



The International Association for Falconry
and Conservation of Birds of Prey

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and Conservation of Birds of Prey

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

en Français, P6

Seventh Meeting of the Conference of the Parties
Lausanne, 9 to 20 October 1989

Draft Resolutions:

- 1) Format and Criteria for Proposals to Register the First Commercial Captive Breeding Operation for Appendix I Animal Species.
- 2) Format and Criteria for Proposals to Accept Species as Being Capable of Meeting Bred-in-Captivity Criteria.

General Comments

Falconry depends largely on captive breeding for its supply of hawks, especially Falcons.

Each captive bred hawk acquired by a falconer is a hawk which is not taken from the wild.

In this sense, captive breeding takes an important part in conservation.

Every measure likely to curb captive breeding may result in an increase in the demand for hawks to be taken from the wild.

The lawful keeping of birds give to their owner a "jus utendi". The ownership of animals creates the right for its owner to breed from it.

Any measure hindering this right is a very serious breach of the rights of ownership and of the freedom of the citizen.

Captive breeding has contributed uniquely to the restoration of seriously threatened species or of locally extinct populations. It is to be feared that more and more species will suffer serious depletion in the future, especially tropical forest dwellers. Captive breeding of the largest possible number of species should therefor be encouraged.

The know-how of captive breeding has been mainly gained from the experiences conducted on a very small scale in private by amateurs.

Discouraging captive breeding with excessive measures of constraint or with cumbersome red tape is likely to deprive species conservation of invaluable technology and input.

Both draft resolutions will result in the decline of captive breeding.

The consequences of that will be:

- 1) a far-reaching breach of the owner's rights and of the freedom of the citizen;
- 2) the loss to conservation of an invaluable tool.
- 3) a greater dependance of falconry on wild populations of birds of prey.

Moreover these resolutions will increase the administrative burden of the Parties, of the Secretariat and of the interested parties out of all proportion to the small risk of the illicit capture of wild specimens.

It is nowadays possible to prove irrefutably the relationship of young with their parents thanks to the technique of "genetic fingerprinting".

It is therefor no longer necessary to take complicated measures of control especially such sophisticated measures as those described in the draft resolutions.

We deplore the monopoly which would be granted to purely commercial breeders, to the detriment of amateurs who are not seeking financial profits.

It is not easy to define what is commercial and what is not.

Does the occasional sale of a bird in order to recoup a part of the expenses of the operation, result in the breeding being considered as commercial?

Is it commercial to produce birds with a potential commercial value, even if they are given away?

Is it considered to be "financial profit" if one breeds a few birds in order to save the cost of buying them from a commercial breeder?

The Convention gives a very broad definition to the word "trade" going far beyond the usual meaning of commerce.

Captive breeding conducted by amateurs on a non profit making basis might in the same way be also assimilated to "commerce".

According to (at least) Belgian laws, aviculture is not considered as commerce.

We recommend a simple rejection of both the draft resolutions.

Another solution might be to exempt from the provisions of the resolutions, the captive breeding aimed at supplying falconers on a non-profit making basis.

SPECIFIC COMMENTS

1) Draft Resolution "...First Commercial Breeding..."

a) Preamble

"Further Concerned..."

The definition of the words "captive bred" supplied by Resolution 2.12 is sufficient, the 2nd preamble of Resolution 4.15 confirmed it.

There is therefore no need for further interpretation of it.

This preamble is therefore irrelevant and so is the whole proposal which it is supposed to justify.

b) Recommendations.

1-2) Breeding of severely threatened species may prove desirable for their conservation. Those two recommendations would result in a loss to conservation.

3) 10% of the mortality is sufficient for the needs of falconry. The case of the Californian Condor shows that it may be desirable to take more than 10%. It would be surprising if similar cases did not happen again in the future...

4) It is practically impossible to acquire raptors that have already bred in captivity, the reason being that nobody would be ready to part with them. This recommendation is almost the death sentence of any captive breeding of raptors.

5) Any lawfully kept raptor should be allowed to be used for captive breeding.

It is inconceivable that anyone should be prevented from breeding to breed with the birds he owns. It is an intolerable breach of the rights of property.

6) Marking has been adequately defined by Resolution 6.21,d: closed rings.

We consider that this method offers a sufficient guarantee.

7) It will sometimes be difficult to prove that 50% of the specimens in the operation bred successfully. It makes no sense to conclude as does the recommendation that the species is not capable of breeding in captivity. This would make it impossible to attempt breeding a species with which breeding has never been tried or of which breeding has not yet been successful at 50%. What a loss for conservation!

8) Resolution 2.12,ii) attempts to "prevent" deleterious inbreeding.

To "prevent" means avoiding something before it happens. Contrary to that, one should have to prove that the negative effects have already occurred before being allowed to acquire parental stock from the wild.

Raptors almost never start breeding before the age of four; in

the meantime the deleterious effects would have increased in such a way that the breeding operation might have become seriously jeopardised.

This item 8 is thoroughly illogical.

9) Even the 50% mentioned at item 7 was too optimistic...

10) This item illustrates the heavy administrative burden..

The EEC authorities have expressed a favourable opinion towards the safeguarding of falconry. The opinion of the Social and Economic Committee is attached.

Captive breeding is an essential source of hawks for the falconers. It is almost their only mean of obtaining falcons. The draft resolution, if approved by the Parties, would put an end to the captive breeding operated by amateurs and benefit large purely commercial, breeding projects.

Falconer-breeders are subject to a stringent international Code of Conduct; this is not accepted by purely commercial breeders.

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This resolution positively creates problems for everybody under the pretext of solving a problem which in fact does not exist.

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We implore the Parties to the CITES simply to reject the whole draft resolution. Otherwise it may be the death of falconry!

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2) Draft Resolution "...Accept Species as being Capable..."

The criteria for accepting a species as being capable of breeding in captivity have already been set out in point 7 of the preceding draft resolution.

One may wonder whether there exist species which are not at all capable of breeding in captivity or which will never be capable of doing so in the future.

In order to know whether a species can be bred in captivity, one must try. Such an attempt is made impossible by both the draft resolutions.

Science is prevented from progressing!

"Specifically: 1. Recognizing"

This item applies only to commercial breeding. It means that breeding with other purposes is completely free. The hyper-regulation of commercial breeding appears as an excessive hinderance of the freedom of the citizen and runs the risk of depriving falconers of a source of captive bred hawks.

Falconer-breeders have always submitted themselves to the provisions of the CITES, especially ringing with a closed ring and reporting of the young in order to obtain the certificate foreseen by article VII,5 of the Convention.

"...Recommends..." (P.1)

a) As article VII,4 of the Convention implicitly allows captive breeding of species of Appendix I, one may logically infer that their acquisition is also allowed.

b) We have always advocated the total protection of raptors but with the possibility of derogating in favour of, amongst others, falconers. This is in accordance with the recommendations adopted in Vienna in 1975 by ICBP.

c) This matter was dealt with in point 1) of the preceding Draft Resolution. It is difficult to estimate with any satisfactory precision the world population of a species.

d) This matter was dealt with in point 3) of the preceding Draft Resolution, only the wording is a bit more complicated.

e) This matter was dealt with in article XIV,1,a,b of the Convention. This item is then as superfluous as the others.

"...Further Recommends:" (P.2)

a) see preceding Draft Resolution (7)

b) see preceding Draft Resolution (4)

c) see preceding Draft Resolution (9)

d) If the breeder is required to prove that he has already successfully bred in captivity, that means that it would henceforth be impossible for anyone to start breeding or to breed an additional species.

This recommendation could start the lingering death of falconry.

e) Hybridisation is not prohibited by the Convention, so it would be superfluous to "authorise" it.

f) see preceding Draft Resolution (10)

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This Draft Resolution is a useless repetition of the preceding one.

The only difference is that its wording is more complicated and even more tedious.

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We implore the Parties to the CITES simply to reject the whole Draft Resolution.

Otherwise it may be the death of falconry!

Thank you in advance.

Christian de Coune
president.

