

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



Eighteenth meeting of the Conference of the Parties
Colombo (Sri Lanka), 23 May – 3 June 2019

Interpretation and implementation matters

Regulation of trade

Definition of the term 'appropriate and acceptable destinations'

REPORT OF THE STANDING COMMITTEE

1. This document has been submitted by the Standing Committee and prepared in consultation with the Chair of the Animals Committee.*
2. At its 17th meeting (CoP17, Johannesburg, 2016), the Conference of the Parties adopted the following Decisions on *Definition of the term 'appropriate and acceptable destinations'*:

Directed to the Secretariat

17.178 *The Secretariat shall, subject to available resources, report to the 29th meeting of the Animals Committee and the 69th meeting of the Standing Committee on the history and implementation of Resolution Conf. 11.20 (Rev. CoP17) on Definition of the term 'appropriate and acceptable destinations', and Article III, paragraphs 3(b) and 5(b), regarding findings that recipients of living specimens of CITES Appendix-I species are suitably equipped to house and care for them.*

Directed to the Animals Committee

17.179 *The Animals Committee shall, at its 29th meeting:*

- a) *consider the report of the Secretariat regarding Resolution Conf. 11.20 (Rev. CoP17) on Definition of the term 'appropriate and acceptable destinations', and make recommendations and develop guidance, as appropriate, for consideration of the Standing Committee and the 18th meeting of the Conference of the Parties;*
- b) *consider the report of the Secretariat regarding implementation of the requirements in Article III, paragraphs 3(b) and 5(b), regarding findings that recipients of living specimens of CITES Appendix-I species are suitably equipped to house and care for them, and make recommendations and prepare guidance, as appropriate, for consideration of the Standing Committee and the 18th meeting of the Conference of the Parties.*

* *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.*

Directed to the Standing Committee

17.180 At its 69th meeting, the Standing Committee shall:

- a) *consider the report of the Secretariat, including any information from the Animals Committee, regarding Resolution Conf. 11.20 (Rev. CoP17) on Definition of the term 'appropriate and acceptable destinations', and make recommendations and develop guidance, as appropriate, for consideration at the 18th meeting of the Conference of the Parties;*
- b) *consider the report of the Secretariat, including any information from the Animals Committee, regarding implementation of the requirements in Article III, paragraphs 3(b) and 5(b), regarding findings that recipients of living specimens of CITES Appendix-I species are suitably equipped to house and care for them and make recommendations and develop guidance, as appropriate, for consideration at the 18th meeting of the Conference of the Parties.*

Implementation of Decisions 17.178 to 17.180

3. At the 29th meeting of the Animals Committee (AC29, Geneva, July 2017) and the 69th meeting of the Standing Committee (SC69, Geneva, November 2017), a revised timeframe to implement Decision 17.178 was proposed by the Secretariat and agreed. This allowed the Secretariat to report to the 30th meeting of the Animals Committee (AC30, Geneva, July 2018) and the 70th meeting of the Standing Committee (SC70, Sochi, October 2018).
4. In order to gather additional information on how Parties were implementing Resolution Conf. 11.20 (Rev. CoP17) and the provisions of Article III, paragraphs 3 (b) and 5 (b), the Secretariat issued Notification to the Parties [No. 2018/033](#) on 29 March 2018. Responses to the Notification were received from 11 Parties and five organizations, and a summary of these responses can be found in paragraphs 21 to 35 of document AC30 Doc. 16 (Rev. 2) and presented in full in the format and language as they were received in document AC30 Doc. 16 (Rev. 2) A.
5. In fulfilment of Decision 17.178, the Secretariat submitted its report on "the history and implementation of Resolution Conf. 11.20 (Rev. CoP17) on *Definition of the term 'appropriate and acceptable destinations'*, and Article III, paragraphs 3(b) and 5(b), regarding findings that recipients of living specimens of CITES Appendix-I species are suitably equipped to house and care for them" to AC30 [see document [AC30 Doc. 16 \(Rev. 2\)](#)]. The Secretariat subsequently submitted the same report to SC70 for consideration by the Standing Committee (see Annex 1 of document [SC70 Doc. 38.1](#)).

