

***Revised Resolutions  
of the Conference of the Parties***

## Conf. 1.5 (Rev.)

**Note from the Secretariat:** *This revised Resolution was prepared after the ninth meeting of the Conference of the Parties from Resolution Conf. 1.5, adopted at the first meeting (Berne, 1976), as amended by Resolutions Conf. 9.4 and Conf. 9.25 and document Com. 9.14.*

### Interpretation and Implementation of Certain Provisions of the Convention

CONSIDERING the difficulties in implementation and interpretation of certain provisions of the Convention;

#### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

ADOPTS the following recommendations:

1. Any species or any parts or derivatives subject to a reservation (Article XXIII) by any Party must be treated by Parties as if coming from a State not party to the Convention (Article X). If a country makes a reservation on any species listed in Appendix I or II,

that country should not propose that this species be listed in Appendix III.

2. For the purpose of practical use, corrections of errors of an orthographical nature, of misprints, and of other purely factual errors may be made by consensus agreement. However, changes in the text of the Convention must necessarily follow the amendment procedure provided for by the Convention.
3. Direct communications between the Management Authorities are essential and should be established for proper implementation of the Convention.

## Conf. 1.6 (Rev.)

**Note from the Secretariat:** *This revised Resolution was prepared after the ninth meeting of the Conference of the Parties from Resolution Conf. 1.6, adopted at the first meeting (Berne, 1976), as amended by Resolution Conf. 9.26 and document Com. 9.14. (Note from the Secretariat.)*

RECOGNIZING the biological significance of island fauna and flora and their vulnerability to habitat change and other disturbance;

APPRECIATING that island forms are often endemic taxa which may be difficult to distinguish from mainland forms and therefore often not suitable for listing in the appendices of the Convention;

RECOGNIZING that many species of animals which are popular in the pet trade are becoming rare or even endangered due both to over-exploitation and diminishing habitats, and that mortality in trade and captivity is high;

### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

#### URGES

- a) governments with jurisdiction over rare island fauna and flora to take every opportunity to protect them and their vanishing habitats; and
- b) exporting countries to endeavour to restrict gradually the collection of wild animals for the pet trade and all Parties to encourage the breeding of animals for this purpose, with the objective of eventually limiting the keeping of pets to those species which can be bred in captivity.

**Note from the Secretariat:** *This revised Resolution was prepared after the ninth meeting of the Conference of the Parties from Resolution Conf. 2.6, adopted at the second meeting (San José, 1979), as amended by document Com. 9.14.*

**Trade in Appendix-II and -III Species**

RECOGNIZING the concerns expressed by various Parties that trade in plants and animals listed in Appendices II and III of the Convention may be detrimental to the survival of some species;

NOTING the Resolution on "Police Intervention and Co-operation in Connection with the Illegal Traffic in Wildlife and its Products" adopted by the ICPO - Interpol General Assembly at its 45th session in Accra (October 1976);

THE CONFERENCE OF THE PARTIES TO THE  
CONVENTION

RECOMMENDS

- a) that if any Party deems that an Appendix-II or -III species is being traded in a manner detrimental to the survival of that species, it:
  - i) consult directly with the appropriate Management Authorities of the countries involved or, if this procedure is not feasible or successful, make use of the provisions of Article XIII to call upon the assistance of the Secretariat;
  - ii) make use of the options provided by Article XIV to apply stricter domestic measures particularly when

re-export or transshipment, or trade with a State not party to the Convention is involved; or

- iii) make use of the options provided by Article X when trade with a State not party to the Convention is involved; and
- b) that if an importing country has reason to believe that an Appendix-II or -III species is traded in contravention of the laws of any country involved in the transaction, it:
  - i) immediately inform the country whose laws were thought to have been violated and, to the extent possible, provide that country with copies of all documentation relating to the transaction; and
  - ii) where possible, apply stricter domestic measures to that transaction as provided for in Article XIV of the Convention; and

REQUESTS that the Secretariat maintain its co-operation with the ICPO - Interpol for the enforcement of the Convention, and for the detection of illegal traffic in wildlife and wildlife products.