CONVENTION SUR LE COMMERCE INTERNATIONAL DE FAUNE ET DE FLORE
SAUVAGES MENACEES D'EXTINCTION

Septième Session de la Conférence des Parties
Lausanne 9-20 octobre 1989

Projets de Résolutions:

- 1) Format and Criteria for Proposals to Register the First Commercial Captive Breeding Operation for Appendix I Animal Species.
- 2) Format and Criteria For Proposals to Accept Species as Being Capable of Meeting Bred-in-Captivity Criteria.

COMMENTAIRES GENERAUX.

La fauconnerie dépend très largement de la reproduction en captivité pour son approvisionnement en rapaces et plus particulièrement en Faucons.

Tout rapace né en captivité acquis par un fauconnier est un oiseau de moins à prélever dans la nature.

A cet égard, la reproduction en captivité joue un rôle positif pour la conservation des espèces.

Toute mesure qui a pour effet de freiner la reproduction en captivité est susceptible d'accroître la demande d'oiseaux à prélever dans la nature.

La détention licite d'oiseaux confère à son propriétaire un "jus utendi". Le droit de propriété sur des animaux entraîne pour son détenteur le droit de les faire se reproduire.

Toute mesure faisant obstacle à cette faculté constitue une atteinte très grave au droit de propriété et à la liberté du citoyen.

La reproduction en captivité est une technique qui a contribué substantiellement à la reconstitution d'espèces gravement menacées d'extinction ou dont certaines populations étaient éteintes. L'on peut craindre que dans l'avenir de plus en plus d'espèces subiront une grande régression de leurs effectifs, notamment des espèces liées à la forêt tropicale. La reproduction en captivité d'un plus grand nombre possible d'espèces doit être encouragée.

Le savoir-faire de la reproduction en captivité a en très grande partie été acquis grâce aux expériences menées à très petite échelle par des particuliers.

Décourager la reproduction en captivité par des mesures excessivement contraignantes ou par une bureaucratie encombrante risque de priver la Conservation des espèces d'une technologie et d'un apport inestimable.

Les deux propositions de résolution sont de nature à freiner la reproduction en captivité.

Les conséquences en seront:

- 1) de rendre la fauconnerie plus dépendante des populations sauvages de rapaces;
- 2) de porter gravement atteinte au droit de propriété et à la liberté des individus;
- 3) de priver la Conservation d'un outil extrêmement précieux.

Par ailleurs les dites résolutions augmenteront la charge administrative pour les Parties, pour le Secrétariat et pour les intéressés d'une façon absolument disproportionnée par rapport au risque minime de prélèvements clandestins de spécimens sauvages.

Il est actuellement possible de prouver d'une façon irréfutable la parenté des jeunes par rapport à leurs prétendus géniteurs grâce à la technique du "marquage génétique".

Il n'est dès lors plus nécessaire d'édicter des mesures compliquées de contrôle et a fortiori des mesures aussi sophistiquées que celles contenues dans les deux propositions de résolution.

Nous déplorons le monopole accordé aux éleveurs purement commerciaux au détriment des amateurs ne poursuivant pas un but de lucre.

Il est bien difficile de définir ce qui est commercial et ce qui ne l'est pas.

La vente occasionnelle d'un oiseau pour amortir une partie des frais d'élevage entraîne-t-elle la qualification de commercial?

Le fait de produire des oiseaux qui ont une valeur financière potentielle, même s'ils sont offerts gratuitement, entraîne-t-il la qualification de commercial?

Le fait d'élever pour éviter de devoir acheter des oiseaux constitue-t-il un profit financier?

La Convention donne au mot "commerce" une définition très large qui dépasse considérablement la notion habituelle d'acte de commerce.

Il pourrait en aller de même de l'élevage fait par des particuliers sans but commercial. Il suffirait d'une petite résolution de quatre lignes...

En droit belge (à tout le moins), l'aviculteur n'est pas considéré comme commerçant.

Nous recommandons donc l'abandon pur et simple des deux propositions.

Une autre solution pourrait être d'exempter des prescriptions contenues dans les deux résolutions, l'élevage destiné à approvisionner les fauconniers sans en retirer un profit financier direct.

COMMENTAIRES SPECIFIQUES

1) "...First Commercial Breeding..."

a) Préambule.

"Further Concerned..."

La définition des termes "élevé en captivité" fournie par la Résolution 2.12 est suffisante, le 2e préambule de la Résolution 4.15 l'a confirmé.

Il n'y a donc pas de nécessité de donner une interprétation supplémentaire de ces termes suffisamment précis.

Ce préambule est donc irrelevant, tout comme l'est également toute la proposition qu'il est censé justifier.

b) Recommandations.

1-2) La reproduction d'espèces très menacées peut s'avérer profitable à leur conservation. Ces deux recommandations entraîneraient une perte pour la conservation.

3) 10% de la mortalité suffisent pour les besoins des fauconniers. Le cas du Condor de Californie démontre qu'il peut être opportun de prélever plus de 10%, il serait étonnant que des cas similaires ne se produisent plus dans l'avenir...

4) Il est pratiquement impossible de se procurer des rapaces qui se sont déjà reproduits en captivité. La raison en est que personne ne sera disposé à se dessaisir de géniteurs. Cette recommandation condamne à mort toute reproduction en captivité de rapaces.

5) Tout oiseau licitement détenu doit pouvoir être utilisé en vue de la reproduction en captivité. Il est inconcevable d'empêcher quelqu'un de faire reproduire des oiseaux qu'il détient. C'est une atteinte intolérable au droit de propriété.

6) Le marquage a été suffisamment défini par la Résolution 6.21.d il s'agit des bagues fermées. Nous considérons également que cette méthode de marquage offre suffisamment de garanties.

7) Il sera parfois difficile de prouver que 50% des spécimens d'un élevage (opération) se reproduisent. Il serait insensé, comme recommandé, de conclure que l'espèce ne peut être reproduite en captivité. Il deviendrait impossible de tenter de reproduire une espèce dont l'élevage n'a jamais été tenté ou dont l'élevage n'a pas encore réussi à 50%. Quelle perte pour la Conservation!

8) La Résolution 2.12.ii) permet d'"empêcher" les effets négatifs de la consanguinité. "Empêcher" signifie faire obstacle à quelque chose avant qu'elle ne se produise. Au contraire de cela, il faudrait prouver que ces effets se sont déjà produits pour pouvoir acquérir des géniteurs sauvages.

Les rapaces ne se reproduisent en captivité qu'après au moins quatre ans; pendant ce temps, les effets négatifs de la consanguinité se seront accrus dangereusement pour l'avenir de la station d'élevage.

Ce point 8 est absolument illogique.

9) Il faudrait que 75% des spécimens détenus se soient reproduits. Les 50% du point 7 étaient déjà très optimistes...

10) Ce point illustre parfaitement le fardeau administratif excessif.

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Les autorités de la CEE se sont prononcées en faveur de la sauvegarde de la fauconnerie.

Ci-joint, l'opinion du Comité Economique et Social.

L'article 7.4 de la Directive 79/709 admet la fauconnerie comme mode de chasse.

La reproduction constitue une source essentielle d'approvisionnement en rapaces. Elle est pratiquement le seul moyen de se procurer des Faucons.

La proposition de résolution, si elle est approuvée par les Parties, tuerait la reproduction en captivité réalisée par de petits éleveurs particuliers au profit des quelques rares grands élevages purement commerciaux.

Les fauconniers-éleveurs sont soumis à un code de conduite international très strict; il n'en va pas de même des grands élevages purement commerciaux.

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Cette résolution crée des problèmes pour tout le monde dans le but de résoudre un problème qui, lui, n'existe pas.

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Nous implorons les Parties à la CITES, pour qu'ils rejettent purement et simplement la proposition de résolution toute entière.

Sinon c'est la mort de la fauconnerie!

Merci d'avance.

2) "...Accept Species as Being Capable..."

Les critères d'acceptation d'une espèce comme étant apte à se reproduire en captivité figurent déjà au point 7 de la Proposition précédente.

L'on peut se poser la question de savoir s'il existe des espèces qui sont inaptées à se reproduire en captivité et qui ne pourront jamais se reproduire en captivité.

Pour savoir si une espèce peut se reproduire en captivité, il faut essayer.

