

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



Seventeenth meeting of the Conference of the Parties
Johannesburg (South Africa), 24 September – 5 October 2016

Committee I

Agenda item 39 *Hunting Trophies*

DRAFT RESOLUTION AND DECISIONS OF THE CONFERENCE OF THE PARTIES

This document has been prepared by the European Union and South Africa as co-chairs of the working group on this matter established in the fifth session of Committee I. It is based on matters arising from the discussion on documents CoP17 Doc. 39.1, CoP17 Doc. 39.2 and CoP17 Inf. 68 at the fifth session of Committee I.

Resolution Conf. 17.XX

Trade in hunting trophies of species listed in Appendix I or II

According to Resolution Conf. 4.6 (Rev. CoP16) on *Submission of draft resolutions, draft decisions and other documents for meetings of the Conference of the Parties*, the Conference of the Parties decided that any draft resolutions or decisions submitted for consideration at a meeting of the Conference of the Parties that have budgetary and workload implications for the Secretariat or permanent committees must contain or be accompanied by a budget for the work involved and an indication of the source of funding. The author of this document notes the following:

ACKNOWLEDGING that peoples and States are and should be the best protectors of their own wild fauna and flora;

RECOGNIZING that well-managed and sustainable trophy hunting is consistent with and contributes to species conservation, as it provides both livelihood opportunities for rural communities and incentives for habitat conservation, and generates benefits which can be invested for conservation purposes;

ACKNOWLEDGING that where economic value can be attached to wildlife and a controlled management system is implemented, favourable conditions can be created for investment in the conservation and the sustainable use of the resource, thus reducing the risks to wildlife from alternative forms of land use;

FURTHER ACKNOWLEDGING the guidance provided in Resolution Conf. 13.2 (Rev. CoP14) on *Sustainable use of biodiversity: Addis Ababa Principles and Guidelines*;

RECALLING that Resolution Conf. 16.6 on *CITES and livelihoods* recognizes that poor rural communities may attach economic, social, cultural and ceremonial importance to some CITES-listed species, and RECOGNIZING the resources that trophy hunting provides to certain local communities;

CONSIDERING the need for uniform interpretation of the Convention with regard to hunting trophies;

FURTHER RECOGNIZING that range States invest significant resources in making scientifically-based non-detriment findings and establishing sustainable quotas for hunting trophies;

AWARE of the challenges that some Parties face when making scientifically based non-detriment findings and establishing sustainable quotas for hunting trophies;

RECALLING that Resolution Conf. 16.7 on *Non-detriment findings* sets out a number of guiding principles that Scientific Authorities should take into account in considering whether trade would be detrimental to the survival of a species;

RECOGNIZING that the conservation status of a species may differ across its range, and that this needs to be taken into account in the non-detriment findings of the respective Scientific Authorities as required under Articles III and IV of the Convention;

FUTHER RECOGNIZING that trophy-hunting activities can successfully be managed for the benefit of the species in cooperation with and provide benefits to local communities, where relevant;

RECALLING that Resolution Conf. 10.10 (Rev. CoP16) on *Trade in elephant specimens*, Resolution Conf. 10.14 (Rev. CoP16) on *Quotas for leopard hunting trophies and skins for personal use*, Resolution Conf. 10.15 (Rev. CoP14) on *Establishment of quotas for markhor hunting trophies* and Resolution Conf. 13.5 (Rev. CoP14) on *Establishment of export quotas for black rhinoceros hunting trophies* set out specific conditions applying to international trade in trophies of those Appendix I species;

RECALLING that the Appendix I listing of cheetahs (*Acinonyx jubatus*) is accompanied by an annotation regarding annual export quotas for live specimens and hunting trophies;

RECALLING that Resolution Conf. 2.11 (Rev.) on *Trade in hunting trophies of species listed in Appendix I* recommends that hunting trophies of Appendix I species shall be accompanied by import and export permits;

FURTHER RECALLING that Resolution Conf. 2.11 (Rev.) on *Trade in hunting trophies of species listed in Appendix I* recommends that, in order to achieve the envisaged complementary control of trade in Appendix I species by the importing and exporting countries in the most effective and comprehensive manner, the Scientific Authority of the importing country accepts the finding of the Scientific Authority of the exporting country that the exportation of the hunting trophy is not detrimental to the survival of the species unless there are scientific or management data to indicate otherwise;