## Conf. 2.7 (Rev.)

**Note from the Secretariat:** *This revised Resolution was prepared after the ninth meeting of the Conference of the Parties from Resolution Conf. 2.7, adopted at the second meeting (San José, 1979), as amended by document Com. 9.14.*

### Relationship with the International Whaling Commission

CONSIDERING that, for marine species, Article XV, paragraph 2(b), of the Convention requires the Secretariat to consult inter-governmental bodies having a function in relation to those species;

NOTING that, in accordance with the recommendations of the special working session of the Conference of the Parties (Geneva, 1977), the Secretariat has requested and obtained observer status, and adviser status for trade matters, at meetings of the IWC and at meetings of the Scientific Committee of the IWC;

NOTING further that the IWC has requested and obtained observer status at meetings of the Conference of the Parties;

#### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS that those Parties which do not currently adhere to the International Convention for the Regulation of Whaling be encouraged to do so.

## Conf. 2.10 (Rev.)

**Note from the Secretariat:** *This revised Resolution was prepared after the ninth meeting of the Conference of the Parties from Resolution Conf. 2.10, adopted at the second meeting (San José, 1979), as amended by document Com. 9.14.*

### Interpretation of Article VII

RECOGNIZING that there may be significant problems in the administration and enforcement of the exemptions contained in Article VII of the Convention;

THE CONFERENCE OF THE PARTIES TO THE  
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RECOMMENDS that Parties experiencing significant problems in administering or enforcing the exemptions contained in Article VII of the Convention take stricter national measures where appropriate to eliminate those problems.

## Conf. 2.11 (Rev.)

**Note from the Secretariat:** *This revised Resolution was prepared after the ninth meeting of the Conference of the Parties from Resolution Conf. 2.11, adopted at the second meeting (San José, 1979), as amended by documents Com. 9.14 and Com. 9.21.*

### Trade in Hunting Trophies of Species Listed in Appendix I

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

#### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

#### RECOMMENDS

- a) that with the exception of the rare case of exemptions granted under paragraph 3 of Article VII of the Convention, trade in hunting trophies of animals of the species listed in Appendix I be permitted only in accordance with Article III, i.e. accompanied by import and export permits;
- b) 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 accept 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; and

- c) that the scientific examination by the importing country in accordance with paragraph 3(a) of Article III of the Convention be carried out independently of the result of the scientific assessment by the exporting country in accordance with paragraph 2(a) of Article III, and vice versa.

**Note from the Secretariat:** *This revised Resolution was prepared after the ninth meeting of the Conference of the Parties from Resolution Conf. 2.12, adopted at the second meeting (San José, 1979), as amended by Resolution Conf. 8.17 adopted at the eighth meeting (Kyoto, 1992) but replaced by Resolution Conf. 9.18.*

**Specimens Bred in Captivity or Artificially Propagated**

CONSIDERING that the Convention provides for special treatment of animal specimens that are bred in captivity and plant specimens that are artificially propagated;

RECOGNIZING the need for the Parties to agree on a standard interpretation of these provisions;

RECOGNIZING also the need to apply these provisions in a way that will not be detrimental to the survival of wild populations;

RECALLING that in the case of wild animals these provisions were intended to apply only to captive populations sustained without augmentation from the wild;

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RECOMMENDS

- a) that the provisions of Article VII, paragraph 4, of the Convention be applied separately from those of Article VII, paragraph 5. Specimens of animal species in Appendix I bred in captivity for commercial purposes or plant species in Appendix I artificially propagated for commercial purposes shall be treated as if they were in Appendix II, and shall not be exempted from the provisions of Article IV by the granting of certificates to the effect that they were bred in captivity or artificially propagated;
- b) that the term "bred in captivity" be interpreted to refer only to offspring, including eggs, born or otherwise produced in a controlled environment, either of parents that mated or otherwise transferred gametes in a controlled environment, if reproduction is sexual, or of parents that were in a controlled environment when development of the offspring began, if reproduction is asexual. The parental breeding stock must be to the satisfaction of the competent government authorities of the relevant country;

- i) established in a manner not detrimental to the survival of the species in the wild;
- ii) maintained without augmentation from the wild, except for the occasional addition of animals, eggs or gametes from wild populations to prevent deleterious inbreeding, with the magnitude of such addition determined by the need for new genetic material and not by other factors; and
- iii) managed in a manner designed to maintain the breeding stock indefinitely.

