

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 control and marking

TRANSPORT OF LIVE SPECIMENS

1. This document has been prepared by the Chair of the Animals Committee, in consultation with the chair of the Plants Committee and the Secretariat.
2. In relation to the transport of live animals, the Conference of the Parties gave a number of instructions to the Animals Committee, working in consultation with the Secretariat.
3. In Resolution Conf. 10.21 (Rev. CoP14) the Animals and Plants Committees are directed, in consultation with the Secretariat:
 - a) *to participate in meetings of the Live Animals and Perishables Board of IATA in order to amplify or update the Live Animals Regulations and the Perishable Cargo Regulations;*
 - b) *to examine new or additional references for transport of live specimens for incorporation into the present Resolution, if appropriate;*
 - c) *to examine developments related to the transport of live plant specimens for incorporation into the present Resolution, if appropriate; and*
 - d) *to examine regularly high mortality shipments of live specimens and make recommendations to relevant Parties, exporters, importers and transport companies on how to avoid this in the future.*
4. In Decision 14.59, the Animals Committee, in consultation with the Secretariat, is directed to:
 - a) *participate at the regular meetings of the OIE Terrestrial Animal Health Standards Commission and in the ongoing reviews of the OIE Guidelines for the Transport of Animals by Sea, the OIE Guidelines for the Transport of Animals by Land and, if appropriate, the OIE Guidelines for the Transport of Animals by Air;*
 - b) *collaborate with OIE in the development of its Web portal with information on national regulations and other guidelines applicable to modes of transport for live animals other than by air, and verify its pertinence to the CITES Parties;*
 - c) *examine new or additional references for transport of live animals;*
 - d) *review at its 24th meeting the following documents from the Secretariat:*
 - i) *an analysis of the Parties' legislative provisions on the transport of live animals by road, rail and ship contained in materials gathered under the CITES National Legislation Project; and*
 - ii) *draft legislative guidance for the transport of live specimens; and*

e) report on the implementation of this decision at the 15th meeting of the Conference of the Parties including, where appropriate, proposals to amend the Resolution on Transport of live specimens.

5. Furthermore, in Decision 14.58, Parties are directed as follows:

With regard to transport of live animals by means other than air, Parties should consider the Guidelines for the Transport of Animals by Sea of the World Organisation for Animal Health (OIE) and the OIE Guidelines for the Transport of Animals by Land published in the Terrestrial Animal Health Code in instances when the Live Animals Regulations of the International Air Transport Association are inappropriate, and to avoid potential problems with new, duplicate or overlapping regulations (national, regional or international).

Implementation of Resolution Conf.10.21 (Rev. CoP14), Decision 14.58 and Decision 14.59

6. In order to coordinate the work of the Animals and Plants Committees on the transport of live animals and plants, a working group was established at the joint meeting of the committees held in 2008 (AC23 / PC17, Geneva, April 2008). Mr. Andreas Kaufmann, the observer from Austria, was elected chair of the Transport Working Group (TWG) to direct the work through to CoP15. Mr. Michael Kiehn, also from Austria, was designated to represent the Plants Committee on the TWG.
7. It is worth noting that, although CoP14 instructed the Animals Committee to participate in meetings of the Live Animals and Perishables Board (LAPB) of the International Air Transport Association (IATA) and in the regular meetings of the OIE Terrestrial Animal Health Standards Commission, no funds were provided for these activities. Should the Parties continue to request similar participation in future at such meetings, funds must be made available.
8. The TWG chair was nevertheless able to participate in the meetings of the Live Animal and Perishables Board of IATA and the Animals Transportation Association (AATA), on behalf of Austria. He had earlier been mandated by the Animals Committee, at AC23, to monitor such meetings on behalf of the Committee.
9. At the 24th meeting of the Animals Committee (AC24, Geneva, April 2009), the TWG chair reported that he had participated on behalf of Austria in AATA's 2008 International Conference held in Dresden and that he intended to pursue working in close association with AATA, attend future AATA meetings and report to the Animals Committee on relevant developments. The TWG chair, again on behalf of Austria, and other members of the TWG, attended also the IATA LAPB meeting held in Montreal during October 2008. The TWG met informally at the IATA Montreal premises in the margins of the LAPB meeting.
10. In the context of cooperation between CITES and IATA, and as directed by AC23, the CITES Secretariat issued Notification to the Parties No. 2008/050 (30 July 2008) in which Parties interested in receiving a current IATA Live Animal Regulation Manual and CD-ROM were requested to indicate their interest to the CITES Secretariat by the end of October 2008. This would facilitate the Committee's assessment of the level of interest and funds that would be required to meet the demand (i.e. the AC would consider possible sources of funds to facilitate Parties' access to these materials).
11. The same Notification provided to Parties the contact information for IATA's Manager for Special Cargoes of Live Animals and Perishables (Eric Raemdonck), in order to facilitate inquiries concerning the opportunities and options for training on compliance with IATA Live Animal Regulations.
12. Parties were also requested in Notification to the Parties No. 2008/050 also to send to the TWG Chairman information concerning cases of high mortality of live specimens, including available information corresponding to the items listed in the *Reporting form for shipment mortality*. The AC would analyse any information received, seek to identify likely causes of mortality, and, where possible, for purposes of assisting Parties, make recommendations to address the identified problems.
13. At AC24, the TWG chair reported that it seemed only very few Parties actually purchase the IATA Live Animals Regulations (LAR). He also advised the Committee that no Party had reported any high mortality shipments.
14. In relation to cooperation with the World Organisation for Animal Health (OIE), the Secretariat was asked at AC23 to identify funds which would enable the TWG chair, on behalf of the Animals Committee, to attend regular meetings of the OIE Terrestrial Animal Health Standards Commission. It was agreed at AC23 that the Animals Committee should assess the utility of such participation in connection with its work.

