

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

Fifty-first meeting of the Standing Committee
Bangkok (Thailand), 1 October 2004

Interpretation and implementation of the Convention

TRADE IN FALCONS FOR FALCONRY

1. This document has been prepared by the Secretariat.

Background

2. It has been recognized for a long time that the trade in falcons for falconry involves considerable illicit trade and that this, combined with what appears to be an unsustainable legal trade, may have had an adverse impact upon some populations of falcon species in the wild. In compliance with Resolution Conf. 12.8 (Review of significant trade in specimens of Appendix-II species), the Animals Committee, is currently reviewing the trade in *Falco cherrug* because of concern expressed regarding declining population numbers. The Committee has also expressed concern regarding illicit trade but noted that this is not a matter for it to consider.
3. During its activities in Asia, the Secretariat discussed the trade in falcons with a number of relevant Parties and it was thought desirable to convene a consultative meeting on the trade in falcons for falconry involving States where the following activities take place:
 - breeding of falcons in captivity for international trade;
 - removal of falcons from the wild for international trade;
 - import of falcons for use by falconers; and
 - hunting by falconers from other States.
4. The idea of organizing this meeting was fully supported by the Parties of the Asian region at their meeting in Mongolia in August 2002.
5. The Animals Committee was advised that such a meeting was proposed and believed it would provide an opportunity to discuss illicit trade issues. It also believed that the subject of illicit trade in falcons should be brought to the attention of the Standing Committee.

Consultative meeting

6. The Management Authorities and the Scientific Authority of the United Arab Emirates offered to host a meeting and this was held from 16 to 19 May 2004. Financial support to help sponsor the attendance of delegates was received from the Governments of the United Kingdom of Great Britain and Northern Ireland and the United Arab Emirates. Invitations were sent only to States that were indicated to be the most important falcon trading countries according to annual report statistics. A small number of non-governmental organizations also attended.

7. The meeting was facilitated by the Secretariat and enabled delegates to discuss a wide range of issues related to this trade. A summary record of the meeting is attached as an Annex to this document.

Conclusions and recommendations

8. As will be seen from the summary record of the meeting, delegates believed that further work requires to be done to address problems related to trade in falcons for falconry. These are primarily of a technical or enforcement nature.
9. The Secretariat recommends that the Standing Committee consider referring the issue of trade in falcons for falconry to the clearing house on technical implementation issues to recommend how this should best be dealt with. The issues to be considered specifically relate to the marking of birds and the storage of data regarding such marks. It is believed that a small group of experts in this field should be tasked, preferably working electronically or by teleconference, to consider formulating recommendations regarding the standardization of marking systems, the information to be included in any mark and the storage of such information.
10. It also recommends that the Standing Committee endorse the concept of *ad hoc* CITES Enforcement Task Forces, referred to in document CoP13 Doc.23 on enforcement matters, and accept the suggestion of the consultative meeting delegates that illicit trade in falcons would be a suitable subject for such a task force. If the Committee so agrees, the Secretariat will report accordingly to the 13th meeting of the Conference of the Parties. The Secretariat is of the opinion that a one-off meeting of such a task force should bring together enforcement officials from those Parties most affected by illicit trade in falcons. At such a meeting, information regarding recent seizures and other enforcement-related information could be exchanged. The meeting would also enable the establishment of a network of officials that would, thereafter, be responsible for continuing exchanges of information and that would facilitate cooperation and coordination of actions following the future detection of illicit trade incidents. The Secretariat would report to the Standing Committee on the outcome of any such meeting and subsequent work by the task force network.

The trade in falcons for falconry

1. A consultative meeting, hosted by the CITES Management Authorities and Scientific Authority of the United Arab Emirates, was held in Abu Dhabi from 16 to 19 May 2004 and was attended by representatives of the following Parties, non-Party and observer organizations: Canada, the Czech Republic, Egypt, Germany, Hungary, Jordan, Kazakhstan, Kuwait, Mongolia, Pakistan, Qatar, the Russian Federation, Saudi Arabia, Tunisia, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, Turkmenistan, Birdlife International, Greifvogelzuchtverband and the International Association for Falconry.
2. Delegates noted that falconry has been practised for hundreds of years and that it has an important traditional and cultural place in many countries, especially in the Gulf States. They recognized the efforts being made by many countries to ensure that the use of falcons for falconry is conducted in a sustainable manner and believed that it was important to develop and expand further such efforts, in all States of import, export, re-export and transit.

