

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

THIRD MEETING OF THE CONFERENCE OF THE PARTIES
New Delhi (India), 25 February to 8 March 1981

REPORT OF THE SECRETARIAT

1. Introduction

According to Article XII, paragraph 2(g), of the Convention, the Secretariat shall prepare annual reports to the Parties on its work and on the implementation of the Convention. Previous reports covered the years 1975-76 (Notification to the Parties No. 41; Berne Proceedings Doc. 1.8 and 1.11), 1976-77 (Notification to the Parties No. 90) and 1978 (San José Proceedings Doc. 2.5 and 2.6). While the present report covers the calendar year of 1980 as regards the membership and evolution of the Convention, it also summarizes developments in enforcement since the previous meeting of the Conference of the Parties (San José, March 1979). Financial matters, and administrative matters relating to the headquarters of the Secretariat, are discussed in Doc. 3.7, 3.7.1, 3.7.2 and 3.8. Relationship with other international organizations and agreements is discussed in Doc. 3.9.

2. Membership

From the date of entry into force of the Convention (1 July 1975) to the first meeting of the Conference of the Parties (Berne, November 1976), 32 States became Parties to the Convention; by the time of the second meeting (San José, 1979), their number had risen to 51, and at the end of 1979 it was 55. During 1980, the Convention entered into force for 6 more States, so that on 31 December 1980 61 States were Parties. In chronological order the 61 Parties then were as follows:

| | <u>Date of entry into force of the Convention</u> |
|-----------------------------|-------------------------------------------------------|
| 1. United States of America | 1.07.1975 |
| 2. Nigeria | 1.07.1975 |
| 3. Switzerland | 1.07.1975 |
| 4. Tunisia | 1.07.1975 |
| 5. Sweden | 1.07.1975 |
| 6. Cyprus | 1.07.1975 |
| 7. United Arab Emirates | 1.07.1975 |
| 8. Ecuador | 1.07.1975 |
| 9. Chile | 1.07.1975 |
| 10. Uruguay | 1.07.1975 |

| | | |
|-----|---------------------------------------------------------|------------|
| 11. | Canada | 9.07.1975 |
| 12. | Mauritius | 27.07.1975 |
| 13. | Nepal | 16.09.1975 |
| 14. | Peru | 25.09.1975 |
| 15. | Costa Rica | 28.09.1975 |
| 16. | South Africa | 13.10.1975 |
| 17. | Brazil | 4.11.1975 |
| 18. | Madagascar | 18.11.1975 |
| 19. | Niger | 7.12.1975 |
| 20. | German Democratic Republic | 7.01.1976 |
| 21. | Morocco | 14.01.1976 |
| 22. | Ghana | 12.02.1976 |
| 23. | Papua New Guinea | 11.03.1976 |
| 24. | Federal Republic of Germany | 20.06.1976 |
| 25. | Pakistan | 19.07.1976 |
| 26. | Finland | 8.08.1976 |
| 27. | India | 18.10.1976 |
| 28. | Zaire | 18.10.1976 |
| 29. | Norway | 25.10.1976 |
| 30. | Australia | 27.10.1976 |
| 31. | United Kingdom of Great Britain and Northern Ireland | 31.10.1976 |
| 32. | Iran | 1.11.1976 |
| 33. | Union of Soviet Socialist Republics | 8.12.1976 |
| 34. | Paraguay | 13.02.1977 |
| 35. | Seychelles | 9.05.1977 |
| 36. | Guyana | 25.08.1977 |
| 37. | Denmark | 24.10.1977 |
| 38. | Senegal | 3.11.1977 |
| 39. | Nicaragua | 4.11.1977 |
| 40. | Gambia | 24.11.1977 |
| 41. | Malaysia | 18.01.1978 |
| 42. | Venezuela | 22.01.1978 |
| 43. | Botswana | 12.02.1978 |
| 44. | Egypt | 4.04.1978 |
| 45. | Monaco | 18.07.1978 |
| 46. | France | 9.08.1978 |
| 47. | Panama | 15.11.1978 |
| 48. | Togo | 21.01.1979 |
| 49. | Kenya | 13.03.1979 |
| 50. | Jordan | 14.03.1979 |
| 51. | Indonesia | 28.03.1979 |
| 52. | Sri Lanka | 2.08.1979 |
| 53. | Bahamas | 18.09.1979 |
| 54. | Bolivia | 4.10.1979 |
| 55. | Italy | 31.12.1979 |
| 56. | Guatemala | 5.02.1980 |
| 57. | United Republic of Tanzania | 27.02.1980 |
| 58. | Liechtenstein | 28.02.1980 |
| 59. | Israel | 17.03.1980 |
| 60. | Japan | 4.11.1980 |
| 61. | Central African Republic | 25.11.1980 |

