



The International Association for Falconry
and Conservation of Birds of Prey

NEWSLETTER

2 - 1997



The International Association for Falconry
and Conservation of Birds of Prey

President
Christian de Coune
"Le Cochetay"
B-4140 Gomzé-Andoumont
Belgium

Tel : 04/368 40 21
Fax : 04/368 40 15

E-mail : c.decoune@infokoard.be

Hon. Secretary
Patrick Morel
Rue de Longueville, 13
B-1315 Sart-Risbart
Belgium
Tel : 010/88 11 99
Fax : 010/88 11 77

Member of
IUCN
The World Conservation Union



The International Association for Falconry
and Conservation of Birds of Prey



NEWSLETTER

SUMMER 1997



9th-20th June 1997 Harare, Zimbabwe



NEWSLETTER
2/1997

August 1997

**10th CONFERENCE OF THE PARTIES TO THE
C.I.T.E.S.**

The 10th Conference of the Parties to the CITES took place in Harare (Zimbabwe) from 9th to 20th June 1997.

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First of all, I wish to underline how kindly our team of five falconers has been welcomed by the Zimbabwe Falconers' Club.

We were very generously welcomed by Gary Stafford who accomodated us free of charge in two brand new lovely cottages of his holiday resort situated on the side of Lake Chivero thriving with wildlife.

In addition to that, Gary put his Mercedes for the two weeks of the Conference at our disposal.

Gary is a very talented falconer, thanks to him we had very exciting experiences and very good hawking.

The friendship of the Stafford family made us feel at home. Great thanks to them.

Needless to say that Gary's generosity has also been a great relief to IAF's budget.

During the mid-conference week-end we were marvellously hosted by Sally and Adrian Langley at their gorgeous African Sky Hunters safari lodge, where we lived like kings.

We had a very good time in a breathtakingly beautiful landscape of savannas and saw a very high level of falconry on wild game in a wild surrounding.

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Besides being the decision making body of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the Conference of the Parties (CoP) was a huge gathering of almost 2,000 people from all over the world.

129 Contracting Parties were represented by 736 persons, ministers or high ranking civil servants. This figure is remarkable insofar as it represents 93.5 % of all the Contracting Parties!

Observers constituted a large part of the total attendance :

- 7 countries non-party
- 5 United Nations organisations
- 45 international organisations
- 105 national organisations

were represented by 403 persons.

The Press totalled 493 persons. The CITES Secretariat and their helpers, 2-300 persons with 500 visitors to be added to that figure.

As a comparison, the Kyoto Conference was attended by some 1,600 persons and the Fort Lauderdale Conference, by 1,400.

On the first day a total of 4,000,000 pages of documents was distributed.

It was an enormous task for the CITES Secretariat to make this huge machine work, and it did work to everybody's satisfaction.

A great achievement!

More than any other event, a CITES CoP is a unique opportunity for the IAF to convey its message to the most appropriate ears : what falconry is and what falconry is not.

This time, falconry was strongly represented :

- Tim Kimmel, president of NAFA
- Frank Bond, legal adviser of NAFA
- Tony Crosswell, BFC
- Nick Fox, National Avian Research Centre (Abu Dhabi)
- myself.

One issue was specifically of interest to the falconers : the creation of a "falconry passport".

Another topic was also important to us : the revised definition of "captive bred specimen".

Besides dealing with those two issues, I took advantage of this huge gathering to have corridor conversations; I have abstracted from my diary a few of these interviews :

Georgia

It was the first time this country was present at a CITES CoP. Peregrine Falcon is a rare breeder in Georgia, the reason of that scarcity is not clear; I suggested that it may have always been rare; as historical data are lacking there is no clear answer to this. The status of Bearded Vulture and White Tailed Sea Eagle is similar to that of Peregrine : rare, but why? Lesser Kestrels are doing very well. The situation of the Golden Eagle is good

and Harriers are increasing since some pesticides are no longer in use. Hunting may only be practised in designated areas, but these areas have not yet been designated. Such restrictions do not apply to falconry nor to migratory bird hunting.

India

Every form of hunting has been banned since 1991. Attempts made to allow some shooting have failed because controls would be too difficult to apply. The possibility of allowing some foreigners to shoot has also been rejected, because nationals would claim the same right; directing to the local communities the money that would have been so generated would have been too difficult to arrange.

Legalising falconry in view of its glorious tradition would pose the problem of controls.

I have given the IAF "falconry Model Regulation" and organised a meeting between a member of the official Indian delegation and Humayun Taher, the President of the Hawking Club of Hyderabad who currently lives in Zimbabwe.

I was happy to state that the said official delegate and myself have lots of friends in common in India, especially among bird of prey enthusiasts.

Turkey

The Bern Convention (Council of Europe) had indicated to Turkey that they had to give legal protection to all birds of prey; since then the Turkish authorities have banned falconry as a result.

Some years ago, special permits had been issued for falconry, 650 Sparrowhawks were ringed and licenced. The year after, falconry was banned again, but the hawks kept under licence could be held by their owners, but would not be replaced after their death or escape.

The Central Hunting Commission recommended the ban, because of the difficulty of adequate controls. They promote captive breeding instead of trapping passage Sparrowhawks. There is a falconry association in N-E Turkey.

Saudi Arabia

A member of the Saudi delegation suggested the idea of an international gathering of falconers all over the world. I said it would be a good opportunity for holding IAF's general meeting.

Byelorussia

I met the Minister of the Environment. He is aware of the IAF joint project "RAPTORS IN BELARUS" and informs me that his Ministry is extending help to it.

I introduced the IAF in some details to him, especially the "Conservation of Birds of Prey" aspect of it.

MOROCCO

Falconers have formed an association headed by a Member of the Parliament. Now there are two associations.

I have expressed the wish to establish relationship with those

associations and I have proposed IAF's assistance if need be.

Chile

Falconry is practised by a very small number of persons who are members of the Ornithological Society.

El Salvador

A bit before the CITES Conference, I had been contacted by a person who had been practising falconry for many years. He had explained to me that the CITES Secretariat had put pressure on his country to adopt a legislation protecting wildlife.

I approached the official delegation of El Salvador expressing the wish that falconry should not be forgotten in the future Law for Environmental Protection that will have to be adopted within the next 24 months.

I handed over the "IAF's Falconry Model Regulation".

Bulgaria

There is competition between Peregrine falcons and Saker Falcons for rocky nest site. The Peregrine seems to be the winner: the Saker Falcon population is decreasing and the Peregrine is increasing.

The law on hunting will be modified. It is expected that it will be a long process due to the political situation.

I have given the "IAF's Falconry Model Regulation" to be handed on to the official in charge of hunting matters.

Bulgaria has new coins showing a historical king of Bulgaria riding a horse and carrying a falcon on his fist.

Zimbabwe

I had been asked to arrange a meeting between Arthur Dunkley, senior member of the Zimbabwe Falconers' Club and the Director of the Department of National Parks and Wildlife Management.

I am happy to say that the meeting took place and that the conversation on legal and administrative aspects of falconry was very straightforward and constructive.

European Union

The European Commission had convened a meeting of all European non-governmental organisations represented at the Conference. The question of "falconry Passport" was not addressed. This meeting was a good opportunity to make contacts, or to improve the relationship of the IAF, with the EU authorities, with the delegates of Member-States and with some NGOs.

Mauritius

The Mauritius Kestrel (*Falco punctatus*) has remarkably recovered from its lowest level of 4 specimens to 120 breeding pairs (300 birds in total) thanks to the reintroduction of captive bred birds.

Another victory of "hands-on management"!

I have spoken with delegates of a good many other countries in order to promote the resolution on "Frequent Transborder Movements of Personally Owned Live Animals".

Before the Conference, I had sent letters or faxes to more than 100 countries (in English, Spanish and French) to advocate in favour of that Resolution.

The International Wildlife Management Consortium (Eugène Lapointe, former CITES Secretary General) had sent a letter of recommendation to each and every CITES country.

Overall the reactions were positive. The argument of administrative simplification and more realistic statistics appeared to have been quite convincing.

I have not met with any negative attitude towards falconry; this is the result of a marked evolution in the state of mind of the officials as well as of the nature conservation circles. The philosophy of wise and sustainable use of the natural resources has been making marked progress. Falconry is obviously to benefit from that evolution too.