RECALLING FURTHER Resolution Conf. 13.7 (Rev. CoP16), on *Control of trade in personal and household effects*;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. AGREES that the export of hunting trophies of species listed in Appendix I or II should be conditional upon issuance of an export permit in accordance with Articles III or IV of the Convention except as provided in Resolution Conf. 13.7 (Rev CoP16) on *Control of trade in personal and household effects*;
2. URGES exporting countries to only authorize the export of hunting trophies of species listed in Appendix I or II when the following conditions are met:
 - a) a Management Authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that country for the protection of fauna;
 - b) in reviewing trade in hunting trophies, a Management Authority of the state of export is satisfied that said specimen conforms to the definition of hunting trophy as contained in Resolution Conf. 12.3 (Rev. CoP16) on *Permits and Certificates*, and corresponds therefore to a whole animal, or readily recognizable part or derivative of an animal, specified on the accompanying CITES permit or certificate, that:
 - i) is raw, processed or manufactured;
 - ii) was legally obtained by the hunter through hunting for the hunter's personal use; and
 - iii) is being imported, exported or re-exported by or on behalf of the hunter, as part of the transfer from its country of origin, ultimately to the hunter's State of usual residence;
 - c) a Scientific Authority of the State of export takes into account the concepts and non-binding guiding principles contained in Resolution Conf. 16.7 on *Non-detriment findings* in determining whether the export of the hunting trophy would be detrimental to the survival of the species; which may include:

- i) information relating to distribution, status and trends of populations based on national conservation plans, where applicable, and which informs harvests;
 - ii) a review of the sustainability of harvest levels taking account all mortality sources affecting the wild population of the species, including mortality due to illegal killing.
3. RECOMMENDS that Parties exporting hunting trophies of CITES-listed species ensure that trophy hunting is sustainably managed, does not undermine the conservation of target species and, as appropriate, provides benefits to local communities by having in place
 - a) a robust regulatory framework relating to the harvesting of trophies;
 - b) an effective enforcement mechanism with adequate deterrents in the form of penalties for non-compliance;
 - c) a monitoring system designed to effectively monitor population trends and status, and
 - d) an adaptive management system through which harvest levels can be adjusted according to the needs of the specific population and based on results of the monitoring programme;
4. FURTHER RECOMMENDS that trophy hunting activities relating to species listed in Appendix I should produce conservation benefits for the species concerned and thus may benefit from having a benefit sharing or incentive system in place to ensure that harvesting contributes to the offsetting of the cost of living with certain species such as elephants.
5. URGES Parties trading in hunting trophies to apply the *Guidelines for the preparation and submission of CITES annual reports* in order to assess adherence to quotas and compliance with the provisions of the Convention.
6. RECOMMENDS that importing and exporting countries maintain a close dialogue as necessary, and that these countries share information, upon request, regarding the finding of the Scientific Authorities.
7. FURTHER RECOMMENDS that Parties consider the contribution of hunting to species conservation and socio-economic benefits, and its role in providing incentives for people to conserve wildlife, when considering stricter domestic measures and making decisions relating to the import of hunting trophies.
8. FURTHER RECOMMENDS that Parties make every reasonable effort to notify range States of the species concerned at as early a stage as possible prior to the adoption of stricter measures relating to trade in hunting trophies, as recommended in Resolution Conf. 6.7 on *Interpretation of Article XIV, paragraph 1, of the Convention*.

PROPOSED AMENDMENTS TO RESOLUTION CONF. 13.7 (REV. COP16) ON THE CONTROL OF
TRADE IN PERSONAL AND HOUSEHOLD EFFECTS

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

Resolution Conf. 13.7 (Rev. CoP16) Control of trade in personal and household effects

(...)

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

(...)