A controlled environment for animals is an environment that is intensively manipulated by man for the purpose of producing the species in question, and that has boundaries designed to prevent animals, eggs or gametes of the selected species from entering or leaving the controlled environment. General characteristics of a controlled environment may include but are not limited to artificial housing, waste removal, health care, protection from predators and artificially supplied food. A parental breeding stock shall be considered to be "managed in a manner designed to maintain the breeding stock indefinitely" only if it is managed in a manner which has been demonstrated to be capable of reliably producing second-generation offspring in a controlled environment; and

- c) that the competent government authorities of countries exporting live animals, parts and derivatives of specimens bred in captivity of species listed in Appendix I endeavour, where possible, to ensure that these be made identifiable by means other than documentation alone.

## Conf. 3.9 (Rev.)

**Note from the Secretariat:** *This revised Resolution was prepared after the ninth meeting of the Conference of the Parties from Resolution Conf. 3.9, adopted at the third meeting (New Delhi, 1981), as amended by Resolution Conf. 9.10.*

### International Compliance Control

AWARE that, in the past, several cases of violation of the Convention have occurred due to inadequate or insufficient implementation by Management Authorities in both exporting and importing countries regarding surveillance, issuance of documentation and control of compliance with the provisions regulating trade in animal and plant species, and their parts and derivatives;

NOTING the contents of document Doc. 3.10.5 prepared by the Secretariat on International Compliance Control, and the provisions of Article XIII of the Convention;

CONSIDERING that it is of utmost moral, biological, ecological and economic interest for all Parties to the Convention that such violations not re-occur and that the mechanisms established for the Convention in this respect are fully implemented, so as to insure their normal and efficient functioning to control trade in, and afford effective protection to, endangered animal and plant species;

AFFIRMING the obligation of Parties to collaborate closely in the application of the Convention, through expeditious exchange of information on cases and situations related to wildlife trade suspected to be fraudulent, so as to enable other Parties concerned to apply legal sanctions;

RECOGNIZING that the developing countries, because of their special socio-economic, political, cultural and geographic circumstances have major difficulties in meeting appropriate control requirements, even though this does not exempt them from observing the highest possible degree of effectiveness;

#### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS

a) that all Parties

- i) ensure strict compliance and control in respect of all mechanisms and provisions of the Convention relating to the regulation of trade in animal and plant species listed in Appendix II, and of all provisions ensuring protection against illegal traffic for the species listed in the appendices;
  - ii) in case of violation of the above-mentioned provisions, immediately take appropriate measures pursuant to Article VIII, paragraph 1, of the Convention in order to penalize such violation and to take appropriate remedial action; and
  - iii) inform each other on all circumstances and facts likely to be relevant as regards illegal traffic and also on control measures, with the aim of eradicating such traffic;
- b) that the exporting Parties in particular
- i) take all measures at their disposal to comply with each and every technical and administrative requirement laid down by the Convention;
  - ii) assure that export permits or re-export certificates are issued by a competent authority established by these Parties pursuant to the Convention; and
  - iii) ensure that export permits or re-export certificates are not issued for specimens of animal or plant species listed in Appendix I, except in the cases provided for under the Convention, especially under Articles III and VII; and
- c) that importing Parties in particular not accept under any circumstances or pretext, export or re-export documents issued by any authority, irrespective of its hierarchical level, other than the Management Authority officially designated as competent by the exporting or re-exporting Party and duly notified to the Secretariat.

## Conf. 4.12 (Rev.)

**Note from the Secretariat:** *This revised Resolution was prepared after the ninth meeting of the Conference of the Parties from Resolution Conf. 4.12, adopted at the fourth meeting (Gaborone, 1983), as amended by document Com. 9.14. (Note from the Secretariat.)*

### Control of Tourist Souvenir Specimens

CONSIDERING that the exemption in Article VII, paragraph 3, of the Convention does not apply to specimens of Appendix-I species that are souvenirs being imported by a person returning to his State of usual residence;

CONSIDERING further that the exemption in Article VII, paragraph 3, of the Convention does not apply to specimens of Appendix-II species that are souvenirs being imported by a person returning to his State of usual residence if the specimens were taken from the wild in a State requiring the prior grant of export permits before the export of such specimens;

NOTING that for Parties other than the exporting and importing Parties such specimens of Appendix-II species are, under Article VII, exempt from CITES regulation;