In addition, 4 States (Rwanda, Suriname, Zambia and Portugal) deposited instruments of ratification or accession prior to the end of the reporting year. For these States, the Convention will enter into force on 18 January, 15 and 22 February, and 11 March 1981,

respectively, thus bringing the total number of Parties to 64 by the time of the the third meeting of the Conference of the Parties, and 65 when the Convention will enter into force in Portugal*.

Other States have indicated their intention to join the Convention in the near future, and the Secretariat avails itself of any opportunity to encourage all States to do so as soon as possible.

Information on dependent territories to which Parties have extended the application of the Convention is listed and regularly updated in the CITES "Directory", on the basis of express notice from the Parties concerned to the Depositary Government or to the Secretariat. Dependent territories not so listed are deemed not to be subject to the Convention, which in some cases has raised problems of authentic trade documentation. E.g., while the French Management Authority informed the Secretariat on 27 October 1978 that the application of the Convention in the French overseas territories of New Caledonia and Polynesia was under consideration in consultation with the territorial assemblies concerned, the Management Authorities of other Parties informed the Secretariat that they had accepted export documents issued by local authorities in New Caledonia dated 24 October 1978 (with express reference to the ratification of the Convention by France) and 29 March 1979 (with reference to the standard form of documentation from non-Parties). By letters dated 12 September 1979 and 2 May 1980, the Secretariat asked the French Management Authority to clarify the situation, but no response has been received so far.

In the case of former dependent territories having attained independence, the Secretariat has sought to obtain clarification of the question of their succession to prior treaty obligations. E.g., the instrument of ratification by the United Kingdom of Great Britain and Northern Ireland of 2 August 1976 expressly extended the Convention to the Gilbert Islands and to Tuvalu. After these territories became independent, the Secretariat enquired whether they considered themselves as continuing to be bound by the Convention. In both cases, replies from the competent authorities of the newly independent States (received in 1980 and 1981, respectively) implied that they do not consider themselves as Parties to the Convention.

3. Evolution of the Convention

By the end of 1979, only Norway had deposited an instrument of acceptance of the amendment to Article XI, paragraph 3(a), of the Convention adopted at the extraordinary meeting of the Conference of the Parties (Bonn, 22 June 1979). During 1980, instruments of acceptance of this amendment were deposited by Canada, India, Sweden, the Federal Republic of Germany, Mauritius, the United States of America,

* At the time when this report was drafted (January 1981), two more States (China and Argentina) had also deposited an instrument of accession or ratification. For both States the Convention will enter into force on 8 April 1981, and on that date the total number of Parties will be 67.

and Botswana, thus bringing the number of States (Parties at the time of adoption of the amendment) having done so to eight, whereas acceptance by 34 of these States is necessary for entry into force of the amendment*. Two States (Liechtenstein and Japan) which were not Parties to the Convention when the amendment was adopted, deposited an instrument of acceptance in 1980, but these are not counted by the Depository Government among the 34 acceptances required pursuant to Article XVII.

In the course of 1980, Australia submitted a proposal for amendment of Appendix II for consideration by the postal procedures set forth on paragraph 2 of Article XV of the Convention. This proposal was submitted to consideration of the Parties through a Notification to contracting or signatory States of the Convention dated 3 April 1980. As there were no objections to the proposal, the amendment was considered as adopted; it entered into force on 17 October 1980 and the subspecies Poephila cincta cincta (Passeriformes, Estrildidae) was included in Appendix II of the Convention. Contracting and signatory States were informed by Notification dated 11 August 1980.

By Notifications to contracting or signatory States of the Convention dated 18 June and 21 August 1980, the Secretariat communicated proposals for amendment of Appendices I and II from South Africa and the United States of America, respectively, which these two Parties submitted for consideration by the postal procedures. As a result of reactions generated by these proposals, South Africa and the United States decided to withdraw them and to submit them again for consideration at the third meeting of the Conference of the Parties.