AGREES that Parties shall:

- a) regulate the cross-border movements of legally acquired, personally owned live animals of species listed in the Appendices of CITES in accordance with Resolution Conf. 10.20;
- b) not require export permits or re-export certificates, for personal or household effects which are dead specimens, parts or derivatives of Appendix-II species except:
 - i) where they have been advised through a Notification from the Secretariat or on the CITES website that the other Party involved in the trade requires such documents; or
 - ii) for the export and re-export of rhino horn or elephant ivory contained in hunting trophies; ~~or~~
 - iii) for the export and re-export of all other hunting trophies unless Parties have entered into bilateral written arrangements for cross-border trade between neighbouring countries that include the required findings in Article IV of the Convention and other means of monitoring trade in hunting trophies, provided that such arrangements have been duly notified to the CITES Secretariat, and with the condition that the specimen at the time of import, export or re-export was worn, carried or included in the hunter's personal baggage; or
- ~~iv~~iii) for the following, where the quantity exceeds the specified limits:
 - caviar of sturgeon species (*Acipenseriformes* spp.) –up to a maximum of 125 grams per person whereby the container has to be labelled in accordance with Resolution Conf. 12.7 (Rev. CoP16);
 - rainsticks of Cactaceae spp. –up to three specimens per person;
 - specimens of crocodylian species –up to four specimens per person;
 - queen conch (*Strombus gigas*) shells –up to three specimens per person;
 - seahorses (*Hippocampus* spp.) –up to four specimens per person;
 - giant clam (*Tridacnidae* spp.) shells –up to three specimens, each of which may be one intact shell or two matching halves, not exceeding 3 kg per person; and
 - specimens of agarwood –up to 1 kg of woodchips, 24 ml of oil and two sets of beads or prayer beads (or two necklaces or bracelets) per person;

(...)

Interpretation of Article VII, paragraph 3, of the Convention

(...)

12. Personally owned or possessed specimens are Appendix-I, -II or -III specimens that have been acquired while a person resides in his country of usual residence. There are many different ways in which a specimen may be acquired as long as the acquisition was in accordance with domestic law. Examples include, but are not limited to:
- Direct removal from the wild in the person's country of usual residence;
 - As a gift acquired within the country of usual residence or imported under CITES provisions from another country;
 - As an inheritance acquired either within the country of usual residence or imported under CITES provisions from another country;
 - Purchase from a vendor who has either obtained the specimen legally from within the country of usual residence or who has imported the specimens under CITES provisions from another country; ~~and~~
 - A souvenir acquired while travelling abroad and imported either under the personal and household effects exemption or with the appropriate CITES documents; and
 - A hunting trophy that has been legally hunted abroad and imported either under the personal and household effects exemption or with the appropriate CITES documents.

(...)

16. Hunting trophies are specimens that meet the definition of 'hunting trophy' in Resolution 12.3 (Rev. CoP16). ~~They will be exempted as personal effects if both the countries of import and export implement the personal and household effects exemption for the species and the specimen at the time of import, export or re-export was worn, carried or included in personal baggage.~~ Note that the export or re-export of rhino horn and elephant ivory contained in hunting trophies does not qualify for the personal and household effects exemption.

(...)

PROPOSED DECISIONS REGARDING THE REVIEW OF EXPORT QUOTAS APPROVED BY THE COP
FOR LEOPARD HUNTING TROPHIES

Directed to range States

- 17.AA Parties, which have quotas, established under Resolution Conf. 10.14 (Rev. CoP16) are requested to review these quotas, and consider whether these quotas are still set at levels which are non-detrimental to the survival of the species in the wild, and to share the outcomes of the review and the basis for the determination that the quota is not detrimental, with the Animals Committee at its 30th meeting.

Directed to the Animals Committee

- 17.BB The Animals Committee shall consider the information submitted by the relevant range States and any other relevant information, and, if necessary, make any recommendations to the range States and to the Standing Committee relating to the review.

Directed to the Secretariat

- 17.CC The Secretariat shall, subject to external funding, support the reviews to be undertaken by range States, referred to in Decision 17.AA, upon request by a range State.

Directed to the Standing Committee

- 17.DD The Standing Committee should consider any recommendations of the Animals Committee made in accordance with Decision 17.BB, and make its own recommendations, as appropriate, for consideration at the 18th meeting of the Conference of the Parties.