Implementation of Decision 17.179

6. To facilitate the implementation of Decision 17.179, the Animals Committee formed an intersessional working group at AC29, with a mandate to review the study undertaken by the Secretariat in accordance with Decision 17.178, and to draft findings and recommendations for consideration at AC30. The intersessional working group worked electronically once the report from the Secretariat became available, and the Chair of this working group gave an oral report at AC30 which served as a basis for further discussions.
7. At AC30, the Animals Committee established an in-session working group with the following mandate:

Taking into account discussions in plenary and any information from the Animals Committee's intersessional working group on the definition of the term "appropriate and acceptable destinations" the in-session working group shall:

- a) *review the information contained in document AC30 Doc. 16 (Rev. 2) and its Annex, particularly paragraphs 36 to 40;*
- b) *develop (the outline) of a non-binding checklist similar to that outlined in paragraph 40; and*
- c) *make recommendations, including draft decisions, as appropriate, for the Committee's consideration and submission to the 70th meeting of the Standing Committee, in accordance with Decision 17.179.*

8. Based on the outcome of the in-session working group, the Animals Committee agreed to recommend an outline of **non-binding guidance** for determining whether recipients of living specimens of CITES Appendix-I species are suitably equipped to house and care for them [AC30 Com. 6 (Rev. by Sec.)]. In accordance with Decision 17.179, this set of guidance was submitted for consideration to SC70.
9. The Animals Committee also developed a set of draft decisions to be considered for submission to the 18th meeting of the Conference of the Parties [see document AC30 Com 6 (Rev. by Sec.)]. These draft decisions focus on making the non-binding guidance referred to in paragraph 8 above available along with other reference materials, seeking feedback on its usefulness from Parties, as well as looking in more detail at a number of issues including developing specific guidance for elephants and rhinos; and preparing non-binding guidance on how to determine whether the trade would promote *in situ* conservation.

Implementation of Decision 17.180

10. At SC69, the Standing Committee established an intersessional working group on the implementation of Decision 17.180, with the following mandate:
 - a) *review the report undertaken by the Secretariat in accordance with Decision 17.178 and any recommendations coming from the 30th meeting of the Animals Committee, and*
 - b) *report to the 70th meeting of the Standing Committee with its provisional recommendations for consideration by the Committee.*

The membership was decided as follows: the United States of America (Chair), Argentina, Canada, China, Ethiopia, Israel, Japan, Kenya, South Africa, Switzerland, United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, and Zimbabwe; and Association of Zoos and Aquariums, European Association of Zoos and Aquaria, Fondation Franz Weber, International Elephant Foundation, International Union for Conservation of Nature, MEA Strategies, Pro Wildlife, Safari Club International, San Diego Zoo Global, Species Survival Network, and World Animal Protection.

11. At SC70, the Standing Committee considered three documents on the definition of the term 'appropriate and acceptable destinations': document [SC70 Doc. 38.1](#), submitted by the Secretariat; document [SC70 Doc. 38.2](#), submitted by the Chair of the intersessional working group referred to in the previous paragraph; and document [SC70 Doc. 38.3](#), submitted by Niger and Burkina Faso.
12. On the basis of these three documents, the Standing Committee agreed to propose to the Conference of the Parties the outline of the non-binding guidance for determining whether recipients of living specimens of CITES Appendix-I species are suitably equipped to house and care for them that was developed by the Animals Committee. This guidance is presented in Annex 1 to this document.
13. The Standing Committee also agreed to submit the set of draft decisions proposed by the Animals Committee as presented in AC30 Com. 6 (Rev. by Sec.) and confirmed that Decisions 17.178 to 17.180 had been fully implemented. The Standing Committee also agreed to propose the following additional draft decision to the Conference of the Parties:

18.xx Directed to the Secretariat

The Secretariat shall consult with Parties whose elephants are listed in Appendix II and who have exported wild caught elephants to a non-elephant range State since CoP11 on their implementation of Resolution Conf. 11.20 (Rev. CoP17), in particular considering the role and responsibility of the State of export in Article IV and Resolution Conf. 16.7 (Rev. CoP17) and Resolution Conf. 11.20 (Rev. CoP17).