Une telle tentative est rendue impossible par les deux propositions de résolution.

L'on empêche ainsi la science de progresser!

"Specifically: 1. Recognizing"

Ce point s'applique uniquement à l'élevage à but commercial. Cela signifie donc que l'élevage ayant d'autres buts est totalement libre.

L'hyper-réglementation de l'élevage à but commercial nous semble quant à lui une entrave excessive à la liberté du citoyen et risque de priver les fauconniers d'une source d'approvisionnement en rapaces nés en captivité.

Les fauconniers-éleveurs se sont toujours soumis aux prescriptions de la CITES, en particulier le baguage à l'aide de bagues fermées et la déclaration des jeunes nés de l'élevage en vue de l'obtention du certificat prévu par l'article VII,5 de la Convention.

"...Recommends..." (P.1)

a) L'article VII,4 de la Convention permet implicitement l'élevage d'espèces de l'Annexe I, l'on peut logiquement en inférer que leur acquisition est elle aussi licite.

b) Nous avons toujours plaidé pour la protection des rapaces avec toutefois une possibilité de dérogation en faveur notamment de la fauconnerie, ceci conformément aux recommandations faites à Vienne en 1975 par le CIPO (ICBP).

c) Cette matière a été traitée au point 1) de la Proposition de Résolution précédente. Il est très difficile d'évaluer avec une suffisante précision les effectifs mondiaux d'une espèce.

d) Cette matière a été traitée au point 3) de la Proposition de Résolution précédente, la formulation en est seulement plus compliquée

e) Cette matière a été traitée à l'article XIV,1.a,b de la Convention. Ce point est donc superflu lui aussi.

"...Further Recommends:" (P.2)

a) Voir Proposition de Résolution précédente (7)

b) Voir Proposition de Résolution précédente (4)

c) Voir Proposition de Résolution précédente (9)

d) Si l'éleveur doit prouver qu'il a déjà pratiqué la reproduction en captivité avec succès, cela signifie qu'il sera désormais impossible à quiconque de commencer à élever en captivité ou à élever une espèce supplémentaire.

L'agonie de la reproduction en captivité commence avec cette recommandation.

e) L'hybridation n'était pas interdite par la Convention, il est donc superflu de "l'autoriser".

f) Voir Proposition de Résolution précédente (10).

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Cette proposition fait double usage avec la précédente. La seule différence est que sa rédaction est plus compliquée et donc sa lecture plus désagréable.

Elle nous est donc tout aussi préjudiciable que la précédente.

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Pour autant que de besoin et au risque, nous aussi, de nous répéter, nous implorons les Parties à la Convention pour qu'ils rejettent purement et simplement la Proposition de Résolution toute entière.

Sinon c'est la mort de la fauconnerie.

Merci d'avance,

Christian de Coune
président.

COMMENTS ON FORMAT AND CRITERIA FOR PROPOSALS TO ACCEPT SPECIES AS BEING

CAPABLE OF MEETING BRED - IN - CAPTIVITY CRITERIA.

The following comments are proposed and endorsed by the major organisations of Great Britain representing raptor keepers, including The Hawk Board, The Hawk Trust, The British Falconers Club, The Raptor Breeders Association, The Welsh Hawking Club, The Federation of Zoos and the International Association for Falconry and Conservation of Birds of Prey.

The comments refer to the proposed restrictions on bred - in - captivity criteria being prepared for submission to the October CITES meeting as outlined in the enclosed press report.

The comments refer to birds of prey and owls only.

We consider the proposals to be naive and unworkable for the following reasons:-

1. Estimates of population numbers

a) Wild populations undergo real changes in numbers between the breeding and non-breeding seasons, good years and bad years and longer term cyclical fluctuations usually related to prey numbers. Estimates of 'breeding pairs' vary because, for various reasons, not all pairs necessarily breed every year.

b) A figure of 4000 birds is not a useful measure of endangerment. Some species, such as large raptors, have very low population turnovers with low productivity and low mortality. Other smaller raptors have a high turnover and 80% of the genetic material in the population may re-cycle in 2 - 3 years. Many raptors, particularly island species, are naturally limited in size by habitat availability and yet are not endangered.

c) Observer bias can affect estimates of wild population numbers by large factors even in intensively studied species such as the Mauritius Kestrel (*Falco punctatus*) Forest raptor populations are virtually impossible to quantify confidently. The organisations studying wild raptors are desperately under funded and will not be able to provide reliable data on many species in the wild in the foreseeable future, nor where such data are forthcoming, are they reliable for longer than the period of study.

d) Some species do not have, or soon may not have a wild population but exist only in captivity. In some species the captive population is of a similar order of magnitude to the wild population.

We therefore consider that an arbitrary set figure of estimated wild population size is not a useful criterion for international management decisions and will promote only controversy. We also consider that attempts to limit the breeding of existing birds in captivity directly contradicts the conservation of supposed endangered species.

2. Legal Aspects

In most countries in which raptors are kept in captivity the birds are the legal property of the owners. The keeping of raptors by private individuals, commercial and other organisations is a multi-million pound industry. In Britain alone there are over 11,000 raptors in captivity, the majority captive-bred. Most of these species are self-sustainable in

captivity. The ownership of these birds not only includes rights of possession but also rights to breed. A government attempting to impose curtailment on these existing rights would face massive claims for compensation and we do not foresee in the current economic climate that the British government would spend or could justify payments of this scale.

3. The Role of the Private Aviculturist.

A historical review of the progress made in aviculture shows unequivocally that the major thrust and achievements in aviculture have been made by private breeders. These are the many skilled and dedicated individuals who have devoted time and money to the furtherance of the species. Where governmental organisations have required 'hands on' conservation management for raptors, such as for peregrines (*Falco peregrinus*) in America and Europe and Red Kites (*Milvus milvus*) in Britain, they have had to buy in the expertise of individuals who have developed their skills privately. The proposed measures would tend to alienate both the goodwill and the availability of private individual contributions to management schemes.

While it is undeniable that some rogue individuals have taken raptors illegally from the wild for aviculture there are no known examples of a raptor species becoming extinct or even any proven examples of a raptor species suffering a significant or lasting depletion through the activities of aviculturalists. To argue that such is the case is to draw a red herring across the real issues facing wild raptors.

In the past aviculturalists have, and continue to offer an unpaid rehabilitation service to raptor casualties. With the major progress in domestic breeding aviculturalists are now in a position to make a major contribution to the long term conservation of species and in some cases may actually be the last life line for some species.

4. Marking and Inspection.

Most raptor species excluding owls, have to be marked and registered while in captivity. We support the indelible marking and recording of pedigree for all captive individuals long term.

The continuing registration and inspection of common species such as the Common Kestrel (*Falco tinnunculus*) is untenable in the long term because the fees charges are often greater than the value of the bird itself. The tying up of manpower and resources can not be justified as a conservation effort, particularly in species which do not anyway need conserving. We foresee the inspection and registration efforts to be retained long term only for species which are:-

- a) genuinely sensitive or endangered.
- b) wild taken or F1 individuals.

5. Genetic Stock.

An attempt to limit projects by their access to genetic variability in terms of numbers of unrelated pairs is not only doomed to failure but also so naive that we cannot believe that the proposers have any first hand experience of the problems.

- a) It is not possible to produce a practical definition of relatedness. All

conspecific individuals must of necessity be related. Sub-species, by definition, are not genetically separable otherwise they would be taxonomically separated. Populations of different species show major variations in genetic diversity nor do these differences necessarily reflect their future viability. Many bottle-necked species emerge stronger as the result of reductions in deleterious genes. The only feasible way to obtain an indication of genetic variability is by DNA fingerprinting. This is already being used in some of the more intensive raptor projects but it is not practical on a large scale nor as yet do we know how to make management decisions from it. Unless a bird is taken from a known separate wild source and is DNA fingerprinted there is very little to show how unrelated two wild birds are. They may well be wild siblings or close relatives. To specify that a programme should have a certain number of unrelated birds is therefore a nonsense. Relatedness is a question of degree, not an absolute.

b) The genetic problems faced by most programmes are due to the availability of stock. Birds are not factory products. One cannot easily order pairs like shoes. Particularly in the early stages of a breeding programme it is difficult to obtain the ideal stock and frequently one is forced to work with rehabilitated birds or other less suitable individuals.