RECOGNIZING that parts, products and derivatives of species listed in Appendices I and II continue to be widely sold as tourist souvenir specimens;

RECOGNIZING also that export permits are frequently not required by exporting countries;

ACKNOWLEDGING that sale of tourist souvenir specimens can in many cases form a substantial part of a trade which could threaten a species and the trade;

ACKNOWLEDGING further that there is widespread public ignorance of CITES controls and domestic legislation relating to trade in endangered species;

#### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

#### URGES

a) that all Parties comply fully with the requirements of Article III of the Convention with respect to tourist souvenir specimens and, in particular, vigorously control the export and import of specimens of

Appendix-I species (including parts and derivatives) whether or not exported or imported as personal effects;

- b) that all Parties make their best efforts to comply fully with the purposes of the Convention with respect to tourist souvenir specimens of Appendix-II species and in particular control export and import of specimens of those species which are likely to be adversely affected by heavy trade;
- c) that importing countries experiencing problems with imports of tourist souvenir specimens notify the relevant exporting countries and the CITES Secretariat accordingly;
- d) that Parties, in collaboration with national and international tourist agencies, carriers and other relevant bodies, take all possible steps to ensure that tourists travelling abroad are made aware of the import and export controls that are or may be in force; and
- e) that the Standing Committee consider ways of assisting any Party which informs the Committee of difficulties in the application of this Resolution; and

#### RECOMMENDS

- a) that a person in possession of tourist souvenir specimens of Appendix-II species covered by an export permit be afforded the exemption for personal effects given by Article VII when entering States other than the State of usual residence or when leaving States other than the State of export; and
- b) that the term "tourist souvenir specimen" apply only to personal and household effects acquired outside the owner's State of usual residence and be not applied to live specimens.

## Conf. 6.4 (Rev.)

**Note from the Secretariat:** *This revised Resolution was prepared after the ninth meeting of the Conference of the Parties from Resolution Conf. 6.4, adopted at the sixth meeting (Ottawa, 1987), as amended by document Com. 9.14.*

### Implementation of the Convention

RECOGNIZING the concern about the international compliance control, expressed in Resolution Conf. 3.9 adopted at the third meeting of the Conference of the Parties (New Delhi, 1981);

THE CONFERENCE OF THE PARTIES TO THE  
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URGES

- a) all Parties to strengthen their controls on illegal trade in wildlife within the territories under their jurisdiction; and
- b) all Parties not to encourage illegal trade and to prohibit illegal imports of wildlife from their neighbouring countries.

## Conf. 6.5 (Rev.)

**Note from the Secretariat:** *This revised Resolution was prepared after the ninth meeting of the Conference of the Parties from Resolution Conf. 6.5, adopted at the sixth meeting (Ottawa, 1987), as amended by document Com. 9.14.*

### Implementation of CITES in the European Economic Community

RECALLING the assurances given to Parties in Botswana by representatives of the European Economic Community that adequate staff and funding would be made available to ensure full implementation of CITES in the Community;

CONCERNED that information and reports presented by the CITES Secretariat, both to this meeting and previous meetings have identified serious enforcement problems in a number of Parties, including Member States of the European Economic Community;

REALIZING that the loss of national border controls in terms of trade and reporting obligations by individual party States under Article XIV, paragraph 3, of the Convention is accompanied by a commitment to implement full Community supervision to ensure that the implementation of CITES is not compromised;

AWARE that current Community legislation implementing CITES is the voluntary expression of the Community's commitment to the objectives of CITES and that it would be in the interest of CITES to legally bind the Community to maintain, improve and enforce this legislation;

AWARE that the Commission of the European Communities has commissioned an independent study of the implementation of CITES in the European Economic Community;

AWARE that the Commission of the European Communities has announced to the European Parliament that it will take any action which the independent study shows to be necessary;

#### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

REQUESTS that the European Economic Community, in view of its abolition of internal border controls, urgently establish full means of Community supervision of its legislation by means of an adequately staffed Community inspectorate; and

RECOMMENDS that the European Economic Community monitor the movement of CITES specimens within and between Member States in accordance with the mechanisms foreseen in EEC Council Regulation 3626/82 and by use of existing forms available under Community legislation.