Establishment and management of catch and export quotas

3. Delegates believed it was necessary to remind some countries that authorize the capture and export falcons from the wild of the requirement to make non-detriment findings prior to authorizing exports. Concern was also expressed that, in some countries, insufficient information is available regarding the population sizes of falcons, and that it was therefore difficult to make the findings required under Articles III and IV of CITES relating to the survival of the species in the wild. Delegates encouraged the use of the guidance relating to the making of non-detriment findings that has been produced by IUCN.
4. Delegates encouraged range States of *Falco cherrug* affected by the current Review of Significant Trade of this species to cooperate with the Animals Committee and CITES Secretariat in providing information about the scientific basis upon which they determine the level of export of falcons that can be authorized. They also expressed their belief that this was an important process to help safeguard wild populations of *Falco cherrug*.
5. Delegates expressed their desire that all Parties and non-Parties authorizing exports of falcon species should do so in a transparent and fair manner, especially with regard to the disbursement of quotas to traders and believed that this was a matter for CITES Management and Scientific Authorities to determine. All Parties and non-Parties that authorize exports were encouraged to supply detailed quota information to the Secretariat for posting on the CITES website.

Enforcement matters

6. Delegates noted that illicit trade in falcons was of great concern and that it threatens the survival of wild populations of some species, in particular *Falco cherrug*.
7. Delegates believed that there is a need to raise awareness among falconers of the provisions of the Convention, the seriously low levels of *Falco cherrug* populations and the significant impact of illicit trade on wild populations of birds, in order to encourage compliance with CITES. They also believed there was a need for awareness-raising and

training for law enforcement officials who are involved in implementing the Convention, enforcing national legislation and combating illegal capture of falcons from the wild.

8. The need was also noted for all countries of import, export, re-export and transit of falcons to ensure that airport security, airline company and all border control staff are aware of CITES and of the potential role that they might play in the detection of the smuggling of falcons, e.g. during the examination of vehicles, vessels and passenger baggage.
9. Delegates noted the important role that the Gulf Cooperation Council could play in facilitating a harmonized approach to the regulation of trade in falcons by Gulf States.
10. Delegates welcomed the initiative of some Parties to engage in national schemes to register the ownership of falcons and encouraged the implementation of such schemes by all Gulf States and other countries where there is significant private ownership of falcons. They believed that mandatory registration schemes, where there is a requirement to demonstrate the legal acquisition of individual falcons, provide for the ready identification of illicitly-acquired and illicitly-traded birds and act as a deterrent to those that might wish to import or acquire falcons illegally.
11. Delegates recalled, as stated in Decision 9.15 of the Conference of the Parties, that there is no immunity from the provisions of CITES regardless of a person's diplomatic or social status. They believed that the actions of some persons holding diplomatic, VIP or other high social status, who fail to comply with the requirements of the Convention and national legislation, risk undermining the efforts of CITES Management Authorities and law enforcement agencies to implement CITES and domestic law and set a very poor example to others in the falconry community. Additionally, delegates discouraged the governments of countries where hunting with falcons is prohibited or regulated from waiving such prohibitions or regulations for persons holding diplomatic, VIP or other high social status, as this has often been associated with violations of the Convention. It was suggested that specific awareness-raising for persons with diplomatic, VIP and other high social status may be appropriate.
12. Delegates stressed the need for countries to exchange information regarding illicit trade in falcons. In particular, countries seizing falcons being smuggled cross-border should advise the relevant countries of origin and transit so that such cases can be fully investigated with a view to identifying and taking action against the persons engaged at each stage in illicit trade.
13. Delegates noted the proposal, to be made at the 13th meeting of the Conference of the Parties, that *ad hoc* CITES Enforcement Task Forces should be established. They believed that, if this was adopted at CoP13, illicit trade in falcons should be the subject of such a Task Force.

