

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

Species specific matters

STURGEONS AND PADDLEFISH (ACIPENSERIFORMES SPP.)

1. This document has been prepared by the Secretariat, in consultation with the Chair of the Standing Committee and Japan as Chair of the intersessional working group on country of origin of caviar.
2. At its 17th meeting, the Conference of the Parties (CoP17, Johannesburg, 2016) adopted several revisions to Resolution Conf. 12.7 (Rev. CoP17) on *Conservation of and trade in sturgeons and paddlefish*.
3. The revisions were based on recommendations by the Standing Committee that were the result of a review of Resolution Conf. 12.7 by an intersessional working group.

Definition of “country of origin of caviar”

4. The intersessional working group, in its report contained in document [SC66 Doc. 55.1](#), also stressed that uncertainties exist about the definition of “country of origin of caviar” in the context of Resolution 12.7 (Rev. CoP16) and its Annexes, in particular the “CITES guidelines for a universal labelling system for the trade in and identification of caviar”:

Furthermore the working group recognized that uncertainties about the definition of the term ‘country of origin of caviar’ do exist. This is mainly the case due to the existence of a wide variety of specialized sturgeon aquaculture facilities which could encompass separated production stages with international trade of fertilized eggs, fingerlings and sturgeons of different age classes and subsequent caviar production in countries which might be different from the country in which the sturgeons were bred in captivity. This situation has increasingly confronted CITES authorities with the challenge to define the country of origin for caviar with a lot of different situations. Considering the fact that caviar labelling also requires the information about the country of origin to be included in the label this also needs to be clarified for all caviar producers. Members of the working group raised the question either whether caviar should be dedicated to the country where sturgeons were bred in captivity or to the country in which a registered processing plant harvests sturgeon eggs to process caviar. Group members referred to the definition of ‘Country of origin’ which is provided in the ‘Instructions and Explanations’ part of Annex 2 (the standard CITES form) attached to Resolution Conf. 12.3 (Rev. CoP16). Other group members raised the opinion that a solution should be based on reality and that a practical approach is needed to avoid confusion. The group did not come to a final conclusion but felt that this question would merit further discussion by the Parties. Therefore the problem that the explanation on the term ‘Country of origin’ given in Annex 2 to Resolution Conf. 12.3 (Rev. Cop16) might need in respect of caviar an amendment shall be submitted now to the CITES Standing Committee for consideration and further clarification.

5. Upon consideration of the working group’s report, the Standing Committee, at its 66th meeting (SC66, Geneva, January 2016), agreed to include the proposed text for a definition of country of origin of caviar in square brackets in its recommended revisions for the consideration of the Conference of the Parties (see SR66, page 80). This proposal was further discussed at the 67th meeting of the Standing Committee and at the 17th meeting of the Conference of the Parties (CoP17, Johannesburg, 2016), but no agreement could be reached, and consequently no definition for “country of origin of caviar” was included in the revision of Resolution Conf. 12.7 (Rev. CoP17) agreed at CoP17.

6. To further consider this matter intersessionally, the Conference of the Parties adopted Decision 17.185 as follows:

Directed to the Standing Committee

17.185 The Standing Committee shall, in collaboration with the Animals Committee, discuss the issue of the definition of country of origin of caviar, taking into account the draft definition proposed by the majority of the Standing Committee Working Group on Sturgeons and Paddlefish, which reads: "country of origin of caviar: country in which a registered processing plant harvests roe of Acipenseriformes species to process caviar," and report to the 18th meeting of the Conference of the Parties.