The Secretariat has combined this draft decision with the set of draft decisions proposed by the Animals Committee and renumbered them accordingly. The complete set of draft decisions for consideration by the Conference of the Parties is presented in Annex 2 to this document.

14. The Standing Committee also requested the Secretariat to consult with Parties that have imported live elephants to share any findings made by the Scientific Authority of the State of import to confirm that it is satisfied that the proposed recipient of a living specimen is suitably equipped to house and care for it; and that the Scientific Authorities of the State of import and the State of export are satisfied that the trade would

promote *in situ* conservation in accordance with Resolution Conf. 11.20 (Rev. CoP17) on *Definition of the term 'appropriate and acceptable destinations'*.

Recommendations

15. The Conference of the Parties is invited to:

- a) adopt the non-binding guidance for determining whether a proposed recipient of a living specimen is suitably equipped to house and care for it, as presented in Annex 1;
- b) adopt the draft decisions on *Definition of "appropriate and acceptable destinations"*, as presented in Annex 2; and
- c) agree to delete Decisions 17.178 to 17.180.

COMMENTS OF THE SECRETARIAT

A. The Secretariat recommends that the Conference of the Parties adopt the non-binding guidance for determining whether a proposed recipient of a living specimen is suitably equipped to house and care for it, presented in Annex 1 to the document, subject to the following amendments:

- i) In order to clarify that the guidance covers both living specimens of Appendix-II species subject to an annotation referring to "appropriate and acceptable destinations", as well as living Appendix-I specimens subject to Article III paragraphs 3 (b) and 5 (b) of the Convention, it is suggested to add the text "With regards to the provisions of paragraph 1 a) of Resolution Conf. 11.20 (Rev. CoP17) and Article III, paragraphs 3 (b) and 5 (b) of the Convention," to the first paragraph.
- ii) Now that the non-binding guidance has been adopted by the Standing Committee, it is suggested to replace "factors that should be recommended under the guidance for evaluation" with "factors that should be considered when determining".
- iii) The Secretariat also suggests a minor editorial addition of the word "and" at the end of part h) in Annex 1.

All of the suggested amendments to the proposed non-binding guidance outlined above are presented in Annex 4.

B. The Secretariat recommends that the Conference of the Parties adopt the draft decisions on the definition of "appropriate and acceptable destinations" presented in Annex 2 to the document, with the following suggested amendments:

- i) To simplify the text and avoid unnecessary duplication, it is suggested to remove the brackets from {contained in document 44.1} throughout the text and to amend draft decision 18.CC paragraph a) as follows:
 - a) invited to use the non-binding guidance {contained in document CoP18 Doc. 44.1} when considering whether the proposed recipient of a living specimen is suitably equipped to house and care for it on how to assess whether proposed recipients of living specimens of CITES Appendix I listed species are suitably equipped to house and care for them
- ii) Concerning draft decision 18.BB, the Secretariat suggests that following the first reference to Resolution Conf. 11.20 (Rev. CoP17), the full title should be added and also suggests deleting the second reference to the same Resolution at the end of the sentence, as it is duplicative. The Secretariat further suggests that the results of the consultation be referred to the Animals Committee for inclusion in its considerations under paragraph a) of draft decision 18.DD. Therefore, the following amendments are suggested to draft decision 18.BB:

18.BB The Secretariat shall consult with Parties whose elephants are listed in Appendix II and who have exported wild caught elephants to a non-elephant range State since CoP11 on their

implementation of Resolution Conf. 11.20 (Rev. CoP17) on Definition of the term 'appropriate and acceptable destinations', in particular considering the role and responsibility of the State of export in Article IV and Resolution Conf. 16.7 (Rev. CoP17) ~~and Resolution Conf. 11.20 (Rev. CoP17)~~, and provide the information received to the Animals Committee, for its consideration.