An enormous gathering like the CITES Conference is a unique opportunity for promoting the application of that philosophy to falconry.

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Registration of FALCON CENTRE HALVESIEK

The German authorities had requested the CITES Secretariat to register the commercial breeding centre of Gyrfalcons and Peregrine Falcons (App. I) belonging to Müller & Kuspert. The Secretariat had notified this application for registration to the Contracting Parties. Four countries have objected, the result of which was that the application for registration had to be decided by the Conference of the Parties with a 2/3 majority.

The Secretariat itself had objected that two of the owners of the Centre had been sentenced in France for smuggling 5 Peregrines as well as Peregrines' eggs and that they were being prosecuted in Spain.

The German authorities replied that they have made careful enquiries and that they haven't found any fraud nor any infraction that could have led to a court action. They concluded that there were no grounds for rejecting the application and that they had no reasons to doubt about the good faith of the breeding centre.

A part of the delegates was of the opinion that if an application meets the requirements of the Convention and receives the approval of the authorities of the country concerned, there should be no reason for rejecting it.

Other Parties objected that the reliability of the applicant was questionable in view of his past and did not offer the necessary guarantees against possible frauds.

The delegate of Zimbabwe (Peter Mundy) said that the Peregrine Falcon should no longer be listed in Appendix I because it is no longer threatened.

Frank Bond took the floor to stress the importance of captive breeding and said that NAFA would not support the registration of a breeding operation of Appendix I species if its managers have been sentenced for fraud.

I took the floor to say that falconers are law abiding citizens and that they would not smuggle birds whereas they can easily be obtained through legal channels. I added that I wished that the good reputation of falconers should not be damaged by possible illegal practices of one commercial breeder.

I had feared that the discussions might be deviated and would have give rise to critics against falconry; this has fortunately not been the case.

The Application has been rejected by 36 votes against and 10 in favour.

A FALCONRY PASS

You may remember that at the 9th COP in '94, I addressed the problem of frequent border crossings by falconers, the CITES Secretariat took an official position saying that falconry birds travelling with their owner could be exempted from such formalities.

After several consultations, I drafted a text of a resolution on "frequent trans-border movements for falconry purposes". This text was taken over by Switzerland and proposed to the Animals' Committee.

Tony Crosswell (BFC), Frank Bond (NAFA) and myself attended the meeting of the Animals' Committee in the Czech Republic, 23-27 September '96..

The president of the Animals Committee had modified my text quite thoroughly, especially by expanding its scope to all "personally owned live animals". The Animals' Committee approved it.

The approved text has been officially proposed by Switzerland and Germany as a Draft Resolution of the Conference of the Parties to the CITES to be hopefully adopted in Harare.

We were a team of five in Harare to support the German-Swiss proposal, Tim Kimmel, president of NAFA, Frank Bond legal adviser of NAFA, Tony Crosswell of the British falconers' Club, Nick Fox

of NARC (Abu-Dhabi) and myself.

The draft Resolution had been distributed with comments by the CITES Secretariat. Although recognising that repeated formalities would not benefit nature conservation and that the resolution would be a useful administrative simplification, the Secretariat expressed fears that the proposed system might give rise to frauds.

It was obvious that steps had to be undertaken to meet the worries of the Secretariat.

In the meantime, we had been contacted by representatives of interested groups that may be considered as opposed to fieldsports: Agentur Wildtierschutz, Animal Defenders, Born Free Foundation, Humane Society of the United States.

They proposed to make some changes to the text of the proposal. We held a meeting with the representatives of the above mentioned organisations and agreed on some amendments to be proposed to Germany and Switzerland.

These amendments were very reasonable and pragmatic : one animal per document, the Customs will have to validate the document.

I reproduce hereafter the document proposing the amendments.

That document is interesting insofar as it contains side by side "animal rightists" and falconers.

This joint document also confirms that in the international circles, whether governmental or non-governmental, the reputation of falconry has improved very much over the last decade.

The suggested amendments were accepted by the proposing countries and a revised version was submitted to the Parties as the very last item on the heavy agenda of the day after.

We were hoping that that documents would, like some other ones, pass almost unnoticed and be approved without too much discussion. Being the last point on the agenda of a tiring day, this could well have happened like that.

An illusion!

Our "Pass" gave rise to very active discussions. The chairman intervened pointing out that there was obviously no majority in favour of the document and he proposed to reject it.

The Swiss and the German delegates took the floor and defended very strongly their amended proposal. They concluded by proposing to form a small working group to amend once more the text to accommodate the concerns expressed during the discussions and to submit a revised text the day after.

The chairman decided to vote on the forming of such a working group or on the rejection of the document and he added that the votes would constitute an indication on the attitude of the committee.

The result of the votes was 41 in favour of forming a working group and 17 against.

A great relief!

The German and the Swiss delegates together with a member of Traffic South Africa and myself held a short meeting and agreed on a few changes.

A second revision of the text was proposed to the Parties the day after, no one made a comment and the text was then approved unanimously by the Committee II (the Conference of the Parties is divided into two Committees that prepare the issues to be voted on by the Plenary Session).

The draft resolution as adopted unanimously by the Committee II was also adopted unanimously by the Plenary Session of CoP 10. It then became officially a Resolution of the Conference of the Parties to the CITES.

The text of the Resolution is reproduced below.

Not only will this Resolution make things easier for the falconer who travels, it is also the unanimous recognition by 129 countries that falconry is a "legitimate purpose". Falconry has always been so far on a defensive position, now it is becoming much more proactive.

Reasons behind this success story.

Most probably the main reason is the improved acceptance of falconry in international circles, whether political or scientific.

The effort of promoting the "falconry passport" itself has definitely played its part in this success. This started in 1994 at the 9th CoP where the idea of facilitating transborder movements of falconers was acknowledged by the CITES Secretariat.

Preparing a first unofficial pre-draft resolution and having it endorsed by Switzerland and afterwards by Germany too set the ball rolling.

The work that has been done at the meeting of the Animals' Committee in the Czech Republic by our team of three, Frank Bond, Tony Crosswell and myself made our dream into reality.

Our team of five in Harare (Tim Kimmel, Frank Bond, Tony Crosswell, Nick Fox and myself) participated in all the sessions and small working groups where the issue was addressed. This resulted in the fact that we were associated to the amendments of the text. It is far more productive to be there when the text is being drafted rather than criticising it afterwards!

Individual lobbying has played a role, which is difficult to

measure but which is a part of the strategy which has resulted in the improved image of falconry. This lobby started before the Conference : I sent letters and faxes recommending a vote in favour of the Resolution. (I enclose the list of the letters sent before the CoP) The World Conservation Trust IWMC sent a letter to all the Contracting Parties (see attached copy). I have handed to my interlocutors over a leaflet in French, English and Spanish (see attached copy) as well as a 12 page booklet containing the text of the draft Resolution, arguments in favour of the adoption : "ten good reasons to vote in favour, five bad reasons to vote against" and a few supporting documents in favour of falconry. The other members of our team have also actively advocated in their corridor conversations in favour of the adoption of the "pass". Since the last three Conferences of the Parties the wildlife users' interests have been increasingly well organised (the anti-lobby too). For instance, the World Conservation Trust - IWMC published a newsletter every day in the three official languages of CITES and held well attended meetings every evening. The American wildlife users were also well organised and held a meeting every morning under the chairmanship of Safari Club International. To all those who have played directly or indirectly a part in the success of the "pass", I give great thanks, we all owe you a lot.

Very special thanks are given to the Delegates of Switzerland and Germany. Not only they accepted to officially propose a Resolution on falconers' transborder movements, but they defended their draft with energy and talent. The dialog between them and us was very straightforward. We also owe very much to Mr Jenkins the President of the Animals' Committee who worked out the text of the draft resolution. Many thanks to (in alphabetic order) Thomas Althaus, Peter Dollinger, Gerhard Emonds, Dietrich Jelden and Hank Jenkins, falconry owes you a lot!

And now?

The resolution will come into force three months after the Conference.

The "passport" needs the "agreement between parties concerned". Who are the "Parties concerned"? It's your country. It is then for the national falconers' associations to persuade their country to adopt an Agreement with the other countries concerned.