Paradoxically one of the main barriers to breeding is the mass of CITES paperwork which has to be attended to by legitimate breeders but which is avoided by the unscrupulous for whom it was designed.

c) To have five 'unrelated' pairs in a programme is often extravagant and often undesirable logistically, financially and on health grounds. Such a large number at one site are vulnerable to threats from disease, theft or hazards. A good breeder with five pairs of raptors may well produce more than 20 young per year which may strain his resources and pose disposal problems. The only cases where such a large programme is viable for any length of time is when there is a good demand for the progeny, either to other breeders or for release programmes. Otherwise, it is usually better to have fewer pairs and bring in one or two new 'unrelated' birds every two or three years as required from other programmes.

6. Breeder Registration Criteria.

You cannot tell who is good at breeding a bird species until they have done it. Academically qualified people are scarce in this activity. Projects run by committees and organisations have poor success. Breeding of difficult species requires intense personal commitment and dedication and this cannot easily be bought, hired or measured. The best system is to start with a relatively 'easy' species and progress to a more difficult one and the most effective self-regulating mechanism is financial. This system is known all over the world and is self-regulating; the maximum effort is put into the rarer species and inexperienced people can gain practice gradually.

7. Paperwork.

Raptor breeding is already overburdened with paperwork Anybody who has attempted to produce a breeding schedule or a cash flow forecast for a rare bird breeding programme even a year ahead knows what a work of fiction this can be. Nor do governing bodies in receipt of such schedules have a realistic system of evaluating them. Very few of their advisors have actually bred rare birds. We must aim at reducing paperwork.

7. Counter Proposals.

With the current rate of destruction of habitats many more species are becoming endangered in the wild and it is vital that we support the avicultural effort to maintain gene banks. There will never be sufficient public money to do this and we will always be heavily dependent on the efforts of private individuals. The tragic species are those which are endangered but for which there is no incentive to breed in captivity. These are likely to disappear.

It is vital that gene banks be supported.

a) By improving the legislation and systems for obtaining rare genetic material from wild sources without further endangering those sources. At present the hardest part in setting up a gene bank for a species is to legitimately obtain bloodstock even though biologically acceptable routes are available.

b) The recognition that ABCR F2 or F2+ individuals are domestic and are outside the major tangle or paperwork surrounding wild taken birds. Some raptor projects are now at F5+ and patently cannot be described as 'wild' birds. We require a simpler, streamlined system for the transfer of these individuals both nationally and internationally.

Prepared By Dr. N C Fox. Penllynn Farm. College Road.
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In association with Mr A.M.Jones. (Chairman - The Hawk Board)
and the aforementioned bodies.

DATE APRIL 26TH 1989



Chairman
Secretary
Members

RESOLUTION OF THE COMMISSION ON NITROGEN FERTILIZERS
ON THE PROVISIONS OF THE CONSTITUTION
OF THE COMMISSION

RESOLUTION OF THE COMMISSION ON NITROGEN FERTILIZERS
ON THE PROVISIONS OF THE CONSTITUTION
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CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA

Seventh Meeting of the Conference of the Parties
Lausanne (Switzerland), 9 to 20 October 1989

PROPOSAL RESOLUTION OF THE CONFERENCE OF THE PARTIES

Format and Criteria for Proposals to Register the First
Commercial Captive Breeding Operation for an Appendix I Animal Species

RECOGNIZING that Article VII, paragraph 4 of the Convention provides that specimens of Appendix I animal species "bred-in-captivity" can be traded commercially as Appendix II specimens;

NOTING that import of wild-caught Appendix I specimens for purposes of establishing a commercial captive breeding operation is precluded by Article III, paragraph 3 (c) of the Convention;

RECALLING that Resolution Conf. 2.12 establishes the definition of "bred-in-captivity" and specifies that the parental breeding stock must be (1) established in a manner not detrimental to the survival of the species in the wild; (2) maintained without augmentation from the wild, except where necessary to prevent deleterious inbreeding; and (3) managed in a manner designed to maintain the breeding stock indefinitely;

RECALLING that Resolution Conf. 4.15 requires the Secretariat to compile and update a Register of operations breeding Appendix I species in captivity for commercial purposes and that Parties with such operations provide the Secretariat with "appropriate information" on these operations;

RECOGNIZING that Resolution Conf. 6.21 specifies that the first commercial captive breeding operation for an Appendix I species can be included in the Secretariat's Register only by a two-thirds majority vote of the Parties;

FURTHER RECOGNIZING that Resolution Conf. 6.21 requires the first commercial captive breeding operation for an Appendix I species be in compliance with Conf. 2.12 and 4.15 before it can be included in the Secretariat's Register;

CONCERNED that Resolution Conf. 6.21 offers no specific requirements for presentation and no standards for approval of the first commercial captive breeding operation for an Appendix I species;

FURTHER CONCERNED that there is a need to further interpret the bred-in-captivity criteria of Resolution Conf. 2.12 in the context of registering the first commercial captive breeding operation for an Appendix I species;

NOTING that the following recommendations are offered as guidance to the Parties in deciding whether to accept the first commercial captive breeding operation for an Appendix I species as recommended in Resolution Conf. 6.21 (b);

THE CONFERENCE OF THE PARTIES TO THE CONVENTION RECOMMENDS:

- 1) that no species whose entire wild population is determined by the Parties to be in imminent danger of extinction should be accepted for registration as bred-in-captivity for commercial purposes unless that species has an IUCN-approved (or equivalent) captive breeding program for conservation purposes.
- 2) that parental breeding stock for a commercial captive breeding operation for a species in imminent danger of extinction in the wild can be obtained only from captive specimens that are surplus to an IUCN-approved or equivalent captive breeding program;
- 3) that, to avoid depletion of the wild population from which specimens are taken to the establish parental breeding stock, the number of organisms must not exceed 10 percent of the average annual natural mortality of the age class from which the specimens are to be removed;
- 4) that, to minimize the need for augmentation from the wild, the operation's initial parental breeding stock must consist of at least 5 males and 5 females, all unrelated; 4 males and 4 females from this group must actually breed (founders) and produce viable first generation (F1) offspring;
- 5) that augmentation with (1) wild specimens provided by competent authorities because they are unsuitable for return to the wild as a result of injuries or tameness, (2) captive-bred specimens, or (3) gametes or embryos collected without detriment to the wild population be authorized by the Management Authority at any time;
- 6) that the marking and inspection of specimens in the operation be undertaken in such a manner that unauthorized augmentation with wild specimens cannot occur without detection;
- 7) that, to provide evidence that the species can be reliably bred in captivity, at least 50 percent of the breeding age portion of the operation's specimens of this species have bred and produced viable offspring in captivity;
- 8) that evidence of "deleterious inbreeding" be defined as a decline of 20 percent or more in the (1) average litter or brood size, or (2) the average percent survival of young to breeding age when compared with the average from previous generations;
- 9) to ensure that the operation is managed in a manner to "maintain the breeding stock indefinitely", the operation must demonstrate that it has bred the species to the second generation (F2); at least 75 percent of the founders must have some genetic representation in the second generation;
- 10) that proposals submitted by a Party to register the first commercial captive breeding operation for an Appendix I species should specifically address the following points:

Annex 1 to Conf. 7.xx

FORMAT

- A. Proposal: Genus species to be registered as bred-in-captivity for commercial purposes.
- B. Proponent:
 - 1. Party:
 - 2. Name and address of captive breeding operation to be registered:
- C. Supporting statement:
 - 1. Taxonomy
 - 11. Class
 - 12. Order
 - 13. Family
 - 14. Genus, species, and subspecies (when applicable), including author and year
 - 15. Common name(s), when applicable
 - 16. Code numbers (e.g., ISIS), when applicable
 - 2. Biological data
 - 21. Distribution (current and historical)
 - 22. Wild population (population size estimate, trends, annual recruitment and mortality estimates for important age classes, and threats to wild population)
 - 23. Captive population
 - 23.1 Description of founder stock (including genetic similarity or likely relationship to one another)
 - 23.2 General breeding performance in captivity
 - 23.3 Methods to achieve second generation stock
 - 23.4 Description of breeding performance of population at operation to be registered
 - 24. Management of breeding stock and offspring
 - 24.1 Anticipated production
 - 24.2 Augmentation strategy
 - 24.3 Strategy to minimize inbreeding
 - 24.4 Marking methods for breeding stock and offspring
 - 24.5 Inspection procedures to detect unauthorized specimens
 - 3. Trade Data
 - 31. Illegal trade and potential benefits of bred-in-captivity registration for species covered by proposal
 - 32. Potential trade threats (including potential that bred-in-captivity registration could stimulate or mask trade in this or a related species)
 - 4. Protection Status
 - 41. National
 - 42. International
 - 5. Comments from countries of origin
 - 6. Additional information