- iii) Concerning draft decision 18.EE, paragraph b), the Secretariat suggests making specific reference to the 19th meeting of the Conference of the Parties.

The suggested amendments to the proposed draft decisions are presented in Annex 5.

- C. The Secretariat recommends that the Conference of the Parties adopt the non-binding guidance for determining whether a proposed recipient of a living specimen is suitably equipped to house and care for it as amended in Annex 4 and the draft decisions on the definition of “appropriate and acceptable destinations” as amended in Annex 5.

Non-binding guidance for determining whether a proposed recipient of a living specimen is suitably equipped to house and care for it, for consideration of adoption by the 18th meeting of the Conference of the Parties

Factors that should be recommended under the guidance for evaluation when considering whether the proposed recipient of a living specimen is suitably equipped to house and care for it may include, but are not limited to:

- a) Physical housing (size and space [adequate space to display normal behaviour; to expand as the animal grows; availability of indoor/outdoor housing; and if animal is on public display, availability of private, off exhibit area], construction materials, shelter from sun/rain, safety and security measures, suitable arrangements for quarantine, substrate type);
- b) Species-specific enclosure furnishings (for example provisions of pools, climbing equipment, hides, nest boxes, plants and hiding places);
- c) Animal care and husbandry (climate conditions, including correct temperature and light; water quality parameters for aquatic species);
- d) Dietary needs (species-specific food and nutritional requirements, access to potable water);
- e) Adequate provisions of suitable veterinary and animal care (sufficient numbers and expertise of staff who care for the animals, disease considerations, preventative medicine);
- f) Wildlife laws (comply with all relevant wildlife laws and/or regulations and possess all appropriate permits and licenses for the species involved);
- g) Social well-being and animal behaviour (appropriate social groupings for the species, methods of integration, appropriate social and behavioural enrichment, ability to separate the group where needed);
- h) Management (facility's adequate record-keeping);
- i) Any other taxon-specific considerations.

DRAFT DECISIONS ON DEFINITION OF
'APPROPRIATE AND ACCEPTABLE DESTINATIONS'

Directed to the Secretariat

18.AA The Secretariat shall:

- a) create and maintain a dedicated webpage on the CITES website to make available the guidance [contained in document CoP18 Doc. 44.1] and to compile reference materials, published references, best practice examples, examples of Parties' appropriate and acceptable destination findings and suitably equipped to house and care for living specimens' findings, and other relevant information;
- b) issue a notification within 90 days of the close of CoP18 containing the non-binding guidance [contained in document CoP18 Doc. 44.1] on the provisions of paragraph 1, a) of Resolution Conf. 11.20 (Rev. CoP17) on *Definition of the term 'appropriate and acceptable destinations'* for living specimens of Appendix-II species subject to an annotation referring to 'appropriate and acceptable destinations', as well as Article III paragraphs 3 (b) and 5 (b) for living Appendix-I specimens; and inviting Parties to submit relevant material for the CITES webpage created under paragraph a);
- c) source additional relevant information for inclusion on the dedicated webpage created under paragraph a); and
- d) issue a notification within 30 days of the close of SC73 inviting Parties to provide feedback on experience with using the guidance [contained in document CoP18 Doc. 44.1] as well as the information provided on the CITES webpage created under paragraph a) and report this to the Animals Committee and Standing Committee for their consideration and recommendations, as appropriate.

18.BB The Secretariat shall consult with Parties whose elephants are listed in Appendix II and who have exported wild caught elephants to a non-elephant range State since CoP11 on their implementation of Resolution Conf. 11.20 (Rev. CoP17), in particular considering the role and responsibility of the State of export in Article IV, Resolution Conf. 16.7 (Rev. CoP17) on *Non-detriment findings* and Resolution Conf. 11.20 (Rev. CoP17).

