

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



Sixteenth meeting of the Conference of the Parties
Bangkok (Thailand), 3-14 March 2013

Interpretation and implementation of the Convention

Trade control and marking

IMPROVING THE EFFICIENCY OF INTERNATIONAL COOPERATION
ON PERMIT AND CERTIFICATE VERIFICATION

1. This document has been submitted by China*.

Background

2. China is experiencing ongoing challenges associated with verification of the authenticity of CITES permits and certificates issued by the Party of export or re-export. These challenges have been experienced over a period of several years. China noticed that false and invalid permits and certificates are increasingly being used. As required by domestic laws, and in pursuit of the thorough examination of the authenticity and validity of permits and certificates issued by another Party, to prevent illegal international trade, China often contact the Management Authorities of the Party's of export, requesting verification of the authenticity and validity of permits and certificates This process is however sometimes ineffective due to slow or a lack of response from the Party of export. In many instances responses are received too late to take appropriate action or no response to the request for verification is received at all. Appropriate measures are needed to improve international cooperation that will facilitate a more effective permit verification process

Recommendation

3. The Conference of the Parties is invited to consider the draft proposal presented in the Annex of this document and to implement measures that will improve effectiveness of current CITES recommendations for permit and certificate verification.

COMMENTS FROM THE SECRETARIAT

- A. The Secretariat supports the proponent's aim to strengthen cooperation between Parties on the verification of CITES permits and certificates and to promote the use and improvement of electronic permitting systems.
- B. In Resolution Conf. 12.3 (Rev. CoP15) on *Permits and certificates*, under section XIV *Regarding acceptance and clearance of documents and security measures*, Parties are urged to check with the Secretariat when they have serious doubts about the validity of permits accompanying suspect shipments. The Secretariat's previous role in verifying CITES documents was reduced some years ago because of the burden this placed on its limited resources. If Parties wish to increase the Secretariat's role in the verification process, additional resources would be required.

* *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat or the United Nations Environment Programme concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

- C. Notwithstanding the Secretariat's comment in paragraph B. above, if bilateral cooperation efforts fail and Parties observe continuing problems with permit verification, they should refer such problems to the Secretariat. In accordance with Resolution Conf. 14.3 on *CITES compliance procedures*, and within its available resources, the Secretariat will engage with the concerned Party or Parties and bring to the attention of the Standing Committee any potential compliance matters that are identified and not resolved,
- D. As Resolution Conf. 12.3 (Rev. CoP15) already contains provisions on the acceptance and clearance of documents, related security measures and electronic permitting, consideration might be given to revising this Resolution, or another relevant Resolution, to achieve the proponent's aims. In this connection, it might be useful for a working group to be established at the present meeting to discuss and agree upon recommended text for consideration by the Conference of the Parties.

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

RESOLUTION CONF.16.XX, IMPROVING THE EFFICIENCY OF INTERNATIONAL COOPERATION
ON PERMIT AND CERTIFICATE VERIFICATION

RECALLING Resolution Conf 12.3 (Rev. CoP15) adopted by the Conference of the Parties at its twelfth meeting (Chile, 2002), which was amended at the 13th, 14th and 15th meetings of the Conference of the Parties;

OBSERVING that fraudulent and invalid CITES permits and certificates are increasingly being used and that appropriate measures are needed to prevent such documents from being accepted;

AWARE that there are considerable variability among Parties in their capacity to implement and enforce the provisions of the Convention;

RECOGNIZING that Parties, in compliance with national legislation and in pursuit of the thorough examination of the authenticity and validity of CITES permits and certificates issued by another Party, often requests verification of authenticity and validity of such permits and certificates from other Parties, to prevent illegal international trade;

NOTING that the current process established for CITES permit and certificate verification is frequently ineffective due to the delay in response or a lack of response from Parties to whom such verification requests are directed;

NOTING that the increased use of CITES electronic permitting systems by Parties might provide a more efficient and secure way to verify permits and certificates;

REAFFIRMING the principle of international cooperation;

CONSCIOUS that all Parties should implement the Convention in a cooperative manner;

RECOGNIZING that appropriate measures are urgently needed to improve international cooperation that will facilitate a more effective permit verification process;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS that all Parties:

- a) recognize the increased use and serious impact of fraudulent export permits or certificates on the effective implementation of the Convention and identify it as a matter of high priority for their management authorities and enforcement agencies;
- b) take all possible measures to prevent falsification of export permits or certificates, and if such cases are identified, inform the Party of import/export and the Secretariat immediately after discovering the fraudulent activity;
- c) respond to the request from another Party to verify the authenticity and validity of a permit or certificate within ten working days. If this is not possible, an acknowledgement of receipt should be forwarded to the requesting Party, within ten working days, with an explanation for the delay and indicating a date by which the information requested will be provided. The maximum period for such verification should not exceed thirty working days;
- d) refuse to accept a permit, if the Management Authority of the Party to which the verification request was directed, fail to respond to such a request as per paragraph c) above;
- e) inform the Secretariat when a Party was requested to verify a permit or certificate, and such a Party failed to respond to the request; and

- f) develop CITES e-permitting systems and make full use of available e-permitting tools such as the Electronic Permit Information eXchange (EPIX) system and other means of electronic communication to verify permits or certificates.

DIRECTS the Secretariat to

- a) provide assistance to Parties requesting permit or certificate verification, within the limits of available resources;
- b) draw repeated failure by a Party to verify permits and certificates as per paragraph c) above, to the attention of the Standing Committee;
- c) draw attention of parties if there is an increasing trend of using fraudulent permits or certificates regarding certain species; and
- d) regularly verify and update contact information of the Management Authorities of the Parties on its website.