Operating Strategy

- (1) Description of the management of breeding stock and offspring, specifically; (a) anticipated production of offspring for next 5 years of operation, and (b) description of anticipated strategy to add offspring to the captive breeding population as future replacement stock and/or to expand the breeding population; (c) description of breeding performance of each generation held in captivity, especially including records that document that 100 percent of the minimum founder stock bred and produced viable first generation offspring and that 75 percent of the founder stock is represented in the F₂ generation.
- (2) Assessment of any perceived need for augmentation of breeding stock from source other than from parental stock with identification of the anticipated source.

Parental Breeding Stock

- (1) Description of the number of males and females to be used as founder stock, their origins, and their genetic similarity or likely relationship with one another.

Husbandry and Breeding Methods

- (1) Review of the species' breeding performance in captivity in general;
- (2) Description of the method used by the operation to breed the species to the level of the second generation (F₂);
- (3) Description of the operation's strategy to minimize inbreeding and the need for augmentation from the wild.

Marking and Inspection

- (1) Description of the marking methods to be used for breeding stock and offspring, and for specimens furnished for export (noting the direction of Resolution Conf. 6.21 to comply with provisions of Resolution Conf. 5.16);
- (2) Description of the inspection procedures to be used by CITES Management Authority to confirm identity of breeding stock and offspring and detect the presence of unauthorized specimens held at the operation or provided for export.

11) that proposals should follow the format in Annex I.

Seventh Meeting of the Conference of the Parties
Lausanne (Switzerland), 9-20 October 1989

2. PROPOSAL RESOLUTION OF THE CONFERENCE OF THE PARTIES

Conf. 7.xx

Format and Criteria for Proposals to Accept Species
as Being Capable of Meeting Bred-in-Captivity Criteria

RECOGNIZING that, under the provisions of Resolution Conf. 6.21, Parties desiring to have a species accepted as being capable of meeting Bred-in-Captivity Criteria must submit proposals for the Parties to consider.^{1/}

AWARE that in attempting to consider such proposals from different Parties and featuring different species, the Parties may be confronted with widely varying formats and standards on management of specimens and inspection of facilities.

RECALLING that Resolutions Conf. 2.12 and 4.15 define criteria for parental breeding stock and how the Secretariat will operate a register of captive breeding facilities, respectively.

CONSIDERING that a uniform implementation of the provisions of Resolutions Conf. 2.12, 4.15, and 6.21 is necessary for the smooth functioning of the Convention.

Specifically:

1. RECOGNIZING that Conf. 2.12 requires that the parental breeding stock must be established in a manner not detrimental to the survival of the species in the wild, and that criteria established to further interpret Conf. 2.12 are intended to apply only to the breeding of species in captivity for commercial purposes, and not for other reasons,

THE CONFERENCE OF THE PARTIES TO THE CONVENTION RECOMMENDS:

- a) that the import of Appendix I specimens for purposes of establishing a breeding program to meet the special provisions of Article VII paragraph 4 would be precluded as being for primarily commercial purposes.
- b) that species being proposed as being capable of being bred in captivity in accordance with Conf. 2.12 criteria must be protected under regulations in the jurisdiction where the facility is located.
- c) that no species whose entire wild population numbers fewer than 2,000 should be accepted for certification as bred-in-captivity for commercial purposes unless obtained from captive stock that is surplus to an approved IUCN or equivalent breeding program for that species.^{2/}

- d) that number of specimens removed from the wild for parental breeding stock must not be greater than that which will be naturally replaced within one breeding season within the population from which these specimens originated.^{3/}
 - e) that other more restrictive requirements related to the no detriment determination may be imposed by the country submitting the proposal on species to be accepted as bred-in-captivity or registering a facility as producing specimens to be certified as bred in captivity.
2. RECOGNIZING that Conf. Resolution 2.12(b)(ii) states that the parental breeding stock be "maintained without augmentation from the wild, except for the occasional addition of animals, eggs or gametes from the wild population to prevent deleterious inbreeding, with the magnitude for such addition determined by the need for new genetic material and not by other factors, . . ."

THE CONFERENCE OF THE PARTIES TO THE CONVENTION FURTHER RECOMMENDS:

- a) that evidence of "deleterious inbreeding" be defined as a decline of 30 percent or more in the (1) litter or brood size, (2) the survival of young to breeding age when compared with previous generations;^{4/}
- b) that augmentation with captive-bred specimens or with wild specimens (provided by proper authorities because of unsuitability for return to the wild as a result of injuries or tameness) be permitted at any time;
- c) that the marking and inspection of specimens in captive-breeding facilities be undertaken by proper authorities in such a manner that unauthorized augmentation with wild specimens cannot occur without detection, and
- d) that the format for the proposal include the following

Operating Strategy

- (1) Description of the management of breeding stock and offspring, specifically; (a) anticipated production of offspring for next 10 years of operation, and (b) description of anticipated strategy to add offspring to the captive breeding population as future replacement stock and/or to expand the breeding population
- (2) Description of any perceived need for augmentation of breeding stock from source other than from parental stock with identification of the anticipated source.^{5/}

Marking and Inspection

- (1) Description of the marking methods to be used for breeding stock and offspring, and for specimens furnished for export
- (2) Description of the inspection methods to be used by CITES authority to confirm identify of breeding stock and offspring and detect the presence of unauthorized specimens held at facility or provided for export.

3. RECOGNIZING that Conf. Resolution 2.12(b)(iii) states that the parental breeding stock be "managed in a manner designed to maintain the breeding stock indefinitely.",

Recognizing that the intent of Article VII paragraph was not to produce specimens for restocking of wild population, and therefore, that full genetic diversity is not an essential objective for these captive populations.

Further, recognizing that genetic representation should be sufficient to minimize the development of inbreeding problems, and therefore, reduce or eliminate any need for augmentation from wild population.

THE CONFERENCE OF THE PARTIES TO THE CONVENTION FURTHER RECOMMENDS:

- a) that [to provide evidence that the species can be reliably bred in captivity] at least 50 percent of the breeding age portion of the captive specimens of this species have actually bred in captivity.^{8/7/}
- b) that to minimize the need for augmentation from the wild, the facilities' initial parental breeding stock must consist of at least 4 males and 4 females, all unrelated and all of whom must actually breed.^{8/9/}
- c) that to ensure that sufficient genetic diversity is maintained from one generation to the next so as to minimize the need for augmentation from the wild, at least 100 percent of the individuals used as founder stock must be represented in first (F₁) captive generation, and at least 75 percent of the founder stock must be represented in the next (F₂) generation.^{10/}
- d) to ensure that the facility to be registered has the expertise required to reliably keep and breed the species in captivity, the facility must be able to demonstrate that it has bred the species to at least the second generation (F₂).^{11/}

e) that the production of hybrid specimens by a facility is acceptable and that such hybrids could be eligible for bred-in-captivity certificates, provided the parental stock of each species registered by a facility is managed to be maintained indefinitely.

f) that the format for the proposal include the following

With regard to Parental Breeding Stock

(1) Description of the number of males and females to be used as founder stock, their origins and their genetic similarity or likely relationship with one another.

With regard to Husbandry and Breeding Methods

(1) Description of the history of the species' breeding performance in captivity in general with evidence that at least half of the known attempts to breed the species in captivity have been successful, or that at least half of the specimens of both sexes of breeding age held for breeding purposes have successfully produced offspring.