In accordance with the provisions of Article XV, paragraph 1, of the Convention, 8 Parties communicated to the Secretariat 98 proposals (including those mentioned in the preceding paragraph) for amendment of Appendices I and II for consideration at the third meeting of the Conference of the Parties. These proposals were communicated by Notification to contracting or signatory States dated 30 September 1980 (see Doc. 3.31 Annex 1). At a later stage, one of the South African proposals (Xenopus gilli) was withdrawn. As some of the proposals were submitted by two Parties, the total number of proposals to be considered at the third meeting of the Conference of the Parties is 92 (see Doc. 3.31 Annex 2).**

In 1980, only Guatemala requested in accordance with the provisions of Article XVI of the Convention, the inclusion of a list of species in Appendix III. This list is to be communicated to contracting or signatory States on 23 January 1981 and will enter into force on 23 April 1981.

As to reservations, see Doc. 3.22.

* Togo deposited an instrument of acceptance of the amendment on 5 January 1981.

** By letter dated 6 February 1981, South Africa withdrew its proposal concerning Ceratotherium simum simum. (Note from the Secretariat).

4. National Management Authorities, Scientific Institutions and Reports

In order to facilitate direct communications between Parties, the Secretariat issued a comprehensive "CITES Directory" by Notification to the Parties No. 139 of 5 June 1980. The Directory contains the addresses, telephone and telex connections of Management Authorities and Scientific Authorities, together with basic information on dates of ratification or accession etc. Following a suggestion by Canada, reservations by the Parties will also be listed in future editions of the Directory. The loose-leaf pages of the Directory are regularly updated as new information becomes available to the Secretariat; updated pages have thus been issued with Notifications to the Parties No. 149 on 27 August 1980, No. 154 of 4 November 1980, No. 158 of 22 December 1980 and No. 161 of 23 January 1981.

For the purpose of communications with States not Parties to the Convention, the Secretariat has requested from them information on their national authorities competent to issue permits and certificates in accordance with Article X of the Convention. On the basis of the information received, the Secretariat will issue a list of these authorities, to update the list previously communicated by Notification to the Parties No. 118 of 20 July 1979.

Pursuant to Resolution Conf. 2.14 adopted by the San José meeting, the Secretariat distributed lists of registered national scientific institutions entitled to the exemption procedure of Article VII, paragraph 6, of the Convention, for non-commercial loans, donations or exchanges of museum and herbarium specimens in Botswana, Canada, Finland, India, Madagascar, Sweden, United Kingdom and USA (Notifications to the Parties No. 123 of 14 September 1979, No. 131 of 22 November 1979, No. 140 of 5 June 1980, No. 146 of 27 August 1980 and No. 156 of 22 December 1980). The following Management Authorities informed the Secretariat that no scientific institutions in their countries are entitled to exemption provided in Article VII, paragraph 6, of the Convention: Bolivia, Brazil, Chile, Ghana, Hong Kong, Paraguay, Peru, South Africa, Tunisia and Uruguay. Samples of exchange labels were also distributed.

Article VIII, paragraphs 6 and 7, of the Convention provides for the keeping of national trade records on endangered species, and for the submission of annual and biennial reports by the Parties. Resolution Conf. 2.16 of the San José meeting called for the submission of annual reports not later than 31 October of the year following the year for which a report was due. A compilation of the statistical data submitted for 1978 will be found in Doc. 3.21. By Notification No. 152 of 30 September 1980, the Secretariat reminded Parties of their duty to submit the 1979 annual reports by 31 October 1980. Of the 47 States which had been Parties since January 1979, 22 submitted their annual report for that year; in addition a report was received from Italy, which only became a Party on 31 December 1979. The Secretariat distributed the reports received from Australia, Finland, Norway, Papua New Guinea and South Africa for information. At the time of writing of the present report, the Secretariat had still not received the 1979 reports which were due from the following Parties: Botswana, Costa Rica, Cyprus, Denmark, Ecuador, Egypt, Gambia, German Democratic Republic, Guyana, Iran, Malaysia, Mauritius, Monaco,

Morocco, Nicaragua, Niger, Nigeria, Pakistan, Paraguay, Senegal, Seychelles, United Arab Emirates, United Kingdom, USA and Venezuela (Morocco, Nigeria and the United Arab Emirates have not submitted any reports since 1976; Guyana, Nicaragua and Paraguay none since 1978).