The European Union will have to adapt its legislation to be able to adopt Agreements with other Parties concerned and to fit the "Pass" in its legislation. At a very recent meeting of the member States there was a unanimous will to make every adaptation of the European legislation necessary to implement the Resolution on the

Conference of the Parties on Frequent Transborder Movements of Personally Owned Live Animals.

The Resolution is not the end of a story, it's the beginning of a new one. The IAF is at your entire disposal to assist you in your efforts to make the "falconry Pass" work in your country.

Whatever the end-result, one thing is definitely acquired : the recognition by 129 countries that falconry is a "legitimate purpose".

Other issues

There were more than 60 proposals for listing, uplisting or downlisting species of flora or fauna in the Appendices of the Convention.

The African Elephant.

The proposal to downlist from Appendix I to Appendix II the populations of Zimbabwe, Botswana and Namibia has been adopted after long and difficult discussion. It was agreed that these countries will be allowed, 21 months after the CoP to export an experimental quota of raw ivory in one single consignment to Japan.

The White Rhinoceros

The proposal to downlist from App. I to II with a "zero quota" was rejected.

Sturgeons

23 species of Sturgeons have been included in Appendix II. Most of their species are sharply declining due to the important trade in caviar. 250 grams caviar per person are classified as "personal effects" and exempt from control.

Whales

All Whale species are in Appendix I. Japan and Norway proposed to downlist some species or populations. All these proposals were rejected.

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OTHER IMPORTANT ITEMS

Some proposals of interpretation or implementation of the Convention were examined. Besides the one on "frequent transborder movements...", a few other ones were of some interest to falconers.

Primarily Commercial Purposes

The importation of Appendix I specimens may not take place for "primarily commercial purposes".

In 1985, the CoP5 has attempted to give a definition of "primarily commercial purposes". The attitude towards wildlife trade has evolved over the years and now the principle is admitted that trade may in some case benefit the species. It was proposed to make an exception if the money so generated would go to conservation or management programs of the species concerned or to the development of local communities.

This issue will most probably not have any impact on falconry, but it shows the evolution in favour of sustainable use of the wild resource.

If transactions for commercial purposes are admitted for appendix I species, it should be all the more so if the purpose is of no commercial nature.

Hybrids

Hybrids may be listed in the appendices of the Convention if they form a stable population in the wild. I do not know if there have been any such cases.

There was a proposal to treat as an Appendix I species the hybrid that had in its parentage a wild specimen of an Appendix I species, the other hybrids being treated as Appendix II. This has been accepted.

There was a proposal to consider a specimen whose father and mother are hybrids as not covered by CITES, but it was not accepted.

In fact this resolution does not make much of a difference compared with the previous system.

Captive breeding

As you know, captive bred specimens of Appendix I may be treated as Appendix II species if bred for commercial purposes.

In 1979 a definition of "captive bred" was adopted that related to Appendix I specimens bred for commercial purposes.

This time the definition of "captive bred" has been extended to non-commercial purposes and made valid for all appendices.

Compared to the 1979-criteria, the new Resolution contains some more flexible provisions.

One of those provisions being a list of species that are "commonly bred to the second generation".

The composition of that list will be examined by the Animals' Committee at its next meeting.

The Committee will also examine the need for changes to the existing registration system for commercial breeding operations of Appendix I species.

What about the EU?

The "Euro CITES" regulation contains a definition of "captive bred" that is based on the 1979-criteria. These criteria having been somewhat modified by the new Resolution, the EC Commission is considering amending its Regulation in order to accommodate all or some of the changes that have been decided by the Conference of the Parties. A new EC Commission Regulation may be

expected within the next few months.
The text of the Regulation is attached.

Review of alleged infractions.

There was a single case involving birds of prey, leaving aside a case relating to a White Tailed Sea Eagle (*Haliaeetus albicilla*) and the confiscation of bird of prey skins.

I tried to obtain details from the exporting country about the above mentioned single case, the delegate of which did not seem to know what it was about. It was apparently a pure administrative problem concerning captive bred birds. That's all. (When I say that falconers are law abiding citizens...)

Next Conference.

The CoP 11 will be held in the end of 1999 in Indonesia, probably in Jakarta.



IAF's LOBBY

COP.10
FALCONRY PASS
MAILING by the
IAF

Following countries have received a personal letter early May :

Austria	Cyprus
Norway	Ethiopia
Denamrk	Mexico
	Jordan
Italy	Russia 2x
Sweden	Rumania
Spain	Poland 2x
Finland	Hungary
Pakistan	Estonia
Malta	Czech Rep. 2x
Iran 2x	Bulgaria

Following countries have received a non-personal fax 30th May

in English

Aruba	Guyana	Netherlands	U-K
Austria	Hong-Kong	North-Ireland	USA
Australia	Hungary	Norway	Zimbabwe
Bahamas	Indonesia	Philippines	
Botswana	Israel	Poland	
Cayman Is	Japan	Russia	
Cook Is	Jersey	St Vincent	
Cyprus	Jordan	Seychelles	
Denmark	Kenya	Singapore	
Egypt	Korea	South Africa	
Ethiopia	Macao	Sudan	
Germany	Malawi	Sweden	
Gibraltar	Malaysia	Thailand	
Greece	Malta	Trinidad & T.	
Greenland	Mozambique	Uganda	
Guernese	Nepal	U.Arab Emirates	

In French

Benin	France	Morocco
Cameroun	Gabon	Portugal
Centrafrique	Guinea	Senegal
Chad	Luxemburg	Togo
Ivory Coast	Madagascar	Vanuatu
Guinea	Mali	New Caledonia

In Spanish

Argentina	Cuba	Panama	Uruguay
Belize	Ecuador	Peru	
Chile	Honduras	Spain	
Costa Rica	Nicaragua	Venezuela	

The 20 countries member of the IAF have been requested to write a letter of support to the CITES Management Authority of their country.

The International Wildlife Management Consortium (E.Lapointe) has sent a letter of recommendation to each and every CITES Party.



The International Association for Falconry
and Conservation of Birds of Prey



Doc.10.73

MOUVEMENTS TRANSFRONTALIERS FREQUENTS
FREQUENT TRANSBORDER MOVEMENTS
MOVIMIENTOS TRANSFRONTERIZOS FRECUENTES

VOTE : OUI-YES-SI

. DEPLACEMENTS - NON-COMMERCIAUX
- SANS TRANSFERT DE PROPRIETE
- TEMPORAIRE (RETOUR AU POINT DE DEPART)

. TITULAIRE accompagne toujours SPECIMEN + DOCUMENT
. MESURE PLUS STRICTE que CITES VII, 3

SECRETARIAT a déclaré :

"..... fauconniers et leurs oiseaux qui voyagent temporairement d'un pays à l'autre."
"Le Secrétariat déclare ... que, dans de tels cas, la dérogation prévue au paragraphe 3"
"de l'Article VII de la Convention peut s'appliquer à ces animaux." (Com-II 9.2. p.4)

COMITE POUR LES ANIMAUX a approuvé Doc.10.73

COMITE PERMANENT a révisé texte de DOC.10.73

Système actuel : Voyage temporaire du Pays A vers le Pays B et retour :

Exportation de A vers B
Importation en B de A
Exportation de B vers A
Importation en A de B

4 formalités
Statistiques : 4 transactions

Nouveau Système (Doc.10.73)

1 document tous les 3 ans
Statistiques : 0 importation 0 exportation

SIMPLIFICATION ADMINISTRATIVE
VOTEZ OUI

English overleaf
Español al dorso

CHRISTIAN de COUNE, President - Le Cochetay, Thier des Forges 85 - B-4140 Gomzé-Andoumont (Belgium)

☎ : + 32 4 368.40.21 • Fax : + 32 4 368.40.15 • E-Mail : c.decoune @ infoboard.be

IWMC World Conservation Trust

Document Doc. 10.73
Objet Mouvements transfrontaliers fréquents d'animaux vivants en possession personnelle
Auteur La Suisse

RECOMMANDATION – ADOPTION

L'IWMC recommande vivement de soutenir la résolution proposée qui vise à améliorer certaines transactions mineures.