Directed to the Parties

18.CC Parties are:

- a) invited to use the non-binding guidance [contained in document CoP18 Doc. 44.1] on how to assess whether proposed recipients of living specimens of CITES Appendix I listed species are suitably equipped to house and care for them; and
- b) encouraged to submit relevant information for the webpage created under Decision 18.AA, paragraph a).

Directed the Animals Committee

18.DD The Animals Committee shall:

- a) prepare non-binding best practice guidance on how to determine whether "the trade would promote *in situ* conservation", in line with the provisions of paragraph 1, b) of Resolution Conf. 11.20 (Rev. CoP17), in consultation with the Secretariat;
- b) building on the existing non-binding guidance [contained in document CoP18 Doc. 44.1], prepare more detailed species-specific guidance for living specimens of African elephants and southern

white rhinoceros, in consultation with relevant experts (including species and zoological facility experts) and the Secretariat;

- c) make the guidance and any recommendations available for consideration and endorsement by the Standing Committee; and
- d) review the report from the Secretariat on feedback from Parties called for in Decision 18.AA paragraph d) and make recommendations, as appropriate, for consideration by the Standing Committee.

Directed to the Standing Committee

18.EE The Standing Committee shall:

- a) consider the report of the Animals Committee, regarding the non-binding guidance developed under Decision 18.DD paragraphs a) and b), and the guidance contained in document CoP18 Doc. 44.1 and make recommendations, as appropriate, including possible revisions to Resolution Conf. 11.20 (Rev. CoP17) and any other relevant Resolution, for consideration at the 19th meeting of the Conference of the Parties; and
- b) review the report from the Secretariat and any comments and recommendations coming from the Animals Committee on feedback from Parties called for in Decision 18.AA paragraph d) and make recommendations, as appropriate, for consideration by the Conference of the Parties.

TENTATIVE BUDGET AND SOURCE OF FUNDING
FOR THE IMPLEMENTATION OF DRAFT RESOLUTIONS OR DECISIONS

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 authors of this document propose the following tentative budget and source of funding.

The proposed draft decisions will have no direct financial cost, but will have workload implications for the Animals, Committee Standing Committee and the Secretariat.

Non-binding guidance for determining whether a proposed recipient of a living specimen is suitably equipped to house and care for it, for consideration of adoption by the 18th meeting of the Conference of the Parties
(as amended by the Secretariat)

With regards to the provisions of paragraph 1 a) of Resolution Conf. 11.20 (Rev. CoP17) and Article III, paragraphs 3 (b) and 5 (b) of the Convention, f~~Factors that should be recommended under the guidance for evaluation when considering~~ considered when determining whether the proposed recipient of a living specimen is suitably equipped to house and care for it may include, but are not limited to:

- a) Physical housing (size and space [adequate space to display normal behaviour; to expand as the animal grows; availability of indoor/outdoor housing; and if animal is on public display, availability of private, off exhibit area], construction materials, shelter from sun/rain, safety and security measures, suitable arrangements for quarantine, substrate type);
- b) Species-specific enclosure furnishings (for example provisions of pools, climbing equipment, hides, nest boxes, plants and hiding places);
- c) Animal care and husbandry (climate conditions, including correct temperature and light; water quality parameters for aquatic species);
- d) Dietary needs (species-specific food and nutritional requirements, access to potable water);
- e) Adequate provisions of suitable veterinary and animal care (sufficient numbers and expertise of staff who care for the animals, disease considerations, preventative medicine);
- f) Wildlife laws (comply with all relevant wildlife laws and/or regulations and possess all appropriate permits and licenses for the species involved);
- g) Social well-being and animal behaviour (appropriate social groupings for the species, methods of integration, appropriate social and behavioural enrichment, ability to separate the group where needed);
- h) Management (facility's adequate record-keeping); and
- i) Any other taxon-specific considerations.