Besides the Proceedings of the 1979 San José meeting (2 volumes, 1202 pages, distributed with Notification to contracting States of 18 June 1980), the Secretariat issued a total of 27 Notifications to the Parties, and 5 Notifications to contracting or signatory States in 1980 (simultaneously in English, French and Spanish; list of Notifications attached herewith as Annex 1).

Pursuant to section b) of Resolution Conf. 2.5, the Secretariat reiterated its earlier requests to all Parties which had not yet done so, to provide authentic sample copies of their national forms of Convention permits and certificates; the Secretariat received and distributed national forms from 28 Parties (see Doc. 3.10, paragraph 6).

Parties having not yet done so are again urged to provide to the Secretariat authentic sample copies of their national forms, in sufficient quantities for distribution (i.e., at least 100 copies).

For the information of national Management Authorities and Scientific Authorities, the Secretariat also distributed specific information on ivory trade regulations of Parties and non-Party States (Notifications to the Parties No. 134 of 24 March 1980, No. 148 of 27 August 1980, and No. 159 of 22 December 1980); general reports received from external sources, on the African elephant ivory trade, on international trade in rhinoceros products, on international trade in whale products; and various information bulletins by TRAFFIC.

5. Problems of Enforcement

Article XIII of the Convention instructs the Secretariat to communicate to Management Authorities any specific trade threats or apparent non-compliance with the Convention which may concern them. Parties receiving such communications are required to provide relevant information on the matter and on remedial action as appropriate. The information so provided is to be reviewed by the Conference of the Parties which may make whatever recommendations it deems appropriate.

a) Workload and procedure

Summaries of action for compliance control under this Article were attached to previous annual reports by the Secretariat (for 1978, Doc. 2.6 Annex 1, Proceedings of the San José meeting, pp. 259-263; for 1979, Annex 3 of the report communicated with Notification to the Parties No. 152 of 30 September 1980). The volume of action under Article XIII has since shown a spectacular increase - due to the rapid growth of membership, to improved national enforcement and to a greater flow of information between Management Authorities, the Secretariat and collaborating non-governmental organizations. While the Secretariat's report to the second meeting of the Conference thus referred to

a total of 46 cases involving 19 Parties during the 1977-78 biennium, the number of cases which the Secretariat drew to the attention of Parties during the 1979-80 biennium was 274, and 39 Parties were involved.

Under these circumstances, even the briefest summaries of the cases (as given in the Secretariat's previous reports for 1978 and 1979) would exceed the space and time available for review during the biennial meetings of the Conference. Some of the Management Authorities concerned have complained that the volume of information and investigation requests from the Secretariat now is beyond their administrative capacities, and have suggested to limit enquiries to cases involving illegal trade in Appendix I species only, or to concentrate on cases involving major commercial quantities of Appendix II species. This approach would thus disregard cases which "merely" concern the illegal import or export of single Appendix II specimens.

While appreciating the workload problem (which the national Management Authorities share with the international Secretariat), the Secretariat does not favour a "triage" approach. The growing credibility of Convention enforcement requires that every alleged violation is at least followed up; in several cases, an apparent "minor" infraction turned out to be part of a major transaction involving larger quantities and different species. The answer to an increased workload (which merely reflects an initial under-estimation of implementation requirements) is not to drop part of the work but to strengthen and streamline working capacities. Consequently, the Secretariat suggests the following measures:

- introduction of simplified standard notice forms for correspondence between Secretariat and Management Authorities pursuant to Article XIII (draft attached as Annex 2);
- limitation of Conference review to those cases which in the light of the information obtained are most likely to involve a violation of the Convention (example: investigation of illegal trade from Paraguay, attached as Annex 3);
- designation of an expert panel or rapporteur by the Conference, to whom the Secretariat shall submit the results of its action under Article XIII, sufficiently in advance of Conference meetings in order to ensure the necessary screening of information obtained for review.

b) Follow-up action

As a result of improved direct communications between Management Authorities, especially by way of "cross-checking" dubious trade documents with the issuing authority, numerous documents were clearly identified as non-authentic during the past year of Convention implementation. The Secretariat was thus able to notify Management Authorities in 15 cases that documents alleged to have been issued in Argentina, Bolivia, Botswana, United Republic of Cameroon, Chad, Colombia, Ghana, Guatemala, Paraguay, Thailand and Zaire were officially confirmed to be forgeries.