CONTEXTE

1. Lors de la dernière Conférence des Parties en Floride, en novembre 1994, on avait soulevé le problème des franchissements fréquents de frontières par un fauconnier se rendant à la chasse avec son/ses oiseau(x). Le Secrétariat avait fait la déclaration suivante: "... fauconniers et leurs oiseaux qui voyagent temporairement d'un pays à l'autre. Le Secrétariat déclare avoir contacté l'Association Internationale de la Fauconnerie et de la Conservation des Oiseaux de Proie afin de clarifier ce problème particulier et ajoute que, dans de tels cas, la dérogation prévue au paragraphe 3 de l'Article VII de la Convention peut s'appliquer à ces animaux." (Com. II 9.2, p.4). Le Secrétariat a également déclaré: "La dérogation prévue par les dispositions en matière d'effets personnels du paragraphe 3 de l'Article VII, peuvent s'appliquer dans certains cas à des déplacements d'un pays à l'autre d'oiseaux appartenant à des fauconniers" (Doc. 9.22, p.8). En d'autres termes, le moins que l'on puisse dire, c'est que le Secrétariat s'avère ne pas être adversaire d'un régime plus souple pour les fauconniers qui voyagent.
2. Le texte de la résolution proposée par le Gouvernement Suisse *et al* a été approuvé par le Comité pour les Animaux de la CITES après de longues discussions approfondies. Ils ne peuvent pas avoir tous tort. Généralement la Conférence des Parties adopte les propositions qui ont été approuvées par le Comité pour les Animaux.
3. Lors d'une réunion du Comité permanent de la CITES, le projet de résolution qui avait été approuvé par le Comité pour les Animaux a été revu et quelques modifications mineures de nature rédactionnelle y ont été apportées. Si les deux organes principaux de la CITES ont approuvé ce texte, il serait logique que l'attitude de la Conférence des Parties ne soit guère différente.

World Conservation Trust IWMC

3 Passage Montrosson
1006 Lausanne, Switzerland
Tel/Fax: (41 21) 616-3000
email: hlapointe@pingnet.ch

1127 King Arthur Court, unit
303 Dunedin, Florida, USA 34698
Tel/Fax: (813) 734-4949
email: iwmc@gate.net

Amis de la conservation de la nature,

L'IWMC World Conservation Trust est heureux de collaborer avec les Parties à la CITES, avec le Secrétariat CITES et avec les ONG tournées vers la conservation et la gestion des ressources naturelles, pour que la 10^e session de la Conférence des Parties soit un succès.

Afin que vous connaissiez la philosophie de base et la mission de l'IWMC World Conservation Trust, nous vous faisons parvenir ci-joint ses recommandations au sujet des propositions et des projets de résolutions qui seront examinés à la session qui se tiendra prochainement à Harare.

Les recommandations de l'IWMC sont formulées sur la base des relations fondamentales qui existent entre l'homme et son environnement naturel. Elles portent sur des propositions d'amendement des annexes et sur des questions clés. Les propositions et les questions qui ne sont pas traitées dans les documents ci-joints le seront après que l'IWMC aura reçu les analyses de son propre groupe d'experts.

Dans ses prises de position, l'IWMC World Conservation Trust est guidé par son désir de promotion d'une approche dynamique et orientée vers des solutions des problèmes relatifs aux espèces sauvages. Trois des principales lignes directrices suivies pour l'élaboration de ces recommandations sont la recherche des avantages potentiels en faveur du développement de l'homme, ainsi que de la conservation des espèces visées, et le respect des droits souverains de nations indépendantes. Bien que l'on parte du principe que les membres de l'IWMC souscrivent à sa philosophie, cela n'implique pas nécessairement que tous les membres de l'organisation et toutes les institutions qui la soutiennent doivent s'engager à suivre chacune des recommandations.

Je me réjouis de vous rencontrer prochainement à Harare.

Veuillez agréer, chers amis, mes plus respectueuses et néanmoins cordiales salutations.

Eugène LAPOINTE
Président de l'IWMC
Ancien Secrétaire Général de la CITES (1982-1990)

IWMC World Conservation Trust

Document Doc. 10.73

Subject Frequent transborder movements of personally owned animals

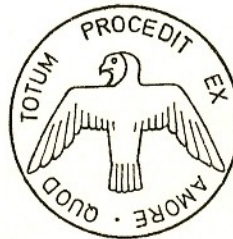
Proponent Switzerland

RECOMMENDATION - SUPPORT

IWMC strongly recommends supporting this proposed resolution that aims at correcting some inconsequential actions.

BACKGROUND

1. At the last Conference of the Parties in Florida, November 1994, the problem of frequent border-crossings of the falconer going on a hunting trip with his bird(s) had been raised. The Secretariat made the following declaration: "... falconers and their birds making cross-border journeys of short duration. The Secretariat pointed out that it had contacted the International Association for Falconry and Conservation of Birds of Prey to clarify this particular issue and that in such cases the animals could be exempt under the terms of paragraph 3 of Article VII of the Convention." (Com. II 9.2, p.3-4). The Secretariat declared further that: "The exemption under the provision for personal effects under Article VII, paragraph 3, of the Convention may apply in certain cases to movements between countries of birds of prey owned by falconers." (Doc. 9.22, p.8) In other words, the least one can say is that the Secretariat appears not to be against a more flexible system for travelling falconers.
2. The text of the Resolution submitted by the Swiss Government *et al* has been approved by the Animals Committee (AC) of the CITES after long and in-depth discussions. They cannot all be wrong. Usually the Conference of the Parties adopt proposals that have been approved by the Animals Committee.
3. At a meeting of the Standing Committee of CITES, the draft that was approved by the AC has been reviewed and minor editorial amendments have been made. If two of the main bodies of the CITES have approved that text, it would be logical that the attitude of the Conference of the Parties would not be much different.



IAF-ZBTA JOINT PROJECT

1995 - 1999

"RAPTORS OF BELARUS"

"ENTERING INTO NEW CENTURY"





The IAF is also a nature conservation organisation

If you have already contributed to the WBSBP - IAF joint project, I thank you once more wholeheartedly.
If you have not yet, you just fill in the attached form and send it back to me, thank you in advance.

You could also make photocopies of it and distribute it to your friends.

IAF ist auch eine Naturschutzvereinigung

Wenn Sie Ihren Beitrag zum gemeinsamen WBSBP - IAF Projekt bereits geleistet haben, danke ich Ihnen herzlich,
wenn nicht, bitte schicken Sie mir das beigefügte Formular zurück, ich danke Ihnen im Voraus.

Sie könnten auch Photokopien davon machen und Ihren Freunden abgeben.

L'IAF est aussi une association de conservation de la nature

Si vous avez déjà offert votre contribution à l'opération conjointe WBSBP - IAF, merci de tout coeur,
sinon, il vous suffira de remplir le formulaire ci-joint et de me le renvoyer, merci d'avance.

Vous pouvez également photocopier ce formulaire et le distribuer à vos amis.

La IAF es tambien una asociacion de conservacion de la naturaleza

Si Ud ha ya ofrecido su contribucion al proyecto comun WBSBP - IAF, le agradezco muchisimo,
si no, por favor mandame el formularion adjunto, le agradezco muchisimo con anticipacion.

Haga fotocopias del formulario y, por favor, distribuyelo a otros cetreros y amigos.

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I undersigned,

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address :

donate the amount of

to help funding the project

RAPTORS OF BELARUS
ENTERING INTO NEW CENTURY

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Card number :

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send back to :

CHRISTIAN de COUNE, President - Le Cochetay, Thier des Forges 85 - B-4140 Gomzé-Andoumont (Belgium)

☎ : + + 32 4 368.40.21 • Fax : + + 32 4 368.40.15 • E-Mail : c.decoune @ infoboard.be



The International Association for Falconry
and Conservation of Birds of Prey



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Je soussigné,

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adresse :

fait don d'un montant de

pour financer l'opération

RAPTORS OF BELARUS
ENTERING INTO NEW CENTURY

Veillez débiter ma carte VISA EUROCARD MASTERCARD



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CHRISTIAN de COUNE, President - Le Cochetay, Thier des Forges 85 - B-4140 Gomzé-Andoumont (Belgium)

☎ : + + 32 4 368.40.21 • Fax : + + 32 4 368.40.15 • E-Mail : c.decoune @ infoboard.be

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World Conservation Trust
IWMC

1 Passage Montrossin
1006 Lausanne, Switzerland
Tel/Fax: (41) 21 616-5000
email: hlapointe@ptinet.ch

1127 King Arthur Court, unit
303 Dunedin, Florida, USA 34698
Tel/Fax: (813) 734-4949
email: iwmc@gate.net

Fellow Conservationist,

The IWMC World Conservation Trust is pleased to cooperate with the CITES Parties, the CITES Secretariat and conservation and management-oriented NGOs towards a successful 10th meeting of the Conference of the Parties.