DRAFT DECISIONS ON DEFINITION OF
'APPROPRIATE AND ACCEPTABLE DESTINATIONS'
(as amended by the Secretariat)

Directed to the Secretariat

18.AA The Secretariat shall:

- a) create and maintain a dedicated webpage on the CITES website to make available the non-binding guidance {contained in document CoP18 Doc. 44.1} and to compile reference materials, published references, best practice examples, examples of Parties' appropriate and acceptable destination findings and suitably equipped to house and care for living specimens' findings, and other relevant information;
- b) issue a notification within 90 days of the close of CoP18 containing the non-binding guidance {contained in document CoP18 Doc. 44.1} on the provisions of paragraph 1, a) of Resolution Conf. 11.20 (Rev. CoP17) on *Definition of the term 'appropriate and acceptable destinations'* for living specimens of Appendix-II species subject to an annotation referring to 'appropriate and acceptable destinations', as well as Article III paragraphs 3 (b) and 5 (b) for living Appendix-I specimens; and inviting Parties to submit relevant material for the CITES webpage created under paragraph a);
- c) source additional relevant information for inclusion on the dedicated webpage created under paragraph a); and
- d) issue a notification within 30 days of the close of SC73 inviting Parties to provide feedback on experience with using the guidance {contained in document CoP18 Doc. 44.1} as well as the information provided on the CITES webpage created under paragraph a) and report this to the Animals Committee and Standing Committee for their consideration and recommendations, as appropriate.

18.BB The Secretariat shall consult with Parties whose elephants are listed in Appendix II and who have exported wild caught elephants to a non-elephant range State since CoP11 on their implementation of Resolution Conf. 11.20 (Rev. CoP17) on *Definition of the term 'appropriate and acceptable destinations'*, in particular considering the role and responsibility of the State of export in Article IV, Resolution Conf. 16.7 (Rev. CoP17) on *Non-detriment findings* and ~~Resolution Conf. 11.20 (Rev. CoP17)~~, and provide the information received to the Animals Committee, for its consideration.

Directed to the Parties

18.CC Parties are:

- a) invited to use the non-binding guidance {contained in document CoP18 Doc. 44.1} when considering whether the proposed recipient of a living specimen is suitably equipped to house and care for it on how to assess whether proposed recipients of living specimens of CITES Appendix I listed species are suitably equipped to house and care for them; and
- b) encouraged to submit relevant information for the webpage created under Decision 18.AA, paragraph a).

Directed the Animals Committee

18.DD The Animals Committee shall:

- a) prepare non-binding best practice guidance on how to determine whether "the trade would promote *in situ* conservation", in line with the provisions of paragraph 1, b) of Resolution Conf. 11.20 (Rev. CoP17), in consultation with the Secretariat;

- b) building on the existing non-binding guidance [contained in document CoP18 Doc. 44.1], prepare more detailed species-specific guidance for living specimens of African elephants and southern white rhinoceros, in consultation with relevant experts (including species and zoological facility experts) and the Secretariat;
- c) make the guidance and any recommendations available for consideration and endorsement by the Standing Committee; and
- d) review the report from the Secretariat on feedback from Parties called for in Decision 18.AA paragraph d) and make recommendations, as appropriate, for consideration by the Standing Committee.

Directed to the Standing Committee

18.EE The Standing Committee shall:

- a) consider the report of the Animals Committee, regarding the non-binding guidance developed under Decision 18.DD paragraphs a) and b), and the guidance contained in document CoP18 Doc. 44.1 and make recommendations, as appropriate, including possible revisions to Resolution Conf. 11.20 (Rev. CoP17) and any other relevant Resolution, for consideration at the 19th meeting of the Conference of the Parties; and
- b) review the report from the Secretariat and any comments and recommendations coming from the Animals Committee on feedback from Parties called for in Decision 18.AA paragraph d) and make recommendations, as appropriate, for consideration by the Conference of the Parties at its 19th meeting.