15. During AC23, the Animals Committee agreed that the chair, and the other members of the TWG, should participate in ongoing reviews of the OIE *Guidelines for the Transport of Animals by Sea* and the OIE *Guidelines for the Transport of Animals by Land*.
16. Between AC23 and AC24, the TWG chair reviewed the OIE transport guidelines and determined that they had little or no relevance to the transport of wildlife because they currently deal only with livestock. He reported his conclusions to AC24 and advised the Committee that OIE was considering the initiation of work on wildlife transport but had not yet convened an *ad hoc* working group on the issue. The TWG chair also reported that his name had been added to the OIE database of experts who would be invited to future meetings on this topic. He further reported that OIE had expressed interest in receiving, from the Animals Committee, the names of other persons with wildlife transport expertise. Finally, the TWG chair reported that OIE was collaborating with FAO on the latter's gateway portal for farm animals and did not intend to develop a specific animal welfare portal. It was agreed at AC24 that, for the time being and for the reasons mentioned above, there was no need for further intensive collaboration with OIE on the issue of transport of wildlife (see also paragraph 17 below).
17. The Secretariat and OIE had an opportunity to speak about future cooperation between the two organizations in the margins of an Inter-agency Forum on Coordinated Border Management organized by the World Customs Organization (Brussels, June 2009). Both CITES and OIE are members of the Convention on Biological Diversity's Invasive Alien Species Liaison Group. CITES is currently in the process of requesting *ad hoc* observer status in the World Trade Organization's Committee on Sanitary and Phytosanitary Measures, where OIE is already a permanent observer.
18. At AC23 it was decided that the TWG should work intersessionally on a scoping exercise to determine the need for and feasibility of creating CITES guidelines on transport of live animals by land and/or sea as a supplement to the IATA Live Animal Regulations. This scoping exercise would take into account OIE Guidelines, to the extent they were relevant, and any other existing guidance documents and would call upon experts from the World Association of Zoos and Aquariums (WAZA) and other organizations to contribute. Depending on the outcome of the scoping exercise, the TWG would proceed with the development of such guidelines or prepare, for consideration by the Animals Committee, a request for external funding of a consultant to undertake such work.
19. The TWG chair reported to AC24 his conclusions that:
 - a) Ship/sea transport of CITES-listed species appeared to be rarely used and previous cases and methods, where available, should be consulted prior to transport by ship.
 - b) Humane transport was one of the key requirements for international trade of CITES-listed species and air transport techniques were provided in the IATA *Live Animals Regulations* (LAR). In almost all cases of air transport, however, land transport constituted a portion of the entire transport scenario since the animal had to be transported to and from the airport.
 - c) The container requirements in the IATA LAR could, in most cases, be used for land transport as well. While some taxa could require particular modifications of the IATA container requirements and/or transport procedure, in order to be transported by road, it would be inefficient to write new guidelines for land transport for every CITES-listed species. It could be worthwhile, however, to look into specific cases.
20. The Secretariat submitted to AC24 its analysis of Parties' legislation, and other materials on the transport of live animals by road, rail and ship, which had been gathered under the CITES National Legislation Project (see document AC24 Doc. 15.2). Based on this analysis, the Secretariat prepared draft legislative guidance for the transport of live specimens. During the Committee's discussion of the document, it was noted that the analysis was quite comprehensive and that the draft legislative guidance was useful.
21. At its 58th meeting (SC58, Geneva, July 2009), the Standing Committee considered discussion document SC58 Doc. 18 on *National laws for implementation of the Convention*. Annex 2 of that document contained document AC24 Doc. 15.2 on *Analysis of Parties' legislative provisions and draft legislative guidance*. The Standing Committee took note of the legislative guidance on the transport of live specimens and one Committee member suggested that it be incorporated 'as-is' into the National Legislation Project. The Secretariat has already begun sharing copies of the guidelines with Parties which are in the process of developing CITES legislation.