In order to provide you with a comprehensive understanding of the basic philosophy and mission of IWMC World Conservation Trust, we are attaching herewith recommendations on proposals and resolutions presented at the upcoming meeting in Harare.

IWMC recommendations are based on the understanding of the fundamental relationship between man and his natural surroundings. They address specific amendment proposals to the appendices and certain key issues. The remaining portion of the proposals and issues will be dealt with when IWMC receives the analysis of its own Panel of Experts.

The overall guidelines for IWMC World Conservation Trust are the promotion of a dynamic, solution-oriented approach to wildlife problems. Three of the fundamental guidelines in preparing these recommendations have been the potential benefits for human development as well as for the conservation of the target species, and the respect of Sovereign Rights of Independent Nations. Although it is presumed that members of IWMC subscribe to IWMC philosophy, the recommendations do not necessarily imply commitment to specific recommendations by individual members or supporting institutions.

I look forward to seeing you in Harare.

Respectfully yours,

Eugène Lapointe
IWMC President
Former Secretary General of CITES (1982-1990)

Date: 12th June 1997

TO: Interested Parties

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

Tenth Meeting of the Conference of the Parties
Harare (Zimbabwe), 9 to 20 June 1997

FREQUENT TRANSBORDER MOVEMENTS OF PERSONALLY OWNED LIVE
ANIMALS Doc 10.73 (Rev)

Proposed by: Switzerland and Germany

Having discussed the above proposal the Species Survival Network's Working Group on Frequent Transborder Movement of Live Animals and international falconry associations listed below respectfully submit the following amendments, upon which we are all agreed, for consideration by the proponents.

The Species Survival Network's Working Group on Frequent Transborder Movement of Live Animals also attach details of our rationale behind the suggested amendments.

Falconers represented by:

The International Association for Falconry and Conservation of Birds of Prey
British Falconers Club
North American Falconers Association
National Avian Research Center (Abu Dhabi)

Species Survival Network's Working Group on Frequent Transborder Movement of Live
Animals representing:

Agentur Wildtierschutz, Animal Defenders, Born Free Foundation, Humane Society of
the United States

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

Dixième session de la Conférence des Parties
Harare (Zimbabwe), 9-20 juin 1997

PROJET DE RESOLUTION DE LA CONFERENCE DES PARTIES*

Passages transfrontaliers fréquents d'animaux vivants
appartenant à des particuliers

RAPPELANT que l'Article VII, paragraphe 3, de la Convention stipule que sauf dans certaines circonstances, les dispositions des Articles III, IV et V ne s'appliquent pas aux spécimens qui sont des objets personnels ou à usage domestiques;

RECONNAISSANT que comme la Convention ne définit pas l'expression "objets personnels ou à usage domestique" dans l'Article VII, paragraphe 3, cette expression peut être interprétée de différentes manières par les Parties;

NOTANT que la résolution Conf. 8.13, adoptée à la huitième session de la Conférence des Parties (Kyoto, 1992), reconnaît l'utilisation des implants de micro-circuits codés pour marquer les animaux vivants d'espèces de l'Annexe I commercialisés, sans exclure l'utilisation d'autres méthodes appropriées;

SACHANT que les animaux vivants d'espèces inscrites aux annexes de la Convention sont souvent impliqués dans des passages transfrontaliers fréquents pour divers motifs légitimes, notamment en tant qu'animaux de compagnie ou de concours, ou comme objets domestiques, ou aux fins de la fauconnerie;

NOTANT que la délivrance répétée de permis et de certificats dans le cadre des Articles III, IV, V, ou VII de la Convention pour des animaux vivants impliqués dans des passages transfrontaliers fréquents pose des problèmes d'ordre administratif et technique et que ces passages devraient être étroitement contrôlés afin d'empêcher les activités illicites;

SOUHAITANT que les dérogations prévues par la Convention ne soient pas utilisées pour éviter les mesures nécessaires pour le contrôle du commerce international des animaux vivants d'espèces inscrites aux annexes de la Convention;

RECONNAISSANT que l'Article XIV, paragraphe 1, alinéa a), de la Convention, stipule que "les dispositions de la présente Convention n'affectent pas le droit des Parties d'adopter des mesures internes plus strictes en ce qui concerne les conditions auxquelles le commerce, la capture ou la récolte, la détention ou le transport de spécimens d'espèces inscrites aux Annexes I, II ou III sont fournis, mesures qui peuvent aller jusqu'à leur interdiction complète";

LA CONFERENCE DES PARTIES A LA CONVENTION

RECOMMANDE:

- a) que, pour les besoins d'application de la présente résolution, l'expression "objets personnels ou à usage domestique" utilisée dans l'Article VII, paragraphe 3, comprend les animaux vivants appartenant à des particuliers si ces animaux vivent et sont enregistrés dans l'Etat de résidence habituelle du propriétaire;

- b) que toute Partie ne puisse délivrer au propriétaire d'un animal acquis légalement vivant dans l'Etat de résidence habituelle du propriétaire et enregistré auprès de l'organe de gestion de cet Etat, s'il souhaite voyager dans d'autres Etats avec l'animal en tant qu'objet personnel ou à usage domestique, un certificat de propriété individuel pour chaque animal vivant en sa possession, qu'après accord entre les Parties concernées;
- c) que l'organe de gestion ne délivre pas de certificat de propriété pour un animal vivant d'une espèce inscrite aux annexes étant un objet personnel ou à usage domestique, s'il n'a pas la garantie que le requérant est le propriétaire légal de l'animal et que celui-ci n'a pas été acquis en infraction aux dispositions de la Convention;
- d) que l'organe de gestion demande au requérant d'un certificat de propriété de lui fournir les indications pertinentes concernant l'animal vivant, notamment l'espèce, le sexe, le numéro de marque ou un autre moyen d'identification, et les noms et adresses du requérant et du propriétaire;
- e) que le certificat délivré conformément au paragraphe b) ci-dessus inclue à la case 5 ou dans une autre case si le formulaire de permis normalisé mentionné dans la résolution Conf. 9.3 n'est pas utilisé, le texte suivant: "Le spécimen couvert par le présent certificat, qui autorise les passages transfrontaliers multiples, appartenant à un particulier qui le possède à des fins non commerciales, et ne peut pas être transporté à des fins commerciales. Si l'animal vivant n'appartient plus au détenteur du certificat de propriété, le certificat doit être immédiatement retourné à l'organe de gestion l'ayant délivré.";
- f) que lorsqu'un propriétaire ne détient plus (pour des raisons de fuite, mort, vente, vol, etc) un animal vivant couvert par un certificat de propriété délivré en application de la présente résolution, le certificat original soit immédiatement retourné à l'organe de gestion l'ayant délivré;
- g) que les certificats de propriété délivrés pour les animaux vivants étant des objets personnels ou à usage domestique soient valables pour une période maximale de trois ans et autorisent les importations, exportations et réexportations multiples de ces animaux;
- h) que les Parties concernées considèrent les certificats de propriété comme une sorte de "passeport" permettant le passage des animaux vivants à travers leurs frontières sur présentation du certificat original à l'autorité de surveillance aux frontières appropriée qui:
- i) vérifie et approuve l'original au moyen d'un timbre humide, de la signature et de la date, pour signaler le passage d'un Etat à l'autre; et
- ii) ne garde pas l'original à la frontière mais le laisse avec le spécimen;
- i) que les Parties concernées inspectent les animaux vivants pour s'assurer qu'ils sont transportés et traités de façon à éviter les risques de blessures, de maladie ou de traitement rigoureux;
- j) que les Parties concernées requièrent que les animaux vivants étant des objets personnels ou à usage domestique soient marqués de manière sûre ou autrement identifiés de manière appropriée et que cette marque figure sur le certificat de manière que les autorités de l'Etat où entre l'animal puissent vérifier que le certificat de propriété correspond à l'animal vivant en question;
- k) que, si lors d'un séjour dans un autre Etat, un animal vivant couvert par un certificat de propriété produit une progéniture, le détenteur de ce certificat satisfasse aux dispositions des Articles III, IV ou V pour exporter cette progéniture de l'Etat où elle a été produite et l'importer dans son Etat de résidence habituelle. Pour la progéniture produite au cours d'un voyage par des animaux couverts par un certificat de propriété, un certificat de propriété peut être délivré pour cette progéniture si elle est destinée à vivre dans l'Etat de résidence du parent;
- l) que, si lors d'un séjour dans un autre Etat, un certificat de propriété couvrant un animal vivant est perdu, volé ou détruit accidentellement, seul l'organe de gestion l'ayant délivré émette un duplicata. Ce duplicata portera si possible les mêmes numéro et date de validité que le document original, une nouvelle date d'émission et comportera la mention suivante: "Le présent certificat est une copie conforme de l'original";

