

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



Sixteenth meeting of the Conference of the Parties  
Bangkok (Thailand), 3-14 March 2013

Interpretation and Implementation of the Convention

Trade control and marking

LEOPARD QUOTAS

1. This document has been submitted by Botswana, South Africa and the United States of America<sup>\*</sup>.

Background

2. Over the past several years, the United States has experienced problems associated with the import of some leopard (*Panthera pardus*) hunting trophies resulting in delay of shipments and, sometimes, enforcement actions. We have consulted with range countries and enlisted the help of the Secretariat in an attempt to resolve these problems. In March 2012, the Secretariat sent an email to leopard range countries with quotas in Resolution Conf. 10.14 (Rev. CoP14), *Quotas for leopard hunting trophies and skins for personal use*, and some importing countries seeking information on the way in which they consider the resolution should be implemented. It was clear from the responses received that different countries have different interpretations of the recommendations in the resolution. As a result, the United States developed a discussion document and, on 30 April 2012, circulated the draft document to leopard range countries for review and comment. The Secretariat provided the draft to importing countries. Following additional email consultations, the United States met with range countries in the margins at SC62 and together we have developed a potential solution to the problem.
3. The leopard, *Panthera pardus*, has been listed in Appendix I since 1975. At CoP4, the Parties adopted the first in a series of resolutions addressing trade in leopard skins. Resolution Conf. 4.13, *Trade in leopard skins*, recognized that *Panthera pardus* is not endangered throughout its range and established export quotas and a tagging system for leopard skins from seven range countries.
4. Paragraph a) of Resolution Conf. 4.13 stated that the countries listed “may not export more...skins **in any one calendar year** than the number shown...” Paragraph c) of the resolution included a recommendation that importing countries accept leopard skins from these range countries only if the skins had a self-locking tag attached that contained information showing “the state of export, the number of the specimen in relation to the annual quota and **the calendar year to which the quota applies...**” [emphasis added].
5. Subsequent resolutions addressing trade in leopard skins have included Resolutions Conf. 5.13, Conf. 6.9, Conf. 7.7, Conf. 8.10, Conf. 8.10 (Rev.) and Conf. 10.14 (revised at CoP12, CoP13, and CoP14). In these resolutions, quotas for leopard skins have been revised, reporting requirements have changed, and the number of range countries with export quotas for leopard skins has risen from 7 to 12. As the resolutions addressing trade in leopard skins have evolved the recommendations regarding the way in which quota information should be reported on export permits have also evolved.

---

<sup>\*</sup> 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.

6. At CoP7, the Parties adopted language in paragraph c) of Resolution Conf. 7.7, *Quotas for leopard hunting trophies and skins for personal use*, recommending that the information on the leopard tag should also be given on the export document.
7. At CoP10, the Secretariat raised concerns (in Doc. 10.42) about potential confusion regarding the interpretation of the quota language in Resolution Conf. 8.10 (Rev.), *Quotas for leopard hunting trophies and skins for personal use*. The Secretariat understood the phrase in paragraph a) of the resolution stating that range countries “may not export more...skins in any one calendar year than the number shown” to mean that the quota related only to the year of export and not to the year in which the specimens were removed from the wild. They noted that in practice however, while tags are attached to skins during the year in which they are harvested, for legitimate reasons the skins may not be exported until the following year, or later. Recognizing that such exports were often considered as being covered by the quota for the year in which they were tagged (the year of harvest) and not the year of export, the Secretariat sought the advice of the Conference of the Parties with regard to the application of the provisions of paragraphs a) and c) of Resolution Conf. 8.10 (Rev.).
8. In response to the issues raised by the Secretariat in Doc. 10.42 regarding the timing of exports of leopard skins, the Parties adopted amendments to paragraphs a) and c). In the newly adopted resolution (Resolution Conf. 10.14, *Quotas for leopard hunting trophies and skins for personal use*) paragraph a) was revised to indicate that the range countries listed “may not export more...skins **taken from any one calendar year** than the number shown...” In addition, paragraph c) of the resolution was amended to state that the tags should include the calendar year “**in which the animal was taken in the wild...**” Paragraph a) was last amended at CoP14 to clarify the meaning of “calendar year” so the Resolution now states that the range countries listed, “may not export more...skins taken from any one calendar year (**1 January to 31 December**) than the number shown...” [emphasis added].
9. Currently, there are two resolutions that provide recommendations regarding the information that should be included on an export permit for leopard skins. In addition to the recommendations in Resolution Conf. 10.14 (Rev. CoP14), *Quotas for leopard hunting trophies and skins for personal use*, Resolution Conf. 12.3 (Rev. CoP15), *Permits and certificates*, provides guidance on the reporting of export quotas on CITES documents. Section VIII of Resolution Conf. 12.3 (Rev. CoP15) addresses permits and certificates for species subject to quotas. Paragraph b) of Section VIII recommends that:
 