**Note from the Secretariat:** *This revised Resolution was prepared after the ninth meeting of the Conference of the Parties from Resolution Conf. 6.22, adopted at the sixth meeting (Ottawa, 1987), as amended by Resolution Conf. 9.6.*

**Monitoring and Reporting Procedures for Ranching Operations**

RECALLING that Resolution Conf. 3.15, adopted at the third meeting of the Conference of the Parties (New Delhi, 1981), lays down criteria and conditions for the transfer of populations from Appendix I to Appendix II in order to conduct a ranching operation, and that Resolution Conf. 5.16, adopted at the fifth meeting of the Conference of the Parties (Buenos Aires, 1985), contains detailed recommendations on trade in ranched specimens, in particular with regard to their marking;

CONSIDERING that the criteria laid down in Resolution Conf. 3.15 are sufficiently strict to assess the risks and benefits for the survival of the species or population in the wild, but that the way in which this assessment and that concerning the requirement that the operation continues to meet these criteria are to be carried out requires the establishment of additional procedures;

CONSIDERING that Resolution Conf. 3.15 does not contain the necessary mechanism for transferring populations back to Appendix I if it is established that a ranching operation no longer meets the criteria;

CONSIDERING that proper monitoring of and reporting on trade in ranched specimens are only possible if all importing countries consider all products of the operation to be readily recognizable, which is facilitated by the fact that, following Resolution Conf. 5.16, all such specimens are to be marked;

THE CONFERENCE OF THE PARTIES TO THE  
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RESOLVES

a) that, in order to facilitate the task of the Secretariat laid down in paragraph c) vi) of Resolution Conf. 3.15, annual reports on all relevant aspects of the ranching operation should be submitted to the Secretariat by the

Party concerned, in addition detailing any new information on the following:

- i) the status of the wild population concerned;
  - ii) the number of specimens (eggs or young) taken annually from the wild;
  - iii) an estimate of the percentage of the total production of the population taken;
  - iv) the number of animals released and their survival rates estimated on the basis of surveys and tagging programmes, if any;
  - v) the mortality rate in captivity and causes of such mortality;
  - vi) production, sales and exports of products; and
  - vii) conservation programmes and scientific experiments carried out in relation to the ranching operation or the wild population concerned;
- b) that, with the consent of the Standing Committee and the Party concerned, the Secretariat should have the option to visit and examine a ranching operation wherever circumstances require it to do so; and
- c) that, where the Secretariat reports failure to comply with Resolution Conf. 3.15 or this Resolution, and the Standing Committee and the Party concerned fail to resolve the matter satisfactorily, the Standing Committee may, after full consultation with the Party concerned, request the Depositary Government to prepare a proposal to transfer the population concerned back to Appendix I.

## Conf. 7.12 (Rev.)

**Note from the Secretariat:** *This revised Resolution was prepared after the ninth meeting of the Conference of the Parties from Resolution Conf. 7.12, adopted at the seventh meeting (Lausanne, 1989), as amended by document Com. 9.14.*

### **Marking Requirements for Trade in Specimens of Taxa with Populations in Both Appendix I and Appendix II**

RECOGNIZING that Article VII, paragraph 4, of the Convention specifically provides for regulated international trade in specimens of species included in Appendix I that have been bred in captivity for commercial purposes;

RECOGNIZING also that the Conference of the Parties has established the right of a Party to permit commercial trade in specimens derived from an approved ranching operation - Resolution Conf. 3.15 adopted at the third meeting of the Conference of the Parties (New Delhi, 1981);

AWARE that specimens of taxa included in Appendix I subject to ranching, captive-breeding or export by annual quotas must be deemed to be specimens of look-alike species and must be tagged or otherwise marked to facilitate the application of differential regulatory controls;

CONSCIOUS that in order to achieve the desired objectives, any system of marking specimens derived from ranching or captive-breeding or taken under an annual export quota must be practical and able to be implemented readily by all Parties;

NOTING that previous meetings of the Conference of the Parties have addressed separately the issues of regulating trade derived from ranching, captive-breeding or wild-harvesting under annual export quotas;

#### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

#### RECOMMENDS

- a) that, with respect to the identification of live specimens, any marking system that requires the attachment of a tag, band or other uniquely marked label, or the marking of a part of the animal's anatomy be undertaken only with due regard for the humane care, well-being and natural behaviour of the specimen concerned; and
- b) that, with regard to parts and derivatives of ranched or captive-bred animals, where requested by individual Parties, the Secretariat purchase and disseminate appropriately coded tags or stamps and that the costs be recovered from participating Parties.