* Le présent document a été préparé par le Secrétariat à partir du document Doc. 10.73 (Rev.) Annexe (Rev.2), après avoir été amendé et approuvé par le Comité II.

- m) que le propriétaire ne vende ni ne transfère un animal vivant étant un objet personnel ou à usage domestique lors d'un voyage entrepris hors de son Etat de résidence habituelle dans les conditions couvertes par le certificat de propriété ; et
- n) que les Parties enregistrent le nombre de certificats délivrés et, si possible, incluent le numéro du certificat et le nom scientifique du spécimen dans leurs rapports annuels.

CONVENCION SOBRE EL COMERCIO INTERNACIONAL DE ESPECIES
AMENAZADAS DE FAUNA Y FLORA SILVESTRES

Décima reunión de la Conferencia de las Partes
Harare (Zimbabwe), 9 a 20 de junio de 1997

PROYECTO DE RESOLUCION DE LA CONFERENCIA DE LAS PARTES*

Frecuentes movimientos transfronterizos de animales vivos
de propiedad privada

RECORDANDO que en el párrafo 3 del Artículo VII de la Convención se estipula que, salvo en determinadas circunstancias, las disposiciones de los Artículos III, IV y V no se aplicarán a los especímenes que constituyen artículos personales o bienes del hogar;

RECONOCIENDO que, como la Convención no define en el párrafo 3 del Artículo VII qué se entiende por "artículos personales o bienes del hogar", las Partes pueden interpretar esta expresión de diferentes maneras;

TOMANDO NOTA de que en la Resolución Conf. 8.13, aprobada en la octava reunión de la Conferencia de las Partes (Kyoto, 1992), se reconoce que se están utilizando implantes de microfichas (microchip) codificados como medio de identificación de animales vivos de especies del Apéndice I en el comercio, sin excluir la utilización de otros métodos adecuados;

CONSCIENTE de que los animales vivos de las especies incluidas en los Apéndices de la Convención muchas veces son objeto de movimientos frecuentes a través de fronteras internacionales, con diversos propósitos legítimos, que incluyen, aunque no exclusivamente, a los animales de compañía o de competición, y los animales que se desplazan como bienes del hogar o con fines de cetrería;

TOMANDO NOTA de que la concesión reiterada de permisos y certificados en virtud de los Artículos III, IV, V o VI de la Convención para animales vivos que son objeto de movimientos frecuentes a través de fronteras internacionales plantea problemas de índole técnica y administrativa, y que es necesario supervisar estrechamente esos movimientos para prevenir actividades ilícitas;

DESEOSA de que no se utilicen las exenciones previstas en la Convención a fin de eludir las medidas necesarias para el control del comercio internacional de animales vivos de las especies incluidas en los Apéndices a la Convención;

RECONOCIENDO que en el inciso a) del párrafo 1 del Artículo XIV de la Convención se estipula que las disposiciones de la presente Convención no afectarán en modo alguno el derecho de las Partes de adoptar medidas internas más estrictas respecto de las condiciones de comercio, captura, posesión o transporte de especímenes de especies incluidas en los Apéndices I, II o III, o prohibirlos enteramente;

LA CONFERENCIA DE LAS PARTES EN LA CONVENCION

RECOMIENDA que

- a) en la expresión "artículos personales o bienes del hogar" que figura en el párrafo 3 del Artículo VII se incluyan, a efectos de la aplicación de esta resolución, los animales vivos de propiedad privada que estén basados y registrados en el Estado de residencia habitual del propietario;

* Este documento fue preparado por la Secretaría, a partir del documento Doc. 10.73 (Rev.) Anexo (Rev.2), tras su enmienda y aprobación por el Comité II.

- b) una Parte pueda, sólo en virtud de un acuerdo entre las Partes interesadas, expedir al propietario de un animal vivo de propiedad privada, adquirido lícitamente y que resida en su Estado y esté registrado ante la Autoridad Administrativa del Estado de residencia, y desee viajar a otros Estados, un certificado de propiedad para cada animal vivo en su posesión que viaje a otro Estado como artículo personal o bien del hogar;
- c) la Autoridad Administrativa no expida un certificado de propiedad para un animal vivo de una especie incluida en los Apéndices, que sea considerado un artículo personal o bien del hogar, si no está convencida de que dicho animal está lícitamente bajo la propiedad del solicitante y que no ha sido adquirido en contravención de las disposiciones de la Convención;
- d) que la Autoridad Administrativa exija al solicitante de un certificado de propiedad que aporte los datos pertinentes relativos al animal vivo, inclusive la especie, el sexo, el número de marca u otro tipo de identificación y el nombre y la dirección del solicitante y del propietario;
- e) el certificado expedido de conformidad con el párrafo b) *supra* incluya en la casilla 5, o en otra casilla si no se utilizara el formulario normalizado de permiso aludido en la Resolución Conf. 9.3, la siguiente declaración: "El espécimen amparado por este certificado, que permite múltiples movimientos transfronterizos, es de propiedad privada del titular, para fines no comerciales, y no puede ser transportado con fines comerciales. Si el titular del certificado dejara de tener la posesión del animal vivo, el certificado deberá devolverse inmediatamente a la Autoridad Administrativa que lo expidió";
- f) cuando un animal vivo que está amparado por un certificado expedido en cumplimiento de esta resolución dejara de estar en posesión del propietario (por fuga, muerte, venta, robo, etc.) el certificado original se devuelva inmediatamente a la Autoridad Administrativa que lo expidió;
- g) el certificado de propiedad expedido para animales vivos como artículos personales o bienes del hogar sea válido por un período máximo de tres años, durante el cual se autoricen múltiples importaciones, exportaciones y reexportaciones de cada animal vivo;
- h) las Partes interesadas consideren esos certificados de propiedad como un tipo de pasaporte que autoriza el movimiento de dicho animal vivo, acompañado por su propietario, a través de sus fronteras, sujeto a la presentación del certificado original al funcionario competente de control de fronteras, y que éste:
- i) inspeccione y valide el original con un sello húmedo, la firma y la fecha, para dejar constancia del movimiento de un Estado a otro; y
 - ii) no retire el original en la frontera, sino que lo deje en poder del propietario del espécimen.
- i) las Partes interesadas lleven a cabo inspecciones de esos especímenes de animales vivos, para cerciorarse de que tales animales están acondicionados y son transportados de un modo que se reduzca al mínimo el riesgo de heridas, daños en la salud o maltrato;
- j) las Partes interesadas exijan que los animales vivos que constituyen artículos personales o bienes del hogar lleven una marca segura o estén identificados adecuadamente de otro modo y que dicha marca se incluya en el certificado de manera que las autoridades del Estado en el que entra el animal vivo puedan verificar que el certificado de propiedad corresponde al animal vivo en cuestión;
- k) cuando, durante su estancia en otro Estado, un animal vivo que viaja amparado por un certificado de propiedad produzca progenie, se exija al titular del certificado de propiedad que cumpla con los requisitos de los Artículos III, IV o V para exportar e importar dicha progenie del Estado en que se produjo a su Estado de residencia habitual. En el caso de la progenie producida por especímenes que viajan amparados por un certificado de propiedad, se puede expedir un certificado de propiedad para esa progenie cuando ésta llegue al Estado de residencia del progenitor;
- l) cuando, durante su estancia en otro Estado, el certificado de propiedad para un animal vivo se pierda, sea robado o destruido accidentalmente, sólo la Autoridad Administrativa que expidió ese

documento pueda conceder un duplicado. Este duplicado llevará el mismo número, si es posible, la misma fecha de validez que el documento original, una nueva fecha de expedición y contendrá la siguiente declaración: "Este certificado es una copia autenticada del original";

- m) el propietario no pueda vender o transferir de otra manera un animal vivo que constituya un artículo personal o bien del hogar cuando viaje fuera de su Estado de residencia habitual, en virtud de las condiciones del certificado de propiedad; y
- n) las Partes mantengan registro del número de cada certificado expedido y, si es posible, incluyan el número del certificado y el nombre científico del espécimen en sus informes anuales.