each export permit issued for specimens of a species subject to an annual export quota, whether established nationally or by the Conference of the Parties, indicate the total quota that has been established for the year and include a certification that the quota is being complied with. For this purpose Parties should specify the total number or quantity of specimens already exported **in the current year** (including those covered by the permit in question) and the export quotas for the species and specimens that are subject to the quota [emphasis added];
10. Taken together, the recommendations in Resolution Conf. 10.14 (Rev. CoP14), paragraphs a) and c), and in Resolution Conf. 12.3 (Rev. CoP15), Section VIII, paragraph b), can be interpreted to mean that the export permit for a leopard skin should include both the information given on the tag (from the year of harvest) and the number of leopard skins exported during the current (export) year. However, this is not the only reasonable interpretation of these recommendations. As a result, the recommendations have not been implemented consistently by all Parties.
11. Because the recommendations regarding export quotas in Resolution Conf. 10.14 (Rev. CoP14) and Resolution Conf. 12.3 (Rev. CoP15) can be interpreted in different ways, misunderstandings and disagreements have arisen between some range countries and some importing countries with regard to what information should be included on export permits for leopard skins. We believe it is important to reach a common understanding of the way in which quotas for Appendix-I species are monitored by range countries and reported on export documents. The fact that leopard skins are often not exported during the calendar year in which they were harvested creates an additional challenge for both range countries and importing countries with regard to monitoring of quota numbers.

## Discussion

12. Recognizing that exporting and importing countries share responsibility for ensuring that export quotas are respected, we believe the Parties should clarify the recommendations for export of leopard skins to ensure a common understanding of the way in which these quotas are managed at the national level and reported on CITES documents. We consider that the information given on export permits for leopard skins should serve the purpose of: 1) *identifying the specific specimen being traded*; and 2) *accounting for that*

*specimen in relation to the export quota.* We present a proposal here for clarifying the recommendations for reporting tag and quota information on export permits for leopard skins, taking into account the following points:

- a) The quotas in Resolution Conf. 10.14 (Rev. CoP14) represent the number of leopard skins harvested in a given year that may be exported, and all of those skins will most probably not be exported during the calendar year in which they are harvested [paragraph a) of Resolution Conf. 10.14 (Rev. CoP14)]; [Note: This is based on the language in the resolution and the discussions at CoP10. ]
  - b) Leopard skins are tagged with a self-locking tag that contains specific information and the information on the tag is to be recorded on the export permit [paragraph c) of Resolution Conf. 10.14 (Rev. CoP14)]; [Note: Tags are not necessarily issued or used sequentially (as they may be distributed to provincial or regional Management Authorities in batches, for example). A skin with a tag that reads "ZA 14/150 2010" is not necessarily the 14th leopard taken from the wild in South Africa during 2010, but it is a leopard taken from the wild in South Africa during 2010 that was tagged with 2010 tag number 14. ]
  - c) For export of specimens subject to an annual export quota, block 11a of the standard CITES permit form should contain information about the specimen in relation to that quota [Section VIII, paragraph b) and the Instructions and explanations for the Standard CITES form in Annex 2 of Resolution Conf. 12.3 (Rev. CoP15)]. For re-exports of such specimens, , block 11a does not need to be completed.
  - d) Leopard quotas are listed in the Secretariat's table of CITES national export quotas for 2012 (<http://www.cites.org/common/quotas/2012/ExportQuotas2012.pdf>), implying that the leopard quota numbers represent the total number of leopard skins that may be exported during 2012. We consider this to be in conflict with Resolution Conf. 10.14 (Rev. CoP14).
13. **Identifying the specimen in trade:** This is accomplished by tagging the skin and recording the tag information on the export permit, as recommended in paragraph c) of Resolution Conf. 10.14 (Rev. CoP14). This links the permit to the specimen and gives assurance to inspecting officials that the specimen in trade is the specimen for which the permit was issued. For clarification, we recommend the changes to paragraph c) of Resolution Conf. 10.14 noted in the Annex to this document.
  14. Referencing the standard CITES permit form in Annex 2 of Resolution Conf. 12.3 (Rev. CoP15) and the related instructions and explanations, we recommend that the information from the tag should be entered in block 9 (which is to include a description of the specimen, including marks or tags) or block 5 (which is to contain special conditions) on the export permit or re-export certificate for leopard skins/hunting trophies.
  15. **Accounting for the specimen in relation to the quota:** This can be accomplished by revising the text in paragraph a) of Resolution Conf. 10.14 (Rev. CoP14) to further clarify that the quotas in the table represent the number of leopard skins that may be **harvested** during a given calendar year and that the skins may be exported in the year of harvest or in a subsequent year (i.e., that they are not "annual export quotas"). Range countries issue no more tags each year than their quota specified in Resolution Conf. 10.14 (Rev. CoP14). One range country provides tags to provincial conservation authorities based on information on hunts conducted during the previous year and in accordance with information from its non-detriment finding for leopard. Other range countries provide tags from one central location also in accordance with their leopard management program and non-detriment finding. Excess tags (i.e., those tags not affixed to a skin during the year specified on the tag) are destroyed at the end of each calendar year. In this way, range countries can ensure that there will not be tags for export of more than their harvest quota for any one calendar year and the tag number will inform the importing country that the animal was harvested within the quota for the year specified.
  16. It is up to each range country to determine the manner in which it will track and monitor its leopard quota. We expect that different countries could accomplish this in different ways. However, to avoid misunderstandings and delay of shipments, it is important to agree to a common method for entering the necessary information on the export permit. We suggest the following:
    - a) Leave block 11a of the standard CITES form blank, considering that block 11a is to contain information regarding the current calendar year and the current annual quota (based on the standard CITES permit form in Annex 2 of Resolution Conf. 12.3 (Rev. CoP15) and the related instructions and

