

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



Fifteenth meeting of the Conference of the Parties
Doha (Qatar), 13-25 March 2010

Interpretation and implementation of the Convention

Trade controls and marking

RANCHING AND TRADE IN RANCHED SPECIMENS

1. This document has been prepared by the Secretariat.

Background

2. Decision 14.53 directs the Secretariat, in consultation with the Animals Committee, to:

examine Resolution Conf. 11.16 (Rev. CoP14) (Ranching and trade in ranched specimens of species transferred from Appendix I to Appendix II) with a view to proposing revisions to the Resolution to make its structure more logical, clarify certain recommendations, edit text and reduce overlap between sections for consideration at the 15th meeting of the Conference of the Parties.

3. This Decision arose from a review of global crocodile ranching programmes considered by the Animals Committee at its 22nd meeting (Lima, July 2006 - see documents AC22 Doc. 12.2 and AC22 Inf. 2), which resulted in document CoP14 Doc. 21 presented at the 14th meeting of the Conference of the Parties (CoP14, The Hague, June 2007).
4. Some of the suggested changes to Resolution Conf. 11.16 which were mentioned by the Secretariat in document CoP14 Doc. 21 have already been incorporated into the revised Resolution adopted at CoP14. The most substantive remaining suggestion contained in document CoP14 Doc. 21 was to transfer the parts of Resolution Conf. 11.16 concerned with proposals to transfer populations from Appendix I to Appendix II for ranching purposes to Resolution Conf. 9.24 (Rev. CoP14) on *Criteria for amendment of Appendices I and II*.
5. Although not mentioned at CoP14, the Secretariat observes that the suggestion mentioned in paragraph 4 above brings into focus some fundamental questions about the use of ranching in transferring species from Appendix I to Appendix II. For species in demand for international trade, proposals to transfer a species from Appendix I to Appendix II need *inter alia*, to comply with one of a number of precautionary measures set out in Annex 4 of Resolution Conf. 9.24 (Rev. CoP14). Broadly, these can be either:
 - a) management to ensure implementation and compliance with the Convention and appropriate enforcement controls [paragraph A. 2. b)];
 - b) an export quota based on described management measures and effective enforcement controls [paragraph A. 2. c)]; or
 - c) compliance with the rules for ranching as set out in Resolution Conf. 11.16 (Rev. CoP14) or Resolution Conf. 9.20 (Rev.) on *Guidelines for evaluating marine turtle ranching proposals submitted pursuant to Resolution Conf. 11.16 (Rev. CoP14)* [paragraph A. 2. d)].
6. As can be seen in Annex 1 to the present document, the conditions required for the transfer of a species from Appendix I to Appendix II for ranching, through paragraph A. 2. d), are much stricter than those

required under paragraph A. 2. b) or c) in Annex 4 to Resolution Conf. 9.24 (Rev. CoP14). Consequently, there would appear to be little reason or incentive for a Party to propose to transfer a species from Appendix I to Appendix II for ranching purposes. Not surprisingly, at the three meetings of the Conference of the Parties since these provisions have been in effect, only one such proposal has been submitted – that for the Cuban population of *Crocodylus acutus* at the 13th meeting (Bangkok, October 2004).