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

Tenth Meeting of the Conference of the Parties
Harare (Zimbabwe), 9 to 20 June 1997

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES*

Frequent Transborder Movements of Personally Owned Live Animals

RECALLING that Article VII, paragraph 3, of the Convention provides that, other than in certain circumstances, the provisions of Articles III, IV and V shall not apply to specimens that are personal or household effects;

RECOGNIZING that, because the Convention does not define the term "personal or household effects", in Article VII, paragraph 3, this term may be interpreted by the Parties in different ways;

NOTING that Resolution Conf. 8.13, adopted at the eighth meeting of the Conference of the Parties (Kyoto, 1992) recognizes the use of coded microchip implants for marking live animals of Appendix-I species in trade, without excluding the use of other appropriate methods;

AWARE that live animals of species listed in the appendices to the Convention are often involved in frequent movement across international borders for a variety of legitimate purposes, including but not limited to companion or competition animals, and animals moved as household effects or for falconry purposes;

NOTING that the repeated granting of permits and certificates under the Articles III, IV, V, or VII of the Convention to live animals that undergo frequent movement across international borders poses problems of a technical and administrative nature and that such movement needs to be monitored closely to prevent illegal activities;

DESIRING that exemptions provided by the Convention not be used to avoid the necessary measures for the control of international trade in live animals of species listed in the appendices to the Convention;

RECOGNIZING that Article XIV, sub-paragraph 1(a), of the Convention provides that the provision of the present Convention shall in no way affect the right of Parties to adopt stricter domestic measures regarding the conditions of trade, taking, possession or transport of specimens of species included in Appendix I, II or III, or the complete prohibition thereof;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS:

- a) that the term "personal or household effects" in Article VII, paragraph 3, shall, for the purpose of the application of this Resolution include personally owned live animals that are based and registered in the owner's State of usual residence;
- b) that any Party may, only after agreement between Parties concerned issue to an owner of a legally acquired personally owned live animal residing in its State and registered with the Management Authority of the State of residence and wishing to travel to other States, a separate certificate of

ownership for each live animal in his possession travelling to another State as personal or household effects;

- c) that a Management Authority shall not issue a certificate of ownership for a live animal of a species listed in the appendices that is a personal or household effect unless it is satisfied that the live animal is legally possessed by the applicant and that the animal has not been acquired in contravention of the provisions of the Convention;
- d) that the Management Authority shall require the applicant for a certificate of ownership to provide pertinent data regarding the live animal, including the species, sex, marker number or other identification, and the name and address of the applicant and the owner;
- e) that the certificate issued in accordance with paragraph b) above should include in box 5, or in another box if the standard permit form referred to in Resolution Conf. 9.3 is not used, the following language: "The specimen covered by this certificate, which permits multiple transborder movements, is owned for personal non-commercial use and may not be transported for commercial purposes. If the certificate holder is no longer in the possession of the live animal, the certificate must be immediately returned to the issuing Management Authority.";
- f) that when a live animal that is the subject of a certificate of ownership issued pursuant to this Resolution is no longer in the possession of the owner (escape, death, sale, theft, etc.), the original certificate of ownership shall be immediately returned to the issuing Management Authority;
- g) that certificates of ownership issued for live animals as personal or household effects be valid for a maximum period of three years to allow multiple imports, exports and re-exports of the individual live animal;
- h) that the Parties concerned treat certificates of ownership as a type of "passport" which allows the movement of live animals accompanied by their owners across their borders upon presentation of the original certificate to the appropriate border control officer who:
 - i) inspects and validates the original with an ink stamp, signature and date to show the history of movement from State to State; and
 - ii) does not collect the original at the border, but allow it to remain with the specimen;
- i) that Parties concerned inspect such live animal specimens to ensure that the live animals are transported and cared for in a manner that minimizes the risk of injury, damage to health or cruel treatment;
- j) that Parties concerned require that live animals that are personal or household effects be securely marked or otherwise appropriately identified and that this mark is included on the certificate so that the authorities of the State into which a live animal enters can verify that the certificate of ownership corresponds to the live animal in question;
- k) that when, during a stay in another State, a live animal travelling under a certificate of ownership produces progeny, the holder of the certificate of ownership must comply with the requirements of Articles III, IV or V to export and import such progeny from the State where the progeny was produced to his usual State of residence. For progeny produced from specimens travelling under a certificate of ownership, a certificate of ownership may be issued for such progeny when such progeny assumes the parent's State of residence;
- l) that when, during a stay in another State, a certificate of ownership for a live animal is lost, stolen, or accidentally destroyed, only the Management Authority that issued the document may issue a duplicate. This duplicate will bear the same number, if possible, the same date of validity as the original document, a new date of issuance, and contain the following statement: "This certificate is a true copy of the original";
- m) that the owner shall not sell or otherwise transfer a live animal that is a personal or household effect when travelling outside of his usual State of residence, under the conditions of the certificate of ownership; and

* This document was prepared by the Secretariat from document Doc. 10.73 (Rev.) Annex (Rev. 2) after its amendment and approval by Committee II.

- n) that Parties maintain records on the number of certificates issued and if possible include the certificate number and the scientific name of the specimen in their annual reports.

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

Tenth Meeting of the Conference of the Parties
Harare (Zimbabwe), 9 to 20 June 1997

~~DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES*~~

Specimens of Animal Species Bred in Captivity

RECALLING Resolution Conf. 2.12 (Rev.), adopted by the Conference of the Parties at its second meeting (San José, 1979) and amended at its ninth meeting (Fort Lauderdale, 1994);

CONSIDERING that the Convention provides, in Article VII, paragraphs 4 and 5, for special treatment of animal specimens that are bred in captivity;

NOTING that, in accordance with Article VII, paragraph 4, specimens of Appendix-I species bred in captivity for commercial purposes shall be deemed to be specimens of species included in Appendix II and that therefore they should be traded in accordance with the provisions of Article IV;

NOTING that, in accordance with Article VII, paragraph 5, the import of specimens of Appendix-I species bred in captivity not for commercial purposes that are covered by a certificate of captive breeding does not require the issuance of an import permit and may therefore be authorized whether or not the purpose is commercial;

RECOGNIZING the need for the Parties to agree on a standard interpretation of the provisions of Article VII, paragraphs 4 and 5; and

CONCERNED however that, in spite of the adoption of several Resolutions at various meetings of the Conference of the Parties, much trade in specimens declared as bred in captivity remains contrary to the Convention and to Resolutions of the Conference of the Parties, and may be detrimental to the survival of wild populations of the species concerned;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

Regarding terminology

ADOPTS the following definitions of terms used in this Resolution:

- a) "first-generation offspring (F1)" are specimens produced in a controlled environment from parents at least one of which was conceived in or taken from the wild;
- b) "offspring of second-generation (F2) or subsequent-generation (F3, F4, etc.)" are specimens produced in a controlled environment from parents that were also produced in a controlled environment;
- c) the "breeding stock" of an operation means the ensemble of the animals in the operation that are used for reproduction; and
- d) "a controlled environment" is an environment that is manipulated for the purpose of producing animals of a particular species, that has boundaries designed to prevent animals, eggs or gametes of the species from entering or leaving the controlled environment, and the general characteristics

* This document was prepared from document Com. 10.29, approved by Committee II.

of which may include but are not limited to: artificial housing; waste removal; health care; protection from predators; and artificially supplied food;

Com. 10.29 (Rev.)