22. As a consequence of written and oral reports by the TWG chair and the Secretariat, the following recommendations were adopted by AC24:

a) *The TWG should work intersessionally to:*

i) *proceed with replacing the CITES Guidelines for transport and preparation for shipment of wild live animals and plants (1981) by developing new guidelines for non-air transport of live specimens for consideration and adoption at CoP16.*

ii) *consult with members of the AC, transport experts and other stakeholders to gather relevant information.*

b) *The Secretariat should:*

i) *Issue a Notification:*

- Informing Parties that a process for replacing the current CITES Guidelines for transport and preparation for shipment of wild live animals and plants (1981) has started with the aim of submitting new CITES guidelines for non-air transport for consideration at CoP16.

- Inviting Parties to provide to the Chair of the TWG any available legislation, guidelines, codes of conduct, and other information on transport standards related to non-air transport.

- Inviting Parties to identify experts on non-air transport of CITES listed species and provide this information to the Chair of the TWG.

ii) *Further liaise with IATA and investigate ways to make IATA Live Animals Regulations and Perishable Cargo Manual accessible to Parties.*

iii) *Explore ways to establish enhanced cooperation between CITES and various organizations that deal with transport (OIE/World Animal Health Organization, International Maritime Organization, etc.) through, inter alia, a Memorandum of Understanding, or the creation of a liaison group.*

iv) *Incorporate the transport related guidance found in paragraphs 77–89 of document AC24 Doc. 15.2 into the CITES National Legislation Project.*

23. In accordance with the recommendations adopted at AC24, the Secretariat prepared a draft Notification to the Parties which: (a) advises Parties that a process for replacing the CITES *Guidelines for transport and preparation for shipment of wild live animals and plants* (1981) with new guidelines for non-air transport of live specimens will be considered at CoP16; and (b) invites them to provide the TWG chair with legislative or other information, and contact details for experts, on non-air transport. At the time of writing of this document (October 2009), the draft Notification was under consideration by the TWG and should be posted on the CITES website during by the end of October 2009.

Recommendations

24. It is recommended that the Conference of the Parties retire Decision 14.58 because the OIE guidelines, which Parties were recommended to consider for the transport of live animals by means other than air, have little or no relevance to the transport of wildlife and currently deal only with livestock. It is also recommended that the Conference of the Parties determine that Decision 14.59 has been implemented and can now be retired.

25. It is further recommended that the Conference of the Parties adopt the draft decision contained in this document.

DRAFT DECISION OF THE CONFERENCE OF THE PARTIES

Directed to the Animals and Plants Committees

15.xx The Animals and Plants Committees, in consultation with the Secretariat, should:

- a) proceed with replacing the CITES *Guidelines for transport and preparation for shipment of wild animals and plants* (1981) with new guidelines for non-air transport of live animals and plants for consideration at the 16th meeting of the Conference of the Parties (CoP16);
- b) consult and liaise with relevant transport experts and other stakeholders, *inter alia*, to gather information related to non-air transport;
- c) review and propose revisions to Resolution Conf. 10.21 (Rev. CoP14) and Resolution Conf. 12.3 (Rev. CoP14) for consideration at CoP16; and
- d) report on the implementation of this decision at CoP16.