explanations) and that this does not apply to the quotas for leopard skins. We have seen that it causes confusion when the information given on the tag is different from the quota information in block 11a.

17. Finally, recognizing that the listing of leopard quotas in the Secretariat's table of national export quotas on its website causes confusion regarding the meaning of those quotas, we ask that the Secretariat change the way in which it reports quotas for leopard skins. We suggest that the Secretariat provide a footnote in its table explaining that the quota numbers for leopards represent annual harvest quotas, not annual export quotas, or, since quotas are listed in Resolution Conf. 10.14(Rev. CoP14), that the Secretariat simply no longer include the leopard quotas in its table.
18. Some countries have experienced problems when a leopard tag is lost or damaged during taxidermy in a country other than the country of origin. Unlike for crocodylian tags, CITES does not have a mechanism for replacing lost or damaged leopard tags, although we are aware that at least one country has informally created a "replacement" tag for leopard skins. Tags can be damaged or sometimes lost during the taxidermy process. When this happens, this country will contact the country of origin and request their consent to replace the tag. This country indicated that it currently photographs each imported leopard skin with the original tag attached and will use the photographs, if necessary, when skins have to be re-tagged to ensure that the correct skin is re-exported under a replacement tag. We believe that CITES should develop a process for replacing tags that are lost or damaged during taxidermy.

### Recommendations

We recommend that the Conference of the Parties consider the information presented in this document and adopt the draft revisions to Resolution Conf. 10.14 (Rev. CoP14) attached in the Annex to the present document.

### COMMENTS FROM THE SECRETARIAT

- A. The present document is a good example of cooperation between exporting and importing countries to solve a problem that had arisen in the regulation of trade in CITES specimens.
- B. The Secretariat recommends that the proposed amendments to Resolution Conf. 10.14 (Rev. CoP14) contained in the Annex, be adopted, subject to the following comments:
  - i) recommendation a) states that the specified leopard range States "may not harvest more of the said skins" than the amount indicated in the table. In the context, the 'may not' appears to be used in the sense 'is not allowed'. To present the reference to a harvest quota as a recommendation, and also to take into account that the State is not doing the harvesting, the Secretariat suggests that the phrase "which may not harvest" be replaced by which should not authorize the harvest of;
  - ii) also in recommendation a), the proposed new parenthetical part includes the text, "For example, a country with a quota of 250 leopard skins for 2010 may export 50 leopard skins taken in 2010 during 2010 ..." As the State is not exporting the skins, the Secretariat recommends that the words "may export" be replaced by may authorize export of;
  - iii) at the end of the Resolution, the proponents have proposed the insertion of the following new text:

*DIRECTS the Secretariat to report deficiencies of the system or specific instances of concern to the Animals Committee and the relevant Parties, as appropriate.*

Considering that this text deals with deficiencies in the system to regulate the trade, the Secretariat believes that the appropriate body to consider concerns is the Standing Committee.

- iv) the present document also proposes the insertion of the following new text at the end of the Resolution:

*DIRECTS the Secretariat not to include leopard quota numbers in the table of national export quotas on its website and to, instead, refer readers of the table to this resolution for information on leopard quotas.*

This seems to presume that no Party will ever establish a voluntary national export quota for leopard specimens. As the proposed amendments to recommendation a) of the Resolution clarify that the specified quotas relate to harvest and not export, the Secretariat recommends that, if the amendment to recommendation a) is adopted, this new paragraph be omitted. The Secretariat would not include harvest quotas in the the list of voluntary national export quotas.