Regarding the term "bred in captivity"

DECIDES:

- a) that the definition provided below shall apply to the specimens bred in captivity of species included in Appendix I, II or III, whether or not they were bred for commercial purposes;
- b) that the term "bred in captivity" shall be interpreted to refer only to specimens* born or otherwise produced in a controlled environment, and shall apply only if:
 - i) the parents mated or gametes were otherwise transferred in a controlled environment, if reproduction is sexual, or the parents were in a controlled environment when development of the offspring began, if reproduction is asexual; and
 - ii) the breeding stock, to the satisfaction of the competent government authorities of the exporting country:
 - A) was established in accordance with the provisions of CITES and relevant national laws and in a manner not detrimental to the survival of the species in the wild;
 - B) is maintained without the introduction of specimens from the wild, except for the occasional addition of animals, eggs or gametes, in accordance with the provisions of CITES and relevant national laws and in a manner not detrimental to the survival of the species in the wild as advised by the Scientific Authority:
 1. to prevent or alleviate deleterious inbreeding, with the magnitude of such addition determined by the need for new genetic material; or
 2. to dispose of confiscated animals in accordance with Resolution Conf. 9.11; or
 3. exceptionally, for use as breeding stock; and
 - C) 1. has produced offspring of second generation (F2) or subsequent generation (F3, F4, etc.) in a controlled environment; or
 2. a) belongs to a species included in a list of species commonly bred to second or subsequent generation, that is established and amended by the Standing Committee, on the basis of proposals submitted by the Animals Committee after consultation with range States and experts in captive breeding and in the species in question; or, in the absence of a list
 - b) managed in a manner that has been demonstrated to be capable of reliably producing second-generation offspring in a controlled environment;

Regarding the trade in specimens of Appendix-I species bred in captivity

RECOMMENDS that the trade in a specimen bred in captivity be permitted only if it is marked in accordance with the provisions on marking in the Resolutions adopted by the Conference of the Parties and if the type and number of the mark are indicated on the document authorizing the trade; and

REPEALS Resolution Conf. 2.12 (Rev.) (San José, 1979, as amended in Fort Lauderdale, 1994) - Specimens Bred in Captivity or Artificially Propagated.

* as defined in Article I, paragraph (b), of the Convention

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

Dixième session de la Conférence des Parties
Harare (Zimbabwe), 9-20 juin 1997

~~PROJET DE RESOLUTION DE LA CONFERENCE DES PARTIES*~~

Spécimens d'espèces animales élevés en captivité

RAPPELANT la résolution Conf. 2.12 (Rev.), adoptée par la Conférence des Parties à sa deuxième session (San José, 1979) et amendée à sa neuvième session (Fort Lauderdale, 1994);

CONSIDERANT que la Convention prévoit, à son Article VII, paragraphes 4 et 5, des clauses spécifiques sur les spécimens d'espèces animales élevés en captivité;

NOTANT que, conformément à l'Article VII, paragraphe 4, les spécimens d'espèces inscrites à l'Annexe I élevés en captivité à des fins commerciales sont considérés comme des spécimens d'espèces inscrites à l'Annexe II, et qu'en conséquence, les dispositions de l'Article IV leur sont applicables;

NOTANT que, conformément à l'Article VII, paragraphe 5, l'importation de spécimens d'espèces inscrites à l'Annexe I élevés en captivité à des fins non commerciales qui sont couverts par un certificat d'élevage en captivité ne nécessite pas la délivrance d'un permis d'importation et qu'en conséquence, l'importation peut être autorisée, qu'elle ait des fins commerciales ou non;

RECONNAISSANT la nécessité que les Parties s'accordent sur une même interprétation des dispositions de l'Article VII, paragraphes 4 et 5;

PREOCCUPEE toutefois de ce qu'en dépit de l'adoption de plusieurs résolutions, à diverses sessions de la Conférence des Parties, une grande partie du commerce des spécimens déclarés comme élevés en captivité continue d'être pratiquée en infraction à la Convention et aux résolutions de la Conférence des Parties, et peut nuire à la survie des populations sauvages des espèces concernées;

LA CONFERENCE DES PARTIES A LA CONVENTION

Concernant la terminologie

ADOpte les définitions suivantes des expressions utilisées dans la présente résolution:

- a) "descendance de première génération (F1)": spécimens produits en milieu contrôlé, dont au moins un des parents a été conçu ou capturé dans la nature;
- b) "descendance de deuxième génération (F2) ou de générations suivantes (F3, F4, etc.)": spécimens produits en milieu contrôlé, dont les parents ont eux aussi été produits en milieu contrôlé;
- c) "cheptel reproducteur" d'un établissement d'élevage: l'ensemble des animaux d'un établissement qui sont utilisés pour la reproduction; et
- d) "milieu contrôlé": milieu où sont produits des animaux d'une espèce donnée; un tel milieu comporte des barrières physiques empêchant l'entrée ou la sortie d'animaux, d'oeufs ou de gamètes de cette

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espèce, et présente des caractéristiques générales pouvant inclure, sans que la liste soit exhaustive, abris artificiels, évacuation des déchets, soins, protection contre les prédateurs et nourriture fournie artificiellement.

Concernant l'expression "élevé en captivité"

DECIDE:

- a) que la définition donnée ci-dessous s'applique à tous les spécimens élevés en captivité à des fins commerciales ou non, des espèces inscrites aux Annexes I, II ou III;
- b) que l'expression "élevé en captivité" est interprétée comme se référant aux seuls spécimens nés ou produits autrement en milieu contrôlé et ne s'y appliquant que:
 - i) si les parents se sont accouplés ou si leurs gamètes ont été transférés autrement en milieu contrôlé (reproduction sexuée) ou si les parents vivaient en milieu contrôlé au début du développement de la descendance (reproduction asexuée); et
 - ii) si le cheptel reproducteur, à la satisfaction des autorités gouvernementales compétentes du pays d'exportation:
 - A) a été constitué conformément aux dispositions CITES et aux lois internes, d'une manière non préjudiciable à la survie de l'espèce dans la nature;
 - B) est maintenu sans prélèvement dans la nature, à l'exception d'apports occasionnels d'animaux, d'oeufs ou de gamètes, conformément aux dispositions CITES et aux lois internes pertinentes et de manière non préjudiciable à la survie de l'espèce dans la nature, selon le conseil de l'autorité scientifique:
 - 1) d'empêcher ou de limiter les effets négatifs de la consanguinité - la fréquence de ces apports étant déterminée par le besoin de matériel génétique nouveau; ou
 - 2) d'utiliser les animaux confisqués conformément à la résolution Conf. 9.11; ou
 - 3) exceptionnellement, d'utiliser le cheptel reproducteur; et
 - C) 1) a produit une descendance de deuxième génération (F2) ou d'une génération suivante (F3, F4, etc.) en milieu contrôlé; ou
 - a) appartient à une espèce figurant sur une liste d'espèces dont l'élevage est courant jusqu'à la deuxième génération ou la génération suivante, établie et amendée par le Comité permanent, sur la base des propositions soumises par le Comité pour les animaux, après consultation des États de l'aire de répartition et d'experts en élevage en captivité et de spécialistes des espèces en question; ou, en l'absence d'une liste,
 - b) est géré d'une manière qui s'est révélée capable de produire, de façon fiable, une descendance de deuxième génération en milieu contrôlé;

Concernant le commerce des spécimens d'espèces inscrites à l'Annexe I élevés en captivité

RECOMMANDE que le commerce d'un spécimen élevé en captivité ne soit autorisé que si le spécimen est marqué conformément aux dispositions relatives au marquage, énoncées dans les résolutions adoptées par la Conférence des Parties et si le type et le numéro de la marque sont indiqués sur le document permettant le commerce; et

ABROGE la résolution Conf. 2.12 (Rev.) (San José, 1979, telle qu'amendée à Fort Lauderdale, 1994) - Spécimens élevés en captivité ou reproduits artificiellement.

selon la définition donnée dans l'Article I, paragraphe (b) de la Convention