**Note from the Secretariat:** *This revised Resolution was prepared after the ninth meeting of the Conference of the Parties from Resolution Conf. 8.2, adopted at the eighth meeting (Kyoto, 1992), as amended by document Com. 9.29.*

**Implementation of the Convention in the European Economic Community (EEC)**

CONSIDERING that paragraph 3 of Article XIV of the Convention establishes that the provisions therein will in no way affect international conventions or treaties concluded between States, and CONSIDERING that every effort should be made to ensure that this Article does not undermine the principles of the Convention;

CONSIDERING that at the second extraordinary meeting of the Conference of the Parties, convened in Gaborone (Botswana) on 30 April 1983, an amendment to Article XXI of the Convention, which permitted the accession to the Convention of any organization of regional economic integration constituted by sovereign States, such as the European Economic Community (EEC), was adopted by the requisite two-thirds majority of Parties present and voting;

CONSIDERING that to date only 32 out of the 80 States that were Parties to the Convention at that time have accepted this amendment;

CONSIDERING that, at the extraordinary meeting of Gaborone, the observer from the EEC stated that "the accession of the EEC to CITES would bring legal security by binding EEC member countries to the Convention", and that the observer from the European Parliament urged the Parties to accept the amendment proposal, saying that the European Parliament was committed to the Convention;

TAKING INTO ACCOUNT that in 1993 the EEC terminated controls between member countries and that consequently any specimen that enters one of the countries of the Community is allowed free circulation within the Community;

CONSIDERING that the EEC is one of the most important regions with respect to trade in CITES species and that a weak implementation of the Convention opens this important market to the trade in CITES specimens of illegal origin;

CONSIDERING the efforts made by some exporting countries in their fight against illegal trade, in spite of difficult economic circumstances;

RECOGNIZING that some EEC countries do not have adequate national legislation to ensure the correct implementation of the Convention, particularly with regard to the requirements of Article VIII;

CONSIDERING that some EEC countries issue re-export certificates without taking the necessary measures to ascertain the validity of the documents issued by the countries of origin, and that the potential re-exports may legalize goods of illegal origin;

CONSIDERING that this situation is serious both in general terms and in particular in the cases of live animals and of reptile skins and parts thereof;

TAKING INTO ACCOUNT that one European country is a member of the EEC but not of CITES;

**THE CONFERENCE OF THE PARTIES TO THE  
CONVENTION**

**URGES**

- a) the EEC Member States that are Parties to the Convention to complete the development of appropriate legislation and to increase substantially the allotment of resources required to ensure the enforcement of the Convention, and to provide to the international community the necessary assurance regarding compliance with the agreements in force; and
- b) the EEC Member State not party to CITES to ratify to the Convention as soon as possible; and

RECOMMENDS that Parties that have not yet done so accept the Gaborone amendment.

**Note from the Secretariat:** *This revised Resolution was prepared after the ninth meeting of the Conference of the Parties from Resolution Conf. 8.6, adopted at the eighth meeting (Kyoto, 1992), as amended by document Com. 9.6.*

### Role of the Scientific Authority

ACCEPTING that each Party to the Convention is required to designate one or more Scientific Authorities (Article IX);

RECOGNIZING that responsibilities of the Scientific Authority are discussed in Article III, paragraphs 2(a), 3(a) and (b) and 5(a), and Article IV, paragraphs 2(a), 3 and 6(a), of the Convention and in Resolutions Conf. 2.11 and Conf. 2.14 adopted at the second meeting of the Conference of the Parties (San José, 1979);

RECOGNIZING further that responsibilities described in other Articles of the Convention, including Article VII, paragraphs 4 and 5, and several Resolutions (Conf. 1.1 to 1.5; Conf. 2.12, 2.17 and 2.19; Conf. 3.15 and 3.20; Conf. 4.7, 4.13, 4.15, 4.19, 4.23 and 4.26; Conf. 5.3, 5.4, 5.13, 5.17, 5.19, 5.21 and 5.22; Conf. 6.1, 6.9, 6.17 and 6.19 to 6.22; and Conf. 7.7, 7.10 and 7.14), adopted at each of the following meetings of the Conference of the Parties (Berne, 1976; San José, 1979; New Delhi, 1981; Gaborone, 1983; Buenos Aires, 1985; Ottawa, 1987; Lausanne, 1989), are not assigned to a specific office, but require scientific considerations;