7. Such a situation is perverse, because the requirements for ranching will ensure that any ranching programme successfully used to transfer a species from Appendix I to Appendix II will actually be beneficial to the wild population through reintroduction or in other ways.
8. The Animals Committee considered this at its 24th meeting (Geneva, April 2009) and recommended *inter alia* that:
 - a) *all proposals for the transfer of populations from Appendix I to Appendix II, whether for ranching or not, be done under the provisions of Resolution Conf. 9.24 (Rev. CoP14);*
 - b) *the core elements of Resolutions Conf. 9.20 (Rev.) and Conf. 11.16 (Rev. CoP14) be retained to inform consideration of precautionary measures under Annex 4, paragraph A.2.d, of Resolution Conf. 9.24 (Rev. CoP14);*
 - c) *such elements, which should be in line with other provisions in Annex 4, paragraph A.2, of Resolution Conf. 9.24 (Rev. CoP14), be incorporated in a separate new draft resolution that referred to Annex 4 of Resolution Conf. 9.24 (Rev. CoP14);*
 - d) *accordingly, Resolutions Conf. 9.20 (Rev.) and Conf. 11.16 (Rev. CoP14) be repealed in their entirety; and*
 - e) *the implications for populations previously downlisted for ranching under Resolution Conf. 11.16 (Rev. CoP14) and its predecessors are assessed.*
9. The Secretariat broadly shares the view of the Animals Committee but believes that, considering the significant role played by ranching in the past, this matter needs further consideration. Therefore, it proposes a draft decision to reflect on the best way forward, contained in Annex 2 to the present document.
10. With respect to Decision 14.53, given the background explained in paragraphs 5 to 8 above, with the exception of the amendments mentioned in paragraph 9 above, the Secretariat does not believe that it is opportune to propose major changes to Resolution Conf. 11.16 (Rev. CoP14).
11. The Secretariat has identified two errors in the current text of Resolution Conf. 11.16 (Rev. CoP14). Firstly, it is clear that although paragraphs g) to i) under the first RECOMMENDS of the Resolution are under the heading *Regarding proposals to transfer populations from Appendix I to Appendix II for ranching*, they actually relate to changes to the ranching programme after the proposal has been agreed. Secondly, there is a typographical error in the cross-referencing in paragraph e) in the first RECOMMENDS of the Resolution. The Secretariat proposes these errors be corrected and the text of the necessary changes to the Resolution can be found in Annex 3 of the present document.

Conclusion

12. The Conference of the Parties is invited to adopt the draft decision contained in Annex 2 and the amendments to Resolution Conf. 11.16 (Rev. CoP14) in Annex 3 of the present document.

Summary of the safeguards required to achieve transfer of a species from Appendix I to Appendix II under Resolution Conf. 9.24 (Rev. CoP14), Annex 4

Paragraph A. 2. b)	Paragraph A. 2. c)	Paragraph A. 2. d)
<p>The CoP is satisfied with the implementation by the range States of the requirements of the Convention, in particular Article IV; and appropriate enforcement controls and compliance with the requirements of the Convention.</p>	<p>An integral part of the amendment proposal is an export quota or other special measure approved by the CoP, based on management measures described in the supporting statement of the amendment proposal, provided that effective enforcement controls are in place</p>	<p>A ranching proposal is submitted consistent with the applicable Resolutions of the Conference of the Parties and is approved.</p>
	<p>Paragraph B</p>	<p>Resolution Conf. 11.16 (Rev. CoP14)* [similar detailed conditions apply in Resolution Conf. 9.20 (Rev.)]</p>
	<p>Where the Plants Committee, the Animals Committee or a Party becomes aware of problems in compliance with the management measures and export quotas of another Party, the Secretariat shall be informed and, if the Secretariat fails to resolve the matter satisfactorily, it shall inform the Standing Committee which may, after consultation with the Party concerned, recommend to all Parties that they suspend trade with that Party in specimens of CITES-listed species, and/or request the Depositary Government to prepare a proposal to transfer the population back to Appendix I.</p>	<p>The ranching programme must be primarily beneficial to the conservation of the local-population (i.e., where applicable, contribute to its increase in the wild or promote protection of the species's habitat while maintaining a stable population)</p>
	<p>If, on review of a quota and its supporting management measures, the Animals or Plants Committee encounters any problems with compliance or potential detriment to a species, the relevant Committee shall request the Depositary Government to prepare a proposal for appropriate remedial action.</p>	<p>All products (including live specimens) of each operation must be adequately identified and documented to ensure that they can be readily distinguished from products of Appendix-I populations</p>

