

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

REVIEW OF THE UNIVERSAL TAGGING SYSTEM
AND TRADE IN SMALL CROCODILIAN LEATHER GOODS

1. This document has been prepared by the Secretariat, in consultation with the Chair of the Standing Committee Working Group on Trade in Crocodilian Specimens (the United States of America).
2. At its 14th meeting (CoP14, The Hague, 2007), the Conference of the Parties adopted the following decisions directed to the Standing Committee:

14.62 *The Standing Committee shall, at its 57th meeting, initiate a process to review the implementation and effectiveness of the universal tagging system and the trade in small crocodilian leather goods, including their impact 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 implementation and effectiveness of the universal tagging system;*
- b) *to examine the implementation and effectiveness of issuing CITES documents for small crocodilian leather goods and related trade controls;*
- c) *to consider possible ways and conditions to alleviate the administrative burden related to trade in small crocodilian leather goods and to guarantee the legal origin of the specimens;*
- d) *to report to the Standing Committee on the results of its work at its 58th meeting.*

14.63 *The Standing Committee shall, at its 58th meeting, consider the report of the working group established under Decision 14.62 and shall submit recommendations, as appropriate, to the Conference of the Parties for consideration at its 15th meeting.*

3. As envisaged in Decision 14.62, and as recommended in document SC57 Doc. 26, the Working Group on Trade in Crocodilian Specimens was established by the Standing Committee at its 57th meeting (SC57, Geneva, July 2008). The Working Group comprised representatives of Parties, intergovernmental organizations, non-governmental organizations, private sector entities involved in various aspects of crocodilian trade, the Animals Committee and the CITES Secretariat. Members decided that the Working Group should be chaired by the United States and that its business should be conducted by electronic means.
4. The Chair, using an initial text provided by the Animals Committee representative to the Working Group, developed and circulated to Working Group members in August 2008 a *Draft Plan of Action*, aimed at providing a starting point for their discussions and a framework for implementation of their terms of reference under paragraphs a), b) and c) of Decision 14.62.

5. The Working Group decided to develop a questionnaire to compile and assess Parties' experiences with using the uniform tagging system to regulate crocodilian skin producers, tanners, traders and other industry groups. The Working Group was particularly interested in learning how those CITES Parties developed procedures to streamline and facilitate compliance with the provisions in Resolution Conf. 11.12.
6. Thereafter, the Working Group decided to develop a second questionnaire to compile and assess Parties' experiences with the issuance of CITES documents for small crocodilian leather goods, the implementation of related trade controls and the use of ways or conditions to alleviate the administrative burden associated with such trade. This questionnaire would be targeted at CITES Parties with significant imports, exports, or re-exports of small crocodilian leather goods.
7. Prior to developing and distributing these two questionnaires, the Working Group agreed that it would be useful to try to reach agreement on a definition of the term 'small crocodilian leather good'. Although the Working Group agreed on most elements of the definition, there was no agreement on a particular size limitation for products that were not specifically listed in the proposed definition. As a result, and for the sole purpose of moving forward on its mandate, the Working Group agreed to use a definition of 'small crocodilian leather good (product)' based largely on the *Guidelines for the preparation and submission of CITES annual reports*, as follows:

Small crocodilian leather product: small manufactured products of crocodilian leather – e.g. belts, braces, bicycle saddles, cheque book or credit card holders, earrings, handbags, key fobs, notebooks, purses, shoes, tobacco pouches, wallets, watch straps, or any other manufactured product of comparable size.
8. Working Group members from Argentina, France, Germany, the Plurinational State of Bolivia, and Switzerland assisted the Chair in developing and/or translating the two questionnaires. In February 2009, English, French and Spanish versions of the questionnaires were distributed to approximately 40 Parties, industry representatives, and intergovernmental and non-governmental organizations.
9. The Chair of the Working Group thereafter compiled and distributed to members the summaries of all questionnaire responses that were received. These summaries, and other documents reflecting the efforts of the Working Group, were included in the Chair's extensive written report for the 58th meeting of the Standing Committee (SC58, Geneva, July 2009) which is contained in document SC58 Doc. 27.
10. In his oral report at SC58, the Chair of the Working Group thanked members for their excellent contributions to the Group's work and listed the key findings derived from the two questionnaires. He noted that, "although there was debate and disagreement on several fine points related to the universal tagging system and CITES regulation of trade in small crocodilian leather products, there was widespread support for the continued use of a tagging system and CITES regulation of trade in other crocodilian leather products as a means of ensuring a legal and sustainable trade in crocodilian skins and leather products".
11. During the discussion of document SC58 Doc. 27, some concerns were expressed about a possible proposal to exclude small crocodilian leather products from the Convention. The Chair of the Working Group explained that the issue of an exemption for small crocodilian leather products was beyond the scope of the Working Group's mandate and had not been addressed by the Working Group.
12. Based on the questionnaire results and the efforts it had undertaken since SC57, the Working Group recommended to the Standing Committee that several revisions be made to Resolution Conf. 11.12 and Resolution Conf. 12.3 (Rev. CoP14). The Chair of the Working Group explained that:

The proposed revisions to Resolution Conf. 11.12 were largely designed to align the Universal Tagging System with current knowledge of crocodilian taxonomy, conservation and trade practice and to streamline the tagging system while maintaining a robust and secure trade control regime. The proposed revisions to Resolution Conf. 12.3 (Rev. CoP14) comprised two additions to Part IX Regarding permits and certificates for crocodilian specimens and were intended to encourage Parties to alleviate the administrative burden of, and to streamline, permitting procedures for small crocodilian leather products.
13. The Standing Committee agreed that the Working Group's proposed revisions to the two Resolutions, with minor amendments, should be submitted to the present meeting for consideration.

Recommendations

14. The Standing Committee recommends that the Conference of the Parties adopt the proposed revisions to Resolution Conf. 11.12 contained in Annex 1 to the present document and the proposed revisions to Resolution Conf. 12.3 (Rev. CoP14) contained in Annex 2.

PROPOSED REVISIONS TO RESOLUTION CONF. 11.12

Universal tagging system for the identification of crocodilian skins

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

AWARE that all living crocodilian species are listed in Appendix I or II, but concerned that several crocodilian species may be subject to some levels of illegal trade;

RECOGNIZING that certain populations of crocodilians may be transferred from Appendix I to Appendix II subject to specified annual export quotas and that these export quotas are to ensure that the annual take from these populations is not detrimental to their survival;

RECOGNIZING that illegal trade ~~has in the past threatened~~ threatens the survival of certain populations of crocodilians and has undermined the efforts of producer countries to manage their crocodilian resources on a sustainable basis;

[Comment: illegal trade remains a concern for certain populations. Therefore, present tense language is more appropriate here.]

RECALLING that Article VI, paragraph 7, of the Convention provides that specimens of species listed in the Appendices may be marked to assist in identifying them;

CONSIDERING that the tagging of all crocodilian skins in international trade ~~would be~~ has been and still is a fundamental step towards the effective regulation of international trade in crocodilians and that Resolutions Conf. 6.17 and Conf. 9.22 to this effect were adopted by the Conference of the Parties at its sixth and ninth meetings (Ottawa, 1987; Fort Lauderdale, 1994);

~~NOTING, however, that strategies for the secure marking of similar species should take into consideration systems currently in place as well as the requirements of legitimate processing industries and that the system established at the ninth meeting of the Conference of the Parties was found to require improvement;~~

[Comment: With the development of the tagging system and its implementation since the eighth meeting of the Conference of the Parties (Kyoto, 1992), and its further improvements since initial adoption, this paragraph has become redundant and should be deleted.]

NOTING the existence of a register of manufacturers able to produce tags for the marking of crocodilian skins, established and maintained by the Secretariat;

~~RECOGNIZING that any requirement for a marking system that involves the individual identification and documentation of huge numbers of specimens is likely to result in increased errors in documentation;~~

[Comment: Deletion of this paragraph is recommended because it is contradictory to the objectives of the Resolution, and has largely been disproved by the ongoing, successful use of the universal tagging system.]

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS:

- a) the maintenance of a universal tagging system for the identification of raw, tanned, and/or finished crocodilian skins by the general application of non-reusable tags to all crocodilian skins entering international trade from the countries of origin;
- b) that crocodilian skins, ~~and flanks, and chalecos~~ be individually tagged ~~and that chalecos have attached a tag to each side (flank)~~ before export;

[Comment: questionnaire results indicated that there was support for eliminating the requirement that chalecos have tags on each side. There appears to be little illegal activity associated with the chaleco and flank trade, and reducing the tagging requirement for chalecos to a single tag would alleviate some administrative burden associated with this trade.]

- c) that the non-reusable tags include, as a minimum: the ISO two-letter code for the country of origin; a unique serial identification number; a standard species code (as provided in Annex 1); and, where appropriate, the year of skin production or harvest, in accordance with the provisions of Resolution Conf. 11.16 (Rev. CoP14)¹, adopted by the Conference of the Parties at its 11th meeting (Gigiri, 2000) and amended at its 14th meeting (The Hague, 2007); and further, that such tags have as a minimum the following characteristics: a tamper-resistant, self-locking mechanism, heat resistance, inertia to chemical and mechanical processing, and alphanumeric information, which may include bar-coding, applied by permanent stamping;

[Comment: there was some concern about clarifying that “year of production or harvest” refers to the year in which the skin is produced. Also, some working group members raised concerns that some tags can be manipulated and re-used for fraudulent purposes. Lastly, working group members expressed interest in adding technology such as bar-coding to tags in an effort to facilitate streamlined use of tags.]