NOTING that issuance of permits by a Management Authority without appropriate Scientific Authority findings constitutes a lack of compliance with the provisions of the Convention and seriously undermines species conservation;

WHEREAS Article XIV, paragraph 1, permits any Party to adopt stricter domestic measures;

#### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS that

- a) the Secretariat distribute the addresses of the Scientific Authorities to the Parties, and note the failure of any Party to inform the Secretariat of its designated Scientific Authority in the infractions report to the Parties at each biennial meeting;
- b) the Parties not accept any export permit or import permit for specimens of species included in Appendices I and II from a Party that has not designated at least one Scientific Authority and has not informed the Secretariat of this designation;
- c) Management Authorities not issue any export or import permit, or certificate of introduction from the sea, for species listed in the appendices without first obtaining the appropriate Scientific Authority findings or advice;
- d) those Parties that are concerned about whether or not their procedures ensure the appropriate scientific review and Scientific Authority advice consult with the Secretariat on ways to enhance their scientific assessment necessary for conservation of species listed in the appendices such as designating joint Scientific Authorities and seeking information from regional conservation centres, within-country experts and international specialist groups;
- e) the Parties consult with the Secretariat when there is reason for concern as to whether the proper Scientific Authority findings are being made;
- f) the appropriate Scientific Authority advise on the issuance of permits for export or of certificates for introduction from the sea for Appendix-I or -II species, stating whether or not the actions will be detrimental to

the survival of the species in question and that every export permit or certificate of introduction from the sea be covered by Scientific Authority advice [re-export certificates do not require Scientific Authority advice];

- g) the findings and advice of the Scientific Authority of the country of export be based on the scientific review of available information on the population status, distribution, population trend, harvest and other biological and ecological factors, as appropriate, and trade information relating to the species concerned;
- h) the appropriate Scientific Authority of the importing country advise on the issuance of permits for the import of specimens of Appendix-I species, stating whether the import will be for purposes not detrimental to the survival of the species;
- i) the appropriate Scientific Authority monitor the status of native species and export data, in order to recommend suitable remedial measures to limit the export of specimens to maintain each species throughout its range at a level consistent with its role in the ecosystem and well above the level at which the species might become eligible for inclusion in Appendix I;
- j) the appropriate Scientific Authority either make the findings required on the suitability of the recipient to house and care for live specimens of Appendix-I species being imported or introduced from the sea, or make its recommendations to the Management Authority prior to the latter making such findings and the issuance of permits or certificates;
- k) the appropriate Scientific Authority provide advice to its Management Authority as to whether or not scientific institutions seeking registration for the purpose of being issued labels for scientific exchange meet the criteria established in Resolution Conf. 2.14, and other standards or any stricter national requirements;
- l) the appropriate Scientific Authority review all applications submitted for consideration under Article VII, paragraph 4 or 5, and advise its Management Authority as to whether the facility concerned meets the criteria for producing specimens considered to be bred in captivity or artificially propagated in accordance with the Convention and relevant Resolutions;
- m) the appropriate Scientific Authority gather and analyze information on the biological status of species affected by trade to assist in the preparation of proposals necessary to amend the appendices; and
- n) the appropriate Scientific Authority review proposals to amend the appendices submitted by other Parties and make recommendations as to how the delegation of its own country should address each proposal; and

DIRECTS the Secretariat

- a) in consultation with appropriate experts, to prepare general guidelines for conducting appropriate scientific reviews by Scientific Authorities to make findings as required by Articles III, IV and V of the Convention;
- b) to provide these guidelines to the Animals Committee and Plants Committee for review; and
- c) to co-ordinate regional workshops on the conduct of Scientific Authorities.

## Conf. 8.10 (Rev.)

**Note from the Secretariat:** This revised Resolution was prepared after the ninth meeting of the Conference of the Parties from Resolution Conf. 8.10, adopted at the eighth meeting (Kyoto, 1992), as amended by documents Com. 9.13 (Rev.) and Plen. 9.7.