		The programme must have in place appropriate inventories, harvest-level controls and mechanisms to monitor the wild populations
		There must be sufficient safeguards established in the programme to ensure that adequate numbers of animals are returned to the wild if necessary and where appropriate
		<p>Any Party submitting a ranching proposal for a population of a species include in the proposal the following, in addition to the usual biological data requested for proposals to amend the Appendices:</p> <ul style="list-style-type: none"> i) details of its marking system that should meet the minimum requirements of the uniform marking system defined in this Resolution; ii) a list specifying the types of products produced by the operation; iii) a description of the methods that will be used to mark all products and containers entered into trade; and iv) an inventory of current stocks of specimens of the species concerned, whether or not they are from the ranching operation
		<p>A proposal not be approved unless it contains the following:</p> <ul style="list-style-type: none"> i) evidence that the taking from the wild will have no significant detrimental impact on wild populations; ii) an assessment of the likelihood of the biological and economic success of each ranching operation; iii) assurance that the operation shall be carried out at all stages in a humane (non-cruel) manner; iv) documented evidence to demonstrate that the programme is beneficial to the wild population through reintroduction or in other ways; and v) assurance that the general criteria in RECOMMENDS paragraph b) of Resolution Conf. 11.16 (Rev. CoP14) shall continue to be met
		Proposals must be received by the Secretariat at least 330 days before CoP and subject to pre-evaluation by the Secretariat in consultation with the Animals Committee. Proponents must provide further information to the Secretariat if requested.

		Proposals that include a component of a wild-adult harvest be examined much more stringently than those based purely on collection of eggs, neonates, larvae or other juvenile life stages
		Successful proponents subsequently limit the manner of exploitation of wild populations to those techniques described in their proposals and not, for example, later initiate new short-term programmes for taking wild animals without notifying the Secretariat.
		Any changes to the ranching programme to be submitted to the Secretariat, who, in consultation with the Animals Committee, should determine whether the changes proposed substantially alter the original ranching programme, and undermine or jeopardize the conservation of the wild population. If so, a new proposal may be required.
		Annual reports on all relevant aspects of each approved ranching operation be submitted to the Secretariat by the Party concerned

- * In contrast to other proposals to amend the Appendices which must be submitted 150 days before a Conference of the Parties, ranching proposals must be submitted at least 330 days in advance and thereafter, in consultation with the Animals Committee, the Secretariat must seek appropriate scientific and technical advice to verify that the criteria in Resolution Conf. 11.16 (Rev. CoP14) have been met, seeking extra information from the proponent if required.

DRAFT DECISIONS OF THE CONFERENCE OF THE PARTIES

Use of ranching in the criteria for amendment of Appendices I and II

Directed to the Animals Committee

- 15.xx On the basis of document CoP15 Doc. 28 and its conclusions on the matter agreed at its 24th meeting, the Animals Committee shall:
- a) draft a revision of the terms of sub-paragraph d) of paragraph A. 2 in Annex 4 of Resolution Conf. 9.24 (Rev. CoP14) on *Criteria for amendment of Appendices I and II*, to ensure that the precautionary safeguards for proposals to amend Appendices I and II which involve ranching do not duplicate and are no stricter than those in sub-paragraph a) to c) of the same paragraph; and
 - b) report on this matter at the 62nd meeting of the Standing Committee.

Directed to the Standing Committee

- 15.xx On the basis of the report of the Animals Committee on this matter, the Standing Committee shall submit a report to the 16th meeting of the Conference on the Parties, proposing changes to Resolution Conf. 9.24 (Rev. CoP14) and other relevant Resolutions as appropriate.

DRAFT AMENDMENTS TO A RESOLUTION OF THE CONFERENCE OF THE PARTIES

NB: Text to be deleted is ~~crossed out~~. Proposed new text is underlined.

Resolution Conf. 11.16 (Rev. CoP145)

Ranching and trade in ranched specimens of species transferred from Appendix I to Appendix II

RECALLING Resolution Conf. 5.16 (Rev.), adopted by the Conference of the Parties at its fifth meeting (Buenos Aires, 1985) and amended at its 10th meeting (Harare, 1997), and Resolution Conf. 10.18 adopted at its 10th meeting;

NOTING that the terms of Resolution Conf. 10.16 (Rev.), adopted by the Conference of the Parties at its 10th meeting (Harare, 1997) and amended at its 11th meeting (Gigiri, 2000), do not allow the entry into trade of specimens of species included in Appendix I that have been taken from the wild and reared in captivity, except in accordance with the provisions of Article III of the Convention;

RECOGNIZING that some successful programmes for the conservation of certain species permit specimens of those species into international trade on the basis that such trade is no longer detrimental to the survival of their wild populations;