(2) Description of the method used at the facility to breed the species to the level of the second generation (F₂).

With regard to Operating Strategy

(1) Description of the management of breeding stock and offspring, specifically; (a) anticipated production of offspring for next 10 years of operation, (b) Description of breeding performance of each generation held in captivity, especially including records that document that 100 percent of the minimum founder stock bred successfully and that 75 percent of the founder stock is represented in the F₂ generation.

(2) Description of the facilities' strategy to minimize inbreeding and the need for augmentation from the wild.

With regard to Reporting

(1) Provide annual report to Management Authority in country in which the facility is registered. This report should include information on production, sales or exchange of birds, augmentation of breeding stock and other information to assure compliance with strategy to maintain stock indefinitely.

- 1/ These guidelines and criteria are intended for use only in deciding whether Appendix I specimens (or perhaps only for Appendix I specimens for commercial purposes) meet bred-in-captivity criteria. Less restrictive criteria might be adopted by individual countries in deciding whether Appendix II specimens should be certified as bred-in-captivity under Article VII paragraph 5.
- 2/ If the wild population numbers fewer than 500, the IUCN Captive Breeding Specialist Group considers that the population is approaching the size that may not survive based on demographic and genetic diversity factors. At least a 4-fold safety factor seems appropriate before considering whether to allow the raising of specimens for commercial purposes.
- 3/ We considered the merits of placing additional limits on how the parental breeding stock could be established, particularly if breeding population was to be especially large. Possible limitations included the number of years over which the captive population could be established with wild stock as well as a limit on number of individuals removed from the wild in any one year. In the end, we decided that 1(d) addresses the concern for initial breeding stock and that the Parties could deal with plans for further augmentation based upon information called for in 2(d)(2).
- 4/ This number is based on a statement provided by the IUCN Captive Breeding Specialist Group to the effect that generally a 10 percent decrease in survival resulted from a 10 percent increase in inbreeding, and on the assumption that a 30 percent increase in inbreeding and a 30 percent decrease in survival would probably be unacceptable to the breeder and for the long-term maintenance of the captive population.
- 5/ The concern that asking for plans to augment the captive population with wild animals might sanction unnecessary removal of wild animals was discussed as was the desirability of having any plans to use additional wild animals identified at the outset. The wording attempts to take both aspects into consideration. We considered a further statement to discourage augmentation from wild populations, but felt that this could be discussed by the Parties if significant augmentation from wild population is described in the proposal.
- 6/ The thought behind this recommendation is that it seems unlikely that especially difficult to breed species (e.g., the palm cockatoo) can be reliably bred and that efforts to breed specimens in captivity will usually not be successful and may place an unnecessary drain on wild population even though a specific breeder may be successful. Of course, this may unnecessarily penalize the successful breeder. This recommendation may warrant further discussion by the Animal Committee.
- 7/ We considered requiring the existence of 1 or 2 captive populations in addition to that population on which the proposal was based. This would provide some assurance that a single catastrophic event (tornado, disease, etc.) would not wipe out the entire captive population. We were not sure whether the Animals Committee would consider the pre-

- clusion of such a catastrophic event as within the meaning of managed in a manner to be maintained indefinitely.
 - 8/ In defining the parental breeding stock, we do not believe that all stock must be at a single facility and agree that the stock can be at multiple locations and held by more than one owner, provided that there is a written agreement providing for the maintenance of the parental stock if one or more of the owners withdraw from the consortium.
 - 9/ The number of 8 founders (4 males and 4 females) was selected based on demographic and genetic information provided by the IUCN Captive Breeding Specialist Group. Of particular note, is the 50 percent probability of a population of 4 males and 4 females going extinct in 100 generations based only on demographic considerations with a numerically stable population.
- Furthermore, there is a significant difference in effective population size required to preserve 90 percent of the original genetic diversity with 6 versus 8 initial founders (see attached graph), and the percentage of original species heterozygosity retained in a captive population with differing founder size (see attached graph).
- 10/ If 75 percent of the 8 founders breed, the F₁ generation then includes representatives of only 6 founders and we consider this a minimum genetic representation to avoid seriously inbreeding problems. Thus, we recognize that some F₁'s may not breed, but believe that once F₂ production has been achieved that all individuals are likely to breed. Thereafter, inbreeding can be minimized with proper management.
 - 11/ We recognize that the Conf. 2.12 language "manage in a manner designed to maintain the breeding stock indefinitely" does not require the production F₂ stock provided that methods and environmental conditions are the same as for captive populations that have reliably produced F₂ stock. However, for first acceptance of a species as meeting bred-in-captivity criteria, we believe that F₂ stock must have been reliably produced at that facility or facilities, if a consortium is involved.

Annex 1 to Conf. 7.xx

Format

- A. Proposal: Genus species as Bred-in-Captivity
- B. Proponent:
- C. Supporting statement:
 - 1. Taxonomy
 - 11. Class
 - 12. Order
 - 13. Family
 - 14. Genus, species and subspecies (when applicable), including author and year
 - 15. Common name(s), when applicable
 - 16. Code numbers, when applicable
 - 2. Biological Data
 - 21. Distribution (current and historical)
 - 22. Wild population (estimates, trends, and annual recruitment)
 - 23. Captive population
 - 23.1 Description of founder stock
 - 23.2 General breeding performance in captivity
 - 23.3 Methods to achieve second generation stock
 - 23.4 Specific breeding performance of population to be registered
 - 24. Management of breeding stock and offspring
 - 24.1 Anticipated production
 - 24.2 Augmentation strategy
 - 24.3 Strategy to minimize inbreeding
 - 24.4 Marking methods for breeding stock and offspring
 - 24.5 Inspection methods to detect unauthorized specimens
 - 3. Trade Data
 - 31. Illegal trade and potential benefits of bred-in-captivity certification
 - 32. Potential trade threats including potential of bred-in-captivity certification to stimulate/mask illegal trade in this or related species
 - 4. Protection Status
 - 42. National
 - 43. International
 - 5. Comments from countries of origin
 - 6. Additional information

Originally from paper by Foose, T.J., U.S. Seal, and N.R. Flesnes. 1987. "Captive propagation as a component of conservation strategies for endangered primates. In: Primate Conservation in the Tropical Rain Forest", A.R. Liss Inc. PP.263-299, and from paper with same title prepared for the IUCN Captive Breeding Specialist Group's 1987 Annual Meeting.

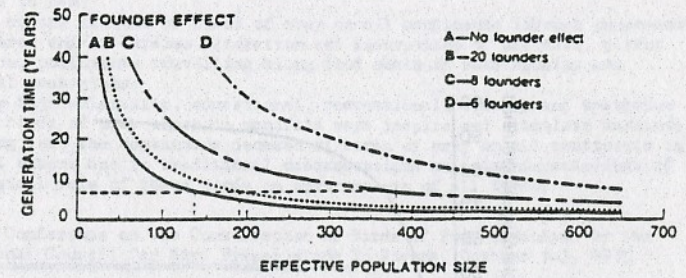


Fig. 5. N_s required to preserve 90% of original genetic diversity for 200 years if population is established by various numbers of founders assuming immediate expansion of founder groups with no loss of diversity. Adapted from graphics prepared by M. Soule and J. Ballou. From Conway (1986), with permission.

from paper titled "The State of Reptile CO-Operative Management in the U.K. and Europe: History and Proposals" prepared for IUCN Captive Breeding Specialist Group's 1988 Annual Meeting.

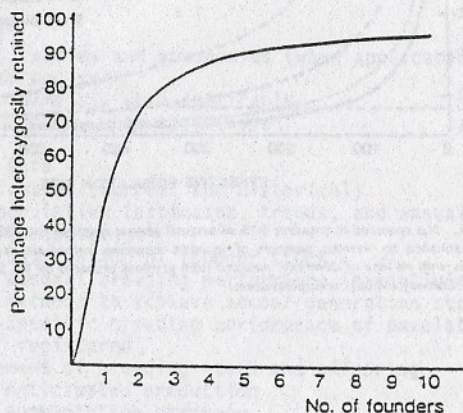


Fig.4: The percentage of original species heterozygosity retained in a captive population with differing founder size.