Yet in spite of the fact that it is a criminal offence in all Parties concerned to produce or knowingly use forged trade documents, some Management Authorities preferred not to institute criminal proceedings or not even to revoke the import authorization granted on the basis of forged documents. E.g., in one Party, where foreign export documents submitted by 9 different importers were proved to be forgeries, criminal action has been initiated in one case only, and re-export certificates continue to be granted for specimens likely to have entered the country on forged documents.

In the view of the Secretariat, failure to take follow-up action in cases where violations of the Convention have been established beyond doubt amounts to a breach of the duties of Parties laid down in Article VIII of the Convention, and should therefore be taken into account in recommendations of the Conference under Article XIII, paragraph 3.

6. Public Information

One of the most effective ways to improve compliance with the Convention is to ensure the widest possible dissemination of its basic rules to all those concerned - i.e, suppliers, traders, carriers, consumers and administrators. Without adequate and up-to-date information to these groups, non-compliance will frequently (and unnecessarily) be a matter of ignorance rather than of bad faith; yet the resulting administrative and economic costs to everybody concerned are likely to be higher than the costs of preventive information measures.

The Secretariat has received numerous enquiries from governmental and non-governmental bodies about suitable public information material on the Convention. In the absence of any budgetary provision for this purpose, it has tried to direct such enquiries to various external sources where relevant information material may be available; e.g., photographic material from the World Wildlife Fund International Photo-Library (see selection of photographs attached as Annex 4), and general background information from the International Institute for Environment and Development ("International Trade in Wildlife", Earthscan Publication, London 1979, US\$ 3.25). Useful brochures and audio-visual material have also been produced by some Management Authorities and non-governmental organizations for the purposes of implementation at the national level. While optimal use should be made of these existing information sources, their suitability for other countries and for other interested groups is obviously limited.

Among the information materials identified as high priorities are the following:

- A brief explanatory brochure on the Convention, to provide practical guidance to commercial users;
- Posters, in-flight information leaflets and possibly short films for tourists to advise them about restrictions on wildlife souvenirs;
- Instruction and possibly audio-visual aids for airline personnel handling wildlife and wildlife products;

- Travelling exhibition of confiscated specimens for general public awareness campaigns.

These materials should be developed in English, French and Spanish, in cooperation with Management Authorities and non-governmental organizations. Most of the funding could probably be obtained from external sources, subject to programme coordination by the Secretariat. Following a suggestion received from the Swedish Management Authority, the Conference may wish to recommend the development of a programme to this effect.

Report of the Secretariat

NOTIFICATIONS TO THE PARTIES

January 1980 to January 1981

| <u>No.</u> | <u>Subject</u> | <u>Date issued</u> |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| 133 | Reminder | 28.02.1980 |
| 134 | Ivory Trade | 24.03.1980 |
| 135 | Report of the Standing Committee | 24.03.1980 |
| 136 | Forms of permits and certificates | 24.03.1980 |
| 137 | Report of Technical Expert Committee | 03.04.1980 |
| 138 | Transmission of document: Australian proposal for amendment of Appendix II | 03.04.1980 |
| 139 | Directory of names and addresses of Management Authorities and other information | 05.06.1980 |
| 140 | Scientific institutions entitled to the exemption provided in Article VII, paragraph 6, of the Convention | 05.06.1980 |
| 141 | Third meeting of the Conference of the Parties Invitation | 05.06.1980 |
| 142 | Amendment to Appendix II of the Convention Proposal from the Commonwealth of Australia Comments from the Parties and recommendations from the Secretariat | 19.06.1980 |
| 143 | List of species and stocks of whales protected by the IWC | 19.06.1980 |
| 144 | Interpretation of Article VII Questionnaire | 19.06.1980 |
| 145 | Transmission of reports, Proceedings and other documents | 19.06.1980 |
| 146 | Scientific institutions entitled to the exemption provided in Article VII, paragraph 6, of the Convention | 27.08.1980 |