RECALLING Resolution Conf. 9.6 (Rev.), adopted by the Conference of the Parties at its ninth meeting (Fort Lauderdale, 1994) and amended at its 11th meeting (Gigiri, 2000), which recommends that Parties consider all products of ranching operations to be readily recognizable;

RECOGNIZING that marking of parts and derivatives in trade from ranched animals is necessary to achieve adequate control;

RECOGNIZING that, if each Party establishes a different marking system for parts and derivatives of ranched animals of the same species, confusion will result and enforcement will be difficult;

BELIEVING that any proposal to transfer to Appendix II, for ranching, a species for which such a proposal has previously been approved should be consistent with the approved proposal in its intent and in the terms and conditions it specifies;

RECOGNIZING that, in accordance with Article XIV of the Convention, Parties may adopt more restrictive domestic controls on trade in specimens of populations included in the Appendices;

CONSIDERING the necessity of transferring populations back to Appendix I if it is established that ranching operations utilizing them no longer meet the criteria;

AWARE that ranching of crocodylians on the basis of controlled collection of eggs or hatchlings can be potentially a valuable and positive conservation tool, whereas taking of wild adult animals needs stricter control;

RECOGNIZING that as a management system, ranching for some species has proven to be a 'safe' and robust form of sustainable utilization relative to wild harvests of adults;

CONSCIOUS of the danger of providing greater incentives for the establishment of captive-breeding operations, which may damage efforts to conserve wild populations, than for ranching operations, which in principle are more beneficial to crocodylian conservation;

EMPHASIZING that the overriding objective of the Convention is to conserve wild populations of the species listed in the Appendices and that positive incentives must be offered to programmes designed to achieve this aim;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

Regarding definitions

DECIDES that:

- a) the term 'ranching' means the rearing in a controlled environment of specimens taken from the wild; and
- b) the term 'uniform marking system' means a system of marking each product approved by the Conference of the Parties for a species, which, as a minimum, includes the International Organization for Standardization two-letter code for the country of origin, a unique identification number and the year of production or, for products in stock or manufactured from products of the operation in stock at the time of the proposal, the year of approval of the proposal;

Regarding proposals to transfer populations from Appendix I to Appendix II for ranching

RECOMMENDS that:

- a) populations of species included in Appendix I that occur within the jurisdiction of Parties and are deemed by the Conference of the Parties to be no longer endangered and to benefit by ranching with the intention of trade be included in Appendix II;
- b) in order to be considered by the Conference of the Parties, any proposal to transfer a population to Appendix II in order to conduct a ranching programme satisfy the following general criteria:
 - i) the programme must be primarily beneficial to the conservation of the local population (i.e., where applicable, contribute to its increase in the wild or promote protection of the species's habitat while maintaining a stable population);
 - ii) all products (including live specimens) of each operation must be adequately identified and documented to ensure that they can be readily distinguished from products of Appendix-I populations;
 - iii) the programme must have in place appropriate inventories, harvest-level controls and mechanisms to monitor the wild populations; and
 - iv) there must be sufficient safeguards established in the programme to ensure that adequate numbers of animals are returned to the wild if necessary and where appropriate;
- c) any Party submitting a ranching proposal for a population of a species, whether or not a ranching proposal has been approved for the species previously, include in the proposal the following, in addition to the usual biological data requested for proposals to amend the Appendices:
 - i) details of its marking system that should meet the minimum requirements of the uniform marking system defined in this Resolution;
 - ii) a list specifying the types of products produced by the operation;
 - iii) a description of the methods that will be used to mark all products and containers entered into trade; and
 - iv) an inventory of current stocks of specimens of the species concerned, whether or not they are from the ranching operation;
- d) any proposal for the transfer to Appendix II of a Party's population or a smaller geographically separate population of a species, for the purpose of ranching, not be approved by the Conference unless it contains the following:
 - i) evidence that the taking from the wild will have no significant detrimental impact on wild populations;
 - ii) an assessment of the likelihood of the biological and economic success of each ranching operation;
 - iii) assurance that the operation shall be carried out at all stages in a humane (non-cruel) manner;