Realising that birds of prey (including owls) are an integral part of a living landscape in which they in many ways play an important and useful ecological role;
 Being aware that birds of prey as the last links in food chains are valuable indicators of environmental pollutants;
 recognising that a diversity of birds of prey in various types of habitats is a significant sign of well-balanced ecosystems and environmental quality of importance to man;
 Concerned at the decline of birds of prey on all continents through unnecessary illconsidered and/or careless alteration and destruction of habitats, direct persecution, pollutants travelling along food chain in both aquatic and terrestrial ecosystems;
 Noting the high scientific, educational, recreational, ethical and aesthetic values of birds of prey which in manifold ways inspire and stimulate mankind;
 Considering that the continuous decrease of birds of prey on all continents is to a great extent due to traditional misconceptions and misunderstandings of the ecological role of these birds in environments of all types;

SEE (1) (2)

The World Conference on the Conservation of Birds of Prey organised by the International Council for Bird Preservation in Vienna, October 1-3, 1975

- (1) Draws the attention of governments and conservation organisations to the need to introduce educational programmes through all media on the role of birds of prey;
- (2) Calls on governments - national and/or provincial - which have not already done so to give total protection to all birds of prey in their national and provincial legislation; and on intergovernmental organizations to intensify their efforts to further this process;
- (3) Requests governments to take urgent steps to implement existing legislation protecting birds of prey and where necessary restrict activities damaging the populations of these birds;
- (4) Urges governments of countries where endangered species or subspecies of birds of prey live to accept the ultimate responsibility for the survival of these birds;
- (5) Appeals urgently to governments to give full consideration to ecological guidelines in the use of areas essential for birds of prey to maintain a proper ecological balance in these areas as an important part of their national heritage and that of all mankind;
- (6) Recommends that the World Wildlife Fund places high priority on applications for grants for conservation of birds of prey;
- (7) Recommends the European Information Centre for Nature Conservation of the Council of Europe to dedicate one of its future information campaigns to the protection of birds of prey, in close collaboration with ICBP and other appropriate international organizations;
- (8) Recommends that national sections of the ICBP whose countries have a well-developed interest in birds of prey and adequate means for their protection should seek ways of helping national sections or other appropriate organizations in countries where popular sympathy for the protection of birds of prey is low and where legislation is inadequate, by providing resources, both educational and financial;
- (9) Recommends that bird identification tests be required as part of the licensing of hunters;

- (10) Urges the Council of Ministers of the European Communities to issue a directive to all governments within the communities to enact legislation which will afford complete protection to all diurnal birds of prey and owls;
- (11) Recommends that all governments ratify the Washington Convention on Endangered Species as a matter of urgency;
- (12) Stresses the need for comparative ecological studies of raptor populations in areas showing different population trends, and urges governments and responsible authorities
 - to stimulate and support such studies
 - to make greater use of censusing birds of prey in all parts of the world as indicators of the value of potential conservation areas;
- (13) Urges national conservation bodies and governments to set aside sufficient representative nature reserves where birds of prey live in large variety and abundance and to conserve these birds while they are still plentiful;
- (14) Urges governments and authorities to establish conservation guidelines for forestry to ensure the survival of species depending on woodland habitats and to create forest sanctuaries to protect birds of prey;
- (15) Recommends to national bodies and other appropriate authorities to set aside areas of natural beauty and recreational potential near urban or recreational centres, where birds of prey are relatively numerous, to maintain these as conservation areas and to regulate human use of these areas;
- (16) Recommends that the ICBP and cooperating international organizations actively seek to stimulate the organization of working groups in countries of Latin America, Africa, Asia and Australasia which will study the raptor and related environmental conditions in their respective countries and participate in the exchange of information and cooperative conservation measures;
- (17) Urges the authorities responsible for the maintenance, planning and construction of power lines to devise or modify them in such a way as to make them safe for birds of prey;
- (18) Urges all governments and authorities concerned to ensure adequate consideration is given to the wellbeing of the natural flora and fauna in the control they exercise over pollution and the use of pesticides in agriculture forestry and public health and to undertake monitoring by the chemical analysis of selected species amongst which birds of prey have been shown to be important. Governments should also publish appropriate records of the quantities of pesticides marketed;
- (19) Recommends a strict and total ban of poisoned baits that may harm birds of prey;
- (20) Recommends that possession of live birds of prey, and their eggs, be prohibited save under licence, to be issued by the appropriate governmental authority, for research, education, falconry and domestic breeding,
 - that censuses should be made of all birds of prey in captivity,
 - that wilful disturbance of rare nesting birds of prey, including nature photography and bird-watching, be prohibited save under licence, to be issued by the appropriate governmental authority, for research, education, falconry, domestic breeding and bird-ringing;

- (21) Recommends that governments, falconers' associations, and responsible authorities ensure that
 - where falconry is not practised, it is not introduced
 - where falconry has survived, the number of falconers should be restricted
 - that keeping birds of prey as pets by the general public be strictly forbidden.
 - that the flying of species of birds of prey not occurring naturally should be carefully controlled to prevent the accidental introduction of a breeding population
 - each falconer should be licenced
 - that keeping birds of prey on show for financial reward be strictly limited to zoos of official status and under competent scientific supervision;
- (22) Recommends that all governments declare protected birds of prey killed, illegally captured or taken under licence or found dead to be national property and not retained as private possessions, and that commercial stuffing of birds of prey be prohibited;
- (23) Congratulates the Spanish government on its excellent legislation and its educational efforts concerning birds of prey, urges the Spanish government to reconsider its policy of large scale conversion of oak (*Quercus ilex*) woods and other areas with natural vegetation in western Spain into plantations of eucalyptus and agricultural areas, thus endangering the Spanish Imperial Eagle (*Aquila heliaca adalberti*) and the Black Vulture (*Aegyptus monachus*) as well as several north European bird species wintering in those areas;
- (24) Recognising that the Mauritius Kestrel (*Falco punctatus*) is the rarest and most threatened raptor in the world and, that immediate conservation measures are necessary if this species is to survive, recommends that the government of Mauritius cooperate fully with international conservation groups in the effort to breed the kestrel in captivity and, take prompt action in protecting the kestrel's forest habitat by declaring the Black River Gorges and surrounding natural areas a National Park.

II

(Preparatory Acts)

ECONOMIC AND SOCIAL COMMITTEE

Opinion on the proposal for a Council Directive on bird conservation

The text referred to the Committee has been published in Official Journal of the European Communities No C 24 of 1 February 1977, page 3.

A. LEGAL BASIS FOR THE OPINION

On 10 January 1977, the Council referred the abovementioned proposal to the Economic and Social Committee in accordance with Article 100 of the Treaty establishing the European Economic Community.

B. OPINION OF THE ECONOMIC AND SOCIAL COMMITTEE

The Economic and Social Committee prepared its opinion on the above matter at its 149th plenary session, held in Brussels on 25 and 26 May 1977.

The full text of the opinion is as follows:

ECONOMIC AND SOCIAL COMMITTEE,

having regard to the Treaty establishing the European Economic Community and, in particular, Article 100 thereof,

having regard to the request for an opinion made by the Council of the European Communities on 10 January 1977,

having regard to the decision taken by the Bureau of the Economic and Social Committee on 25 January 1977 instructing the Section for Protection of the Environment, Public Health and Consumer Affairs to prepare an opinion and a report on the matter,

having regard to the opinion issued by the Section for Protection of the Environment, Public Health and Consumer Affairs at its meeting held on 10 May 1977,

Having regard to the report made by the rapporteur, Mrs Evans,

Having regard to the discussion at its 149th Plenary Session held on 25 and 26 May 1977 (meeting of 25 May 1977),

HAS ADOPTED THE FOLLOWING OPINION,

unanimously with 8 abstentions:

1. General Comments

1.1. The Committee very much welcomes the general principles underlying the Commission's proposals to achieve common regulations for the protection of birds throughout the States of the Community and believes this to be a most successful

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1040 BRUXELLES

might be used under special circumstances if a derogation for this was requested under Article 9.

2.7.3. The Committee drew the attention of the Commission to the words 'fire traps' in the English language text and pointed out these had no meaning and that translators should look at this.