Use of certificates of ownership (including falcon passports)

14. Delegates noted that the concept of certificates of ownership offers some positive gains in facilitating the authorization of frequent cross-border movements of personally owned falcons. They also believed that, when combined with national registration schemes, the use of such certificates could help deter illicit trade and was an additional measure in confirming the legal origin of falcons. However, they believed that there are matters relating to certificates of ownership for falconers that Resolution Conf. 10.20 does not adequately address and that either it should be amended or consideration should be given to the drafting of a resolution related to trade in falcons for falconry.

15. Delegates encouraged the inclusion in documents authorizing cross-border movements of falcons of information additional to that provided in existing falcon passports and travel documents. In particular, they encouraged the recording of the country of origin of the falcon, its source (wild or captive-bred), and a reference to the proof of legal acquisition (e.g. the number of the relevant export permit or re-export certificate, captive-breeding operation or licence for removal from the wild). It was also suggested that the term 'passport' be avoided in future, as it had caused some confusion regarding the scope of such documents and their acceptance by countries of destination.
16. Delegates stressed the need for all Parties to inform the Secretariat of their willingness to accept trade in falcons authorized by certificates of ownership and their use of such certificates.

Captive-breeding

17. Delegates expressed their concern that, although some States regulate captive breeding of falcons strictly and carry out regular inspections, some captive-breeding operations are not adequately monitored and are used by unscrupulous traders to 'launder' falcons that have been taken from the wild. An additional concern was that falcons taken illegally from the wild or illegally imported are sometimes used as breeding stock. The benefits of using DNA profiling to confirm parent-offspring relationships was acknowledged.
18. Delegates noted that increasing the use of captive-bred falcons in falconry helps reduce the pressure on wild populations. They recognized that, when appropriately operated and regulated, and provided other conservation measures are also implemented, such breeding might be particularly beneficial for those countries where wild populations have seriously declined, especially if operations include a release element that meets existing IUCN reintroduction criteria. At the same time, they believed that it was important for local communities in range States to participate in and benefit from the conservation of wild falcon populations. The success achieved in using artificial nesting sites to encourage breeding in the wild was noted and, together with other *in situ* conservation measures, its potential for the future was also acknowledged.
19. Delegates noted that there may be a threat to the genetic purity of wild falcon populations caused by the accidental escape of hybrid falcons. They encouraged falconers using hybrids to use means to assist the tracking and recapture of birds that escaped.

Marking

20. Delegates expressed their wish that a harmonized approach to the marking of birds be adopted. It was noted that the EC Regulation and Canadian and United States' regulations currently require the use of a closed ring. If, for some reason, this is not possible, microchips can be used. The relevant CITES resolution accepts the use of either a ring or microchip. Delegates noted the existence of such procedures as ID CHIPS and 'Mark and Bank'.
21. Delegates believed it would be useful for the Conference of the Parties to make recommendations regarding the standardization of sizes of leg rings and format of the information they include. It was suggested that this could include the ISO code for the country in which the ring was issued. The use of closed rings in sizes relevant to the species and sex of the bird, which can only be fitted to chicks, was encouraged for captive-breeding operations.

22. Delegates acknowledged, however, that the ringing or microchipping of birds cannot totally exclude the possibility of 'laundering' and recalled that the use of DNA profiling may help prove or disprove claims relating to the origin and source of birds.
23. It was suggested that the subject of the databases in which marking information would be stored should be examined.
24. The Secretariat undertook to bring these matters to the attention of the Standing Committee which could direct them to the appropriate body as a technical implementation issue.

General matters

25. Delegates noted that Birdlife International, as the listing authority for birds on the IUCN Red List, in evaluating the status of the Saker falcon, had found that it now qualifies for threatened status with the category Endangered, owing to the high rate of overall decline in the recent past.
26. Delegates noted that, as a result of the contacts made during the consultative meeting, attempts would be made to establish a European action plan for the conservation of *Falco cherrug*.
27. Delegates requested that the summary record of their discussions be provided at the 51st meeting of the Standing Committee and also to the diplomatic missions in Geneva of Parties and non-Parties.
28. The United Arab Emirates suggested that, when assessing quotas for a harvest of wild falcons, the quota be balanced between the sexes and not include adult birds. However, owing to the late stage at which this point was raised and the absence of some Parties that establish quotas and which had been present during previous discussions on quotas, the meeting agreed that this matter, although important, could only be noted.