Implementation of Decision 17.185

7. Pursuant to the above, the Animals Committee, at its 29th meeting (AC29, Geneva, July 2017), adopted the following points for consideration by the Standing Committee:
- a) *It is clear that trade in caviar from aquaculture facilities has increased and is the major source of caviar in trade. There is a wide variety of specialised sturgeon aquaculture facilities and production methods that can encompass movement of fish at various life stages and mixing within the facilities. As such, there is a desire to create a practical approach to the caviar trade system in light of the current production systems.*
 - b) *Resolution Conf. 12.3 (Rev. CoP17) on Permits and certificates provides a definition of "country of origin" to be applied to CITES permits. The proposed change in the definition of country of origin of caviar in Resolution Conf. 12.7 (Rev. CoP17) would need to be reflected in Resolution Conf. 12.3 (Rev. CoP17) as an exception to the current definition.*
 - c) *Some concern was raised that the change in the definition of country of origin reflected in Decision 17.185 may be problematic for countries where roe is harvested from wild specimens and creates concerns with traceability. There was concern expressed that, in principle, this type of change could be applied to other complex production systems (such as in products derived from skins from multiple sources).*
 - d) *However, others noted that the current system is unnecessarily cumbersome for aquaculture practices and that the conservation risks associated with the change in definition of country of origin are small.*
 - e) *It was noted that strict controls are needed on wild harvest to prevent laundering from wild sources into aquaculture such that one additional proposal was to include both the "country of origin of roe" and the "country of origin of caviar" in the universal labelling system. It was further noted that the proposed definition of "country of origin of roe" is equivalent to the current approach for the definition of "country of origin" in Resolution Conf. 12.3 (Rev. CoP17).*
 - f) *There is agreement that strict controls are needed for wild caught specimens and to prevent laundering from wild populations. There is further agreement that a practical approach for trade in caviar from aquaculture production may be needed. There are mixed views regarding addressing the issue with a change to the definition of country of origin that would apply to both the labelling system and to the CITES permit. The Standing Committee might wish to consider if there are other creative solutions to arrive at a practical caviar trading system in light of the recognized shift in source from wild to aquaculture.*
8. The Secretariat submitted the Animals Committee's comments and its own suggestions of how the clarity of the provisions regarding the use of country of origin in the context of the universal labeling guidelines for caviar could be improved in its report contained in document [SC69 Doc.46.1](#) to the 69th meeting of the Standing Committee (SC69, Geneva, November 2017).
9. At SC69, Parties noted that the proposed interpretation by the Secretariat did not sufficiently address the confusion on the issue, concluding that more work was needed. (see [SC69 Summary Record](#))
10. The Standing Committee then established an intersessional working group with the following mandate and membership:

In support of the implementation of Decision 17.185,

- a) *discuss the issue of definition of the country of origin of caviar, taking into consideration the draft definition proposed by the majority of the Standing Committee's working group on sturgeons and paddlefish, which reads "country of origin of caviar: country in which a registered processing plant harvests roe of Acipenseriformes species to process caviar", the recommendations adopted by the Animals Committee at its 29th meeting and the discussion at the 69th meeting of the Standing Committee on the proposed amendments in document SC69 Doc. 46.1; and*
- b) *develop recommendations, as appropriate, to report to the 70th meeting of the Standing Committee.*

The membership of the intersessional working group on country of origin of caviar was agreed as follows: Japan (Chair), Canada, China, Finland, France, Georgia, Germany, Italy, Poland, Russian Federation, Saudi Arabia, Spain, Ukraine, United Arab Emirates, and the United States of America; and Associazione Piscicoltori Italiani, Food and Agriculture Organization, International Caviar Importers Association, IWMC – World Conservation Trust, TRAFFIC, and World Wildlife Fund.

11. The intersessional working group, in document [SC70 Doc. 44.1](#), reported to the 70th meeting of the Standing Committee (SC70, Sochi, October 2018) that no consensus had been found during its discussions.
12. The Standing Committee acknowledged the different opinions expressed by the members of the working group, noted document SC70 Doc. 44.1 and invited the Secretariat, in consultation with the Chair of the Standing Committee and Japan as chair of the intersessional working group, to propose a draft decision for consideration by the Conference of the Parties to continue work on this issue, taking into account the advice provided by the United States of America and Hungary at this meeting, which were that future work should either focus on issues where consensus can be reached, or that the discussion should be broadened to consider the wider context of the universal caviar labelling system,

Recommendations

13. The Conference of the Parties is invited to adopt the draft decision presented in Annex 1 to this document and agree that Decision 17.185 can be deleted.

COMMENTS OF THE SECRETARIAT

- A. The Secretariat therefore recommends the adoption of the draft decision contained in Annex 1 to this document to replace Decision 17.185, which can be deleted.
- B. The Secretariat's assessment of the budget implications for adopting the draft decision are shown in Annex 2.

Draft decision on Sturgeons and paddlefish (*Acipenseriformes* spp.)

Directed to the Standing Committee

18.XX *The Standing Committee shall, taking into account work undertaken by the Animals Committee and the Standing Committee, with support by the Secretariat between the 17th and 18th meeting of the Conference of the Parties:*

a) consider the practical challenges in the implementation of the provisions of the Convention with regard to the application of the “CITES guidelines for a universal labelling system for the trade in and identification of caviar” contained in Annex 1 of Resolution Conf. 12.7 (Rev. CoP17) in light of the recognized shift in source from wild to aquaculture; and

b) as needed, make recommendations to the 19th meeting of the Conference of the Parties to address the identified challenges with the aim of arriving at a practical approach for trade in caviar from aquaculture production.

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 draft decision will not have any direct budgetary implications, but will have workload implications for the Standing Committee.