, the application shall be postponed until it is submitted to the Standing Committee at its following meetingdecided by a two-thirds majority vote at the following meeting of the Conference of the Parties, or by postal procedures equivalent to those set forth in Article XV.</p> <p>a) If the Committee considers the objection trivial or ill-founded, it shall reject it and the application shall be accepted.</p> <p>b) If the Committee considers the objection justified, it shall review the response of the applying Party and decide whether or not to accept the application.</p>	<ul style="list-style-type: none"> - <u>Option A</u>: this paragraph is deleted. - <u>Option B</u>: These changes clarify the mandate of the Standing Committee and specify that both the objection and the application should be reviewed. As explained in paragraph 16. c) of the introductory text above, the capacity for the Standing Committee to reject objections considered "trivial or ill-founded" is in line with the mandate it has received from the Conference in Resolution Conf. 14.3 (<i>CITES compliance procedures</i>), Annex, paragraph 25, with regard to compliance matters.
<p>5. For applications involving species already on the Secretariat's Register, refer such applications to experts for advice on their suitability only in cases where there are significant new aspects or other reasons for concern.</p>	<p>This paragraph was carried over from Resolution Conf. 8.15, where species already included in the register were treated differently from those that were not. As this is no longer the case, this provision is no longer relevant and should be deleted.</p>
<p>6.5. When satisfied that an application meets all requirements in Annex 1, publish the name and other particulars of the operation in its Register.</p>	
<p>7. When an operation is not accepted for registration, provide the relevant Management Authority with a full explanation of the reasons for rejection and indicate the specific conditions that must be met before it can be resubmitted for further consideration.</p>	<ul style="list-style-type: none"> - This paragraph is unnecessary as an applying Party will always have been made aware of the objections made to the registration.
<p>6. If an application has been rejected, any resubmission shall be made directly to the Standing Committee with an explanation of why it should be reconsidered.</p>	<ul style="list-style-type: none"> - Going through the initial procedure serves no purposes as these Parties will already know what issues they need address to respond to the objections made to the original application.