PROPOSED REVISION TO RESOLUTION CONF. 10.14 (REV. COP14)\*  
ON QUOTAS FOR LEOPARD HUNTING TROPHIES AND SKINS FOR PERSONAL USE

RECALLING Resolution Conf. 8.10 (Rev.), adopted by the Conference of the Parties at its eighth meeting (Kyoto, 1992) and amended at its ninth meeting (Fort Lauderdale, 1994);

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 authorize trade in such dead specimens in accordance with Resolution Conf. 2.11 (Rev.), adopted by the Conference of the Parties at its second meeting (San José, 1979) and amended at its ninth meeting, and may grant export permits in accordance with paragraph 2 of Article III of the Convention;

RECALLING that paragraph 3 (c) of Article III 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 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 (Rev.) 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 that:

- a) in reviewing applications for permits to import whole skins or nearly whole skins of leopard (including hunting trophies), in accordance with paragraph 3 (a) of Article III, 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~~ harvest more of the said skins ~~taken from~~ during any one calendar year (1 January to 31 December) than the number shown under 'Quota' opposite the name of the State understanding that the skins may be exported in the year of harvest or in a subsequent year (For example, a country with a quota of 250 leopard skins for 2010 may export 50 leopard skins taken in 2010 during 2010, 150 of the leopard skins taken in 2010 may be exported during 2011, and 50 of the leopard skins taken in 2010 may be exported in 2012).

---

\* Amended at the 12th, 13th and 14th meetings of the Conference of the Parties.

State	Quota
Botswana	130
Central African Republic	40
Ethiopia	500
Kenya	80
Malawi	50
Mozambique	120
Namibia	250
South Africa	150
Uganda	28
United Republic of Tanzania	500
Zambia	300
Zimbabwe	500

- b) in reviewing applications for permits to import whole skins or nearly whole skins of leopard, in accordance with paragraph 3 (c) of Article III, 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) the Management Authority of the State of import permit the import of leopard skins in accordance with this Resolution only if:
- i) each skin has a self-locking, non-reusable tag attached which indicates, at a minimum, the State of export origin, the number of the specimen in relation to the annual quota, and the calendar year in which the animal was taken in the wild – for example ZW 6/500 1997-2010, indicating that Zimbabwe is the State of export and that the specimen was taken in the wild in Zimbabwe in 2010 and received tag number six out of Zimbabwe's quota of 500 for 2010. is the sixth specimen taken in the wild in Zimbabwe out of its quota of 500 for 1997 –
  - ii) ~~and if~~ the same information as is on the tag is ~~given~~ recorded on the export document in block 9 or block 5 of the standard CITES permit form (and no information is required in block 11a);
  - iii) the tag has, as a minimum, the following characteristics: a tamper-resistant, self-locking mechanism, heat resistance, inertia to chemical and mechanical processing, and alphanumeric information, which may include bar-coding, applied by permanent stamping;
- d) Parties make every effort to ensure that skins are re-exported with the original tags intact;
- e) if the original tags are lost, damaged, or removed from skins during processing, the country of re-export should tag such skins prior to re-export, with a 're-export tag' meeting all the requirements of paragraph c) above except that the country of origin and year of harvest will not be required; and further, that the same information as is on both the original tag and the replacement tag should be given on the re-export certificate together with details of the original permit under which the skin was imported;
- f) Parties accept CITES documents for trade in leopard skins only if they contain the information referred to in paragraph c), or e), as appropriate, and if the skins are tagged in accordance with the provisions of this Resolution;
- g) Parties, with the advice of the Secretariat if appropriate, implement a management and tracking system for tags used in trade; and

- h) Management Authorities ensure that tags not affixed to skins in the year specified on the tag are destroyed;
- e j) 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 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; and
- e j) 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, in accordance with Resolution Conf. 9.21 (Rev. CoP13), adopted by the Conference of the Parties at its ninth meeting and amended at the its 13th meeting (Bangkok, 2004);~~and~~

DIRECTS the Secretariat to report deficiencies of the system or specific instances of concern to the Animals Committee and the relevant Parties, as appropriate.

DIRECTS the Secretariat not to include leopard quota numbers in the table of national export quotas on its website and to, instead, refer readers of the table to this resolution for information on leopard quotas.

REPEALS Resolution Conf. 8.10 (Rev.) (Kyoto, 1992, as amended at Fort Lauderdale, 1994) – Quotas for Leopard Hunting Trophies and Skins for Personal Use.