2.7.4. In Article 8 (2) that the word 'capturing' should be replaced by the word 'pursuing', so as to make the paragraph more explicit.

2.8. Article 9

2.8.1. The absence of the possibility of derogating in order to take birds of prey for falconry was noted. It was pointed out to the Commission that this was a legitimate and ancient sport which, if properly controlled, harmed neither the birds of prey population nor the populations of birds pursued in the course of falconry. Some provisions should be made therefore to allow the continuation of this on a controlled basis.

2.8.2. It was the Committee's view that in operating this Directive account should be taken of the need to fit special circumstances to special cases, and that the aim should be to control or protect populations and not just species. This should be taken into account in the drafting of this Article.

2.8.3. It was considered that it was important to manage populations at a suitable level and thereby prevent damage. It should not be necessary to have to wait until serious damage was caused since wise management could prevent this. Derogation should

Done at Brussels, 25 May 1977.

therefore be allowed for such routine management only however, if there was no alternative solution.

2.9. Article 10

2.9.1. It was the Committee's opinion that Article 10 should have a reference to the duty of the Member States to institute educational programmes in particular the production and distribution of hunting codes and general educational material for hunters, with the aim of bringing the contents and benefits of the Directive to the attention of their inhabitants.

2.10. Article 13

2.10.1 The Committee considered that the Annexes should take more account of locally common populations. It might well be possible to exploit a population in one part of the EEC's territories, but a need to protect it elsewhere. The Commission should take technical advice on this so as to achieve a realistic protection policy for the EEC as a whole.

3. Annexes

3.1. The Committee recommended that a further examination of the Annexes was needed in the light of the comments made on the various Articles. Most particularly the need perhaps to protect certain populations while allowing exploitation of other populations; the possibility of allowing the commercial exploitation of dead birds of species designated in Article 11 part III as pests; and the possibility of allowing egg harvesting of pest populations and the sale of the eggs. All these it was considered would improve the Directive and allow legitimate exploitation of common and harmful species, but in no way lessen protection of useful or rare species.

The Chairman
of the Economic and Social Committee
Basil de FERRANTI

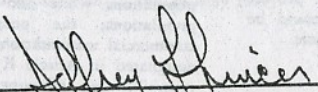
Resolution #85-9

RESOLUTION OF FALCONER'S
CONTRIBUTION

WHEREAS, IMPORTANT RAPTOR CONSERVATION TECHNIQUES,
INCLUDING CAPTIVE BREEDING AND REINTRODUCTION OF
RAPTORS, HAVE BEEN PIONEERED AND DEVELOPED
LARGELY BY FALCONERS;

THEREFORE BE IT RESOLVED THAT THE CONSERVATION COMMUNITY
OWES FALCONERS A DEBT WHICH SELDOM HAS BEEN
RECOGNIZED, AND ENCOURAGES THE CONTINUED
PARTICIPATION OF FALCONERS IN RAPTOR
CONSERVATION PROJECTS.

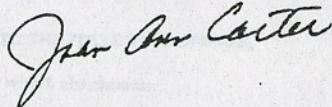
THE RAPTOR RESEARCH FOUNDATION, INC.



Jeffrey Lincer, President

12/19/85
Date

NOTARY PUBLIC STATE OF FLORIDA
BY COMMISSION EXPI. APR. 1, 1988
SERVED UNDER GENERAL INS. 380.





The International Association for Falconry and Conservation of Birds of Prey

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

Français au verso

Seventh Meeting of the Conference of the Parties
Lausanne (Switzerland), 9-20 October 1989

Two resolutions (enclosed) will be proposed to the Conference of the Parties concerning captive breeding of Appendix I animal species.

Falconry depends largely on captive breeding for its supply of hawks, especially falcons.

Falconry has been approved by the International Council for Bird Preservation (ICBP) in 1975 (recommendation enclosed p.30-32). The European Economic Community (EEC) recognises Falconry as a "legitimate sport" (report enclosed p.33). The Raptor Research Foundation has paid homage to the falconers for the part they have taken in developing captive breeding techniques (resolution enclosed p.35).

Although falconers have no commercial aim, they are submitted to all CITES formalities like traders. One must expect that the proposed resolutions, although relating only to commercial captive breeding, will also apply to the breeding conducted by amateurs on a non-profit making basis.

No falconer-breeder can meet the requirements laid down in the proposed Resolutions, very few professionals will.

If those resolutions are adopted, it will mean the end of amateurs' captive breeding and so the end of falconry.

It is nowadays possible to prove irrefutably the relationship of young with their parents thanks to the technique of "genetic fingerprinting".

It is therefore no longer necessary to take complicated measures of control especially such sophisticated measures as those described in the draft resolutions. Moreover these resolutions will increase the administrative burden out of all proportion to the very small risk of fraud.

These resolutions contain far-reaching breaches of the owner's right and of the freedom of the citizen.

These recommendations could start the lingering death of falconry.

in the name of the falconers from the 17 countries represented by IAF (W-Germany, Austria, Belgium, Hungary, Ireland, Italy, Denmark, Spain, France, Great-Britain, Netherlands, Poland, Switzerland, USA, Japan, South Africa, Tunisia), we recommend to reject the two resolutions. Another solution would be to explicitly exempt from the provisions of the resolutions, the captive breeding aimed at supplying falconers on a non-profit making basis.

Thank you!

Christian de Coune

President



The International Association for Falconry and Conservation of Birds of Prey

CONVENTION SUR LE COMMERCE INTERNATIONAL
DES ESPECES
DE FAUNE ET DE FLORE SAUVAGES
MENACEES D'EXTINCTION

English overleaf

Septième session de la Conférence des Parties
Lausanne (Suisse), 9-20 octobre 1989

Deux résolutions (ci-jointes) seront proposées à la Conférence des Parties concernant l'élevage en captivité d'espèces animales de l'Annexe I.

La fauconnerie dépend largement de l'élevage en captivité pour son approvisionnement en rapaces, particulièrement en Faucons.

La fauconnerie a été approuvée par le Conseil International pour la Protection des Oiseaux (CIPO-ICBP) en 1975 par deux recommandations (ci-jointes p.31,32)

La Communauté Economique Européenne (CEE) a reconnu que la fauconnerie est un "sport légitime" (ci-joint p.33).

La Raptor Research Foundation a reconnu le rôle joué par les fauconniers en matière de reproduction en captivité (ci-joint p.35).

Bien que n'ayant pas un but commercial, les fauconniers sont soumis à toutes les formalités prévues par la CITES pour les commerçants. L'on peut donc s'attendre à ce que les résolutions proposées, quoique portant sur l'élevage commercial, soient appliquées à l'élevage réalisé par des amateurs sans but lucratif.

Aucun fauconnier-éleveur ne peut satisfaire aux exigences exorbitantes contenues dans les deux résolutions proposées, même très peu de professionnels en sont capables.

Si ces résolutions sont adoptées, ce sera la fin de l'élevage de rapaces réalisé par des amateurs et la mort de la fauconnerie!

Il est actuellement possible de prouver irréfutablement la parenté entre les jeunes et leurs parents grâce à la technique du "marquage génétique". Il n'est dès lors plus nécessaire de prendre des mesures compliquées de contrôle et certainement pas des mesures aussi sophistiquées que celles contenues dans les deux résolutions.

Par ailleurs, ces mesures occasionneront une charge administrative hors de proportion avec le risque minime de fraude.

Ces résolutions portent très gravement atteinte au droit de propriété et à la liberté du citoyen.

L'agonie de la fauconnerie commence avec ces résolutions!

Au nom des fauconniers des 17 pays que représente l'IAF (Allemagne Fédérale, Autriche, Belgique, Hongrie, Irlande, Italie, Danemark, Espagne, France, Grande-Bretagne, Pays-Bas, Pologne, Suisse, USA, Japon, Afrique du Sud, Tunisie) nous recommandons le rejet pur et simple de ces résolutions. Une autre solution pourrait être d'exempter explicitement de ces résolutions, l'élevage en captivité de rapaces destiné à approvisionner les fauconniers sans but lucratif.

Christian de Coune
Président.