### Quotas for Leopard Hunting Trophies and Skins for Personal Use

RECALLING that, with the exception of the rare cases of exemptions granted under Article VII of the Convention, commercial trade in Appendix-I species is prohibited;

RECALLING that the leopard *Panthera pardus* is listed in Appendix I;

RECOGNIZING that in some sub-Saharan countries the population of the leopard is not endangered;

RECOGNIZING also that the killing of leopards may be sanctioned by countries of export in defence of life and property and to enhance the survival of the species;

RECOGNIZING further that these countries of export may trade in such dead specimens in accordance with Resolution Conf. 2.11 (Rev.), adopted at the second meeting of the Conference of the Parties (San José, 1979) and amended at the ninth meeting (Fort Lauderdale, 1994), and may grant export permits in accordance with paragraph 2 of Article III of the Convention;

RECALLING that paragraph 3(c) of Article III of the Convention provides that an import permit shall be granted only when a Management Authority of the State of import is satisfied that the specimen is not to be used for primarily commercial purposes, and that paragraph 2(a) of Article III of the Convention provides that an export permit shall be granted only when a Scientific Authority of the State of export has advised that the export will not be detrimental to the survival of the species;

RECOGNIZING the importance of monitoring the utilization of quotas granted by this Resolution;

CONCERNED that Parties have not always submitted special reports on numbers of skins exported annually, in accordance with recommendation e) of Resolution Conf. 8.10 and similar recommendations of former Resolutions on the same subject, in time for the Secretariat to prepare reports for the Conference of the Parties;

RECOGNIZING the desire of the Parties that the commercial market for leopard skins should not be reopened;

#### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

#### RECOMMENDS

a) that, in reviewing applications for permits to import whole skins or nearly whole skins of leopard, in accordance with paragraph 3(a) of Article III of the Convention, the Scientific Authority of the State of import approve permits if it is satisfied that the skins being considered are from one of the following States, which may not export more of the said skins in any one calendar year than the number shown under "Quota" opposite the name of the State:

State	Quotas
Botswana	130
Central African Republic	40
Ethiopia	500
Kenya	80

State	Quotas
Malawi	50
Mozambique	60
Namibia	100
South Africa	75
United Republic of Tanzania	250
Zambia	300
Zimbabwe	500

- b) that, in reviewing applications for permits to import whole skins or nearly whole skins of *Panthera pardus* (including hunting trophies), in accordance with paragraph 3(c) of Article III of the Convention, the Management Authority of the State of import be satisfied that the said skins are not to be used for primarily commercial purposes if:
- i) the skins are acquired by the owner in the country of export and are being imported as personal items that will not be sold in the country of import; and
  - ii) the owner imports no more than two skins in any calendar year and their export is authorized by the legislation of the country of origin;
- c) that the Management Authority of a State of import permit the import of leopard skins in accordance with this Resolution only if each skin has a self-locking tag attached which indicates the State of export, the number of the specimen in relation to the annual quota and the calendar year to which the quota applies - for example ZW 6/500 1994 indicating that Zimbabwe is the State of export and that the specimen is the sixth specimen exported by Zimbabwe out of its quota of 500 for 1994 - and if the same information as is on the tag is given on the export document;
- d) that, in the case of whole or nearly whole leopard skins traded according to the terms of this Resolution, the words "has been granted" in paragraph 2(d) of Article III of the Convention be deemed to have been satisfied upon the written assurance of the Management Authority of the State of import that an import permit will be granted;
- e) that each State that permits exports of leopard skins in terms of this Resolution submit to the Secretariat, by 31 March of each year, a special report on the number of trophies and skins so exported during the previous quota year; as optional information that each State include details of the permit numbers, the identification numbers of the tags attached to the skins, the countries of destination and the numbers of the import permits; and that the Secretariat submit a report to each regular meeting of the Conference of the Parties; and
- f) that the system adopted in this Resolution be continued, with any increase in a quota or any new quota (i.e. for a State not previously having one) requiring the consent of the Conference of the Parties; and

DIRECTS the Secretariat to recommend to the Parties to suspend imports of leopard trophies and skins from any country granted annual export quotas that has not met the reporting requirement in accordance with recommendation

e) of this Resolution, but only after first checking with the range State concerned that the special report has not been submitted.