- iv) documented evidence to demonstrate that the programme is beneficial to the wild population through reintroduction or in other ways; and
- v) assurance that the criteria specified in paragraph b) above under RECOMMENDS shall continue to be met;
- e) in order to be discussed at the next meeting of the Conference of the Parties, any proposal for amendment of the Appendices pursuant to this Resolution be received by the Secretariat at least 330 days before that meeting. In consultation with the Animals Committee, the Secretariat shall seek appropriate scientific and technical advice to verify that the criteria specified in paragraph ~~db~~) above under RECOMMENDS have been met and to review the information and assurances in the proposal that are specified in paragraph d) above. If in the opinion of the Secretariat further information concerning the criteria is required, the Secretariat shall request information from the proposing Party within 150 days after receipt. Thereafter, the Secretariat shall communicate with the Parties in accordance with Article XV of the Convention;
- f) proposals that include a component of a wild-adult harvest be examined much more stringently than those based purely on collection of eggs, neonates, larvae or other juvenile life stages;

Regarding changes to the ranching programme described in the proposal to transfer a species from Appendix I to Appendix II

RECOMMENDS that:

- ag) Parties achieving or having achieved the transfer of their populations of a species to Appendix II under the provisions of this Resolution limit the manner of exploitation of wild populations to those techniques described in their proposals and not, for example, later initiate new short-term programmes for taking wild animals without notifying the Secretariat;
- bh) any Party with an approved ranching proposal submit any changes to the information supplied in paragraph c) above under RECOMMENDS to the Secretariat. The Secretariat, in consultation with the Animals Committee, should determine whether the changes proposed substantially alter the original ranching programme, and undermine or jeopardize the conservation of the wild population. The Secretariat should advise the Party of its determination accordingly; and
- ci) in cases where the Secretariat, in consultation with the Animals Committee, concludes that changes to the ranching programme that are proposed in accordance with paragraph h) would result in substantial changes to management of the species, the proposed management be treated as a new proposal, requiring the submission of a proposal pursuant to this Resolution and to the requirements of Article XV of the Convention;

Regarding trade in ranched specimens of species transferred from Appendix I to Appendix II

RECOMMENDS that all Parties prohibit trade in products of ranching operations unless such trade complies with all the terms, conditions and requirements of the approved ranching proposal for the population concerned; and

Regarding monitoring and reporting in relation to species transferred from Appendix I to Appendix II for ranching

RECOMMENDS that:

- a) annual reports on all relevant aspects of each approved ranching operation be submitted to the Secretariat by the Party concerned, including the following:
 - i) the status of the wild population concerned established by monitoring at an appropriate frequency and with sufficient precision to allow recognition of changes in population size and structure owing to ranching;
 - ii) the number of specimens (eggs, young or adults) taken annually from the wild and the percentage of this offtake used to supply ranching operations; and
 - iii) details of the annual production levels, and product types and quantity produced for export;

- b) the following information should be maintained by the Party and made available to the Secretariat upon request:
 - i) an estimate of the percentage of the annual wild production of eggs, neonates or other life stages taken for the ranching operation;
 - ii) the number of animals released and their survival rates estimated on the basis of surveys and tagging programmes, if any;
 - iii) the mortality rate in captivity and causes of such mortality;
 - iv) conservation programmes and scientific experiments carried out in relation to the ranching operation or the wild population concerned; and
 - v) an estimation of the percentage of the distribution area of the species where the ranching is operating;
- c) with the consent of the Standing Committee and the Party concerned, the Secretariat should have the option to visit and examine a ranching operation wherever circumstances require it to do so; and
- d) where the Secretariat reports failure to comply with this Resolution, and the Standing Committee and the Party concerned fail to resolve the matter satisfactorily, the Standing Committee may, after full consultation with the Party concerned, request the Depositary Government to prepare a proposal to transfer the population concerned back to Appendix I; and

REPEALS the Resolutions listed hereunder:

- a) Resolution Conf. 5.16 (Rev.) (Buenos Aires, 1985, as amended at Harare, 1997) – Marking of ranched specimens in trade; and
- b) Resolution Conf. 10.18 (Harare, 1997) – Ranching and trade in ranched specimens.