- d) that the year of skin production or harvest and serial number be separated with a hyphen (-) where the information on tags appears in the sequence: country of origin, year of skin production or harvest, serial number, species code;

[Comment: see comment for paragraph c) above.]

- e) that for the labelling of skins derived from crocodylian hybrids, the designation HYB or, where the parentage is known, the two three-letter codes for the parents, separated by the character ‘x’ (e.g. PORxSIA where the hybrid is a cross between *Crocodylus porosus* and *Crocodylus siamensis*), be used instead of the standard species codes in Annex 1 of this Resolution;

- f) that tails, throats, feet, backstrips, and other parts be exported in transparent, sealed containers clearly marked with a non-reusable tag or label together with a description of the content and total weight, and all the information required for tags for individual skins, flanks and chalcos, as outlined in paragraphs c), d) and e);

[Comment: some flexibility in how transparent, sealed containers are marked may be desirable.]

- g) that Parties establish, where legally possible, a system of registration or licensing, or both, for producers, tanners, importers and exporters of crocodylian skins;

- h) that all countries permitting re-export of raw, tanned, and/or finished crocodylian skins implement an administrative system for the effective matching of imports and re-exports and, further, ensure that skins and flanks are re-exported with the original tags intact unless the pieces originally imported have been further processed and cut into smaller pieces;

- i) that, where the original tags have been lost, damaged, or removed from raw, tanned, and/or finished skins, and flanks and chalcos, the country of re-export should each such skins, or flanks or chalcos prior to re-export, with a 're-export tag' meeting all the requirements of paragraph c) above except that the country of origin and standard species codes and years of skin production and/or harvest will not be required; and further, that the same information as is on these tags should be given on the re-export certificate together with details of the original permit under which the skins, flanks and chalcos were imported;

[Comment: Some questionnaire respondents indicated that re-export tags are used more frequently than just for lost or damaged tags, and widespread use of re-export tags should be curtailed. However, other respondents provided information supporting use of re-export tags because of normal business practices, including to minimize damage to skins during tanning and finishing processes. Because there was no agreement on this issue, no substantive amendments have been recommended. Also, see comments for paragraphs b) and c) above.]

- ~~j) that, where a re-export consignment contains untagged skins that pre-date the entry into effect of Resolution Conf. 9.22 (16 February 1995), the Management Authority record this on the re-export certificate;~~

¹ Corrected by the Secretariat following the 14th meeting of the Conference of the Parties: originally referred to Resolution Conf. 11.16.

[Comment: Given that it is extremely unlikely that any significant stockpiles of skins that pre-date the universal tagging system are still available, this paragraph can be deleted.]

- k) that Parties accept export permits, re-export certificates or other Convention documents for trade in crocodilian skins and parts thereof only if they contain the information referred to in paragraph c), f), i) or j), as appropriate, and if the related skins and parts thereof are tagged in accordance with the provisions of this Resolution;
- l) that Parties, with the advice of the Secretariat if appropriate, implement a management and tracking system for tags used in trade as outlined in Annex 2 to this Resolution; and
- m) that Management Authorities ensure that tags not affixed to skins, flanks and chalcos in the year specified on the tag are destroyed;

DIRECTS the Secretariat to report deficiencies of the system or specific instances of concern to the Animals Committee and the relevant Parties, as appropriate; and

REPEALS the Resolutions listed hereunder:

- a) Resolution Conf. 6.17 (Ottawa, 1987) - Implementation of the export quota for Nile and saltwater crocodile skins; and
- b) Resolution Conf. 9.22 (Fort Lauderdale, 1994) - Universal tagging system for the identification of crocodilian skins.

Annex 1: Codes for the identification of crocodilian species

| Species | Code |
|--|------|
| <i>Alligator mississippiensis</i> | MIS |
| <i>Alligator sinensis</i> | SIN |
| <i>Caiman crocodilus apaporiensis</i> | APA |
| <i>Caiman crocodilus chiapasius</i> | CHI |
| <i>Caiman crocodilus crocodilus</i> | CRO |
| <i>Caiman crocodilus fuscus</i> | FUS |
| <i>Caiman latirostris</i> | LAT |
| <i>Caiman yacare</i> | YAC |
| <i>Crocodylus acutus</i> | ACU |
| <i>Crocodylus cataphractus</i> | CAT |
| <i>Crocodylus intermedius</i> | INT |
| <i>Crocodylus johnstoni johnsoni</i> | JOH |
| <i>Crocodylus moreletti moreletii</i> | MOR |
| <i>Crocodylus niloticus</i> | NIL |
| <i>Crocodylus novaeguineae mindorensis</i> | MIN |
| <i>Crocodylus novaeguineae novaeguineae</i> | NOV |
| <i>Crocodylus palustris</i> | PAL |
| <i>Crocodylus porosus</i> | POR |
| <i>Crocodylus rhombifer</i> | RHO |
| <i>Crocodylus siamensis</i> | SIA |
| <i>Gavialis gangeticus</i> | GAV |
| <i>Melanosuchus niger</i> | NIG |
| <i>Osteolaemus tetraspis</i> | TET |
| <i>Paleosuchus palpebrosus</i> | PAP |
| <i>Paleosuchus trigonatus</i> | TRI |
| <i>Tomistoma schlegelii</i> | SCH |

[Comment: Corrections follow current CITES nomenclature for these species.]

Annex 2: Management and tracking system for tags used in the crocodilian skin trade

1. The CITES Secretariat should establish, maintain, and amend periodically thereafter, a list of approved sources capable of manufacturing tags that meet the minimum requirements as laid down in paragraph c) of this Resolution; and further, the Secretariat should regularly give notice to the Parties of such sources and each Management Authority should obtain tags to mark crocodilian skins, flanks and chalecos only from these approved sources.
2. Any approved tag manufacturer registered by the Secretariat should first agree, in writing, that it will:
 - a) not duplicate any series of tags produced in accordance with this Resolution; and
 - b) sell such tags only to Management Authorities or, in non-party States, to designated government agencies recognized by the Secretariat in accordance with Resolution Conf. 9.5 (Rev. CoP14)², or to bodies approved by these agencies; ~~and~~
 - ~~c) report direct and immediately to the Secretariat each order for tags that is fulfilled.~~
3. ~~When ordering tags from approved sources, Management Authorities should immediately inform the Secretariat of the details of each tag order.~~

[Comment: There does not appear to be a need to report all tag orders to the Secretariat, either by the tag manufacturer or the Parties receiving tags.]

- ~~4.3.~~ Upon request by a Management Authority, the Secretariat should purchase and distribute tags for crocodilian skins, and should require advance payment~~recover the full cost~~, except if external funding becomes available for Parties requiring assistance.

[Comment: amendment proposed by the Secretariat.]

- ~~5.4.~~ When issuing export permits or re-export certificates for crocodilian skins, or other specimens referred to in this Resolution, Parties should record the numbers of the tags associated with each document and make this information available to the Secretariat on request.

- ~~6.5.~~ The Management Authorities of the exporting, re-exporting and importing Parties should provide to the Secretariat, when directed by the Standing Committee or agreed to between the range State and the CITES Secretariat, a copy of each export permit, re-export certificate, or other Convention document for crocodilian skins, ~~or flanks~~ or chalecos immediately after issuance or receipt as appropriate.

[Comment: Amendment to ensure consistent usage throughout document.]

- ~~7.6.~~ Parties that require or intend to require the use of tags or labels for containers should send to the Secretariat at least one sample tag or label for reference.

[Comment: see comment for paragraph f) above.]

² Corrected by the Secretariat following the 13th and 14th meetings of the Conference of the parties: formerly referred to Resolution Conf. 9.5, later corrected to Resolution Conf. 9.5 (Rev. CoP13).

PROPOSED REVISIONS TO RESOLUTION CONF. 12.3 (Rev. CoP14)

Permits and certificates

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

IX. Regarding permits and certificates for crocodilian specimens

RECOMMENDS that:

- a) when trade in tagged crocodilian skins is authorized, the same information as is on the tags be given on the permit or certificate;
- b) in the case of crocodilian species subject to quotas approved by the Conference of the Parties, no permit or certificate for skins be issued before the skins are tagged in accordance with the requirements of the issuing Management Authority and their sizes are recorded; ~~and~~
- c) in the event of mismatches of information within a permit or certificate for crocodilian skins, the Management Authority of the importing Party immediately contact its counterpart in the exporting/re-exporting Party to establish whether this was a genuine error arising from the volume of information required by the present Resolution and Resolution Conf. 11.12, and that, if this is the case, every effort be made to avoid penalizing those involved in the transaction;
- d) for small crocodilian leather products, Parties consider measures to alleviate the administrative burdens associated with this trade through simplified procedures to issue permits and certificates as provided in Part XII of this Resolution; and
- e) for small crocodilian leather products, Parties that require import permits as a stricter domestic measure should review these requirements in order to determine whether they are effective in achieving the objectives of the Convention to ensure that trade in wild fauna and flora species is not detrimental to their survival;