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| 147 | Amendments to Appendices I and II of the Convention Proposals from the Republic of South Africa Comments from the Parties and recommendations from the Secretariat | 27.08.1980 |
| 148 | Ivory Trade Position of the Republic of Zaire | 27.08.1980 |
| 149 | Transmission of documents | 27.08.1980 |
| 150 | Annotation of Appendix II species Note from the Government of Canada | 27.08.1980 |
| 151 | Transmission of documents for the third meeting of the Conference of the Parties | 30.09.1980 |
| 152 | Annual Reports for 1979 | 30.09.1980 |
| 153 | Third meeting of the Conference of the Parties New dates: New Delhi (India), 25 February to 8 March 1981 | 04.11.1980 |
| 154 | Transmission of documents | 04.11.1980 |
| 155 | Transmisson of documents for the third meeting of the Conference of the Parties | 27.11.1980 |
| 156 | Scientific institutions entitled to the exemption provided in Article VII, paragraph 6, of the Convention | 22.12.1980 |
| 157 | Transmission of documents for the third meeting of the Conference of the Parties (continued) | 22.12.1980 |
| 158 | Transmission of documents | 22.12.1980 |
| 159 | Trade in ivory Position of the United Republic of Cameroon | 22.12.1980 |
| 160 | Transmission of documents for the third meeting of the Conference of the Parties (last mailing) | 16.01.1981 |
| 161 | Transmission of documents | 23.01.1981 |

Unnumbered Notifications
issued to Contracting or Signatory States

January 1980 to January 1981

| | |
|-------------------------------------------------------------------------------------------|----------|
| Amendment to Appendix II of the Convention Proposal from the Commonwealth of Australia | 03.04.80 |
|-------------------------------------------------------------------------------------------|----------|

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|-------------------------------------------------------------------------------------------------------------------------|------------|
| Amendments to Appendices I and II of the Convention Proposals from the Republic of South Africa | 18.06.80 |
| Proceedings of the second meeting of the Conference of the Parties | 18.06.80 |
| Adoption of an amendment to Apppendix II of the Convention | 11.08.1980 |
| Amendments to Appendices I and II of the Convention Proposals from the United States of America | 21.08.1980 |
| Amendments to Appendices I and II of the Convention | 30.09.1980 |
| Amendments to Appendix III of the Convention List of species submitted by Guatemala for inclusion in Appendix III | 23.01.1981 |

Report of the Secretariat

International Measures (Article XIII)

DRAFT STANDARD NOTICE FORMS

(A)

Case No. XIII/...

To: (Management Authority)

The enclosed information indicates that this matter may fall within the scope of the Convention, and raises the question whether the provisions of the Convention have been implemented effectively.

In accordance with Article XIII, you are kindly requested to verify this information and to report to the Secretariat any relevant facts and, where appropriate, any remedial action taken or proposed.

Correspondence regarding this matter has also been exchanged with:

Please use the enclosed standard notice form in reply.

(Secretariat)

(B)

Case No. XIII/...

To: (Secretariat)

In response to your request of ...(date).. regarding the above-mentioned case, the following information is provided:

*[] On the basis of a preliminary investigation, no violation of the Convention seems to have occurred, as

[] no species listed on Appendices I-III are involved;

[] the exemption of Article VII, paragraph .., applies;

[] other reasons: ..(specify)...

Unless further evidence is received, we therefore propose to close the case.

*[] The case is under investigation

[] by our Management Authority;

[] by the following authorities:

and you will receive further notice by ...(date)...

Correspondence regarding this matter has also been exchanged with:

(Management Authority)

* Check as appropriate.

Report of the Secretariat

INVESTIGATION OF ILLEGAL TRADE FROM PARAGUAY

1. In the course of its analysis of the 1978 trade statistics submitted by Parties with their annual reports (Doc. 3.21), the Secretariat noticed an unusual development of wildlife exports reported as originating in Paraguay. Although Paraguay (a Party since 13 February 1977) did not submit annual reports of its own, the imports recorded by other Parties showed an extraordinary increase: e.g., in the Federal Republic of Germany from 11,251 Felidae skins in 1977 to 180,111 in 1978; from 8,349 otter skins in 1977 to 17,273 in 1978; and from 2,066 crocodilian hides in 1977 to 18,882 in 1978. Comparison with other official statistics showed the same trend in Paraguay's trade with non-Party States: e.g., in Japan, from 6,492 Kg of raw furskins in 1977 to 16,328 Kg in 1978; and from 25,544 Kg of reptile hides in 1977, to 42,259 Kg in 1978. A similar increase is apparent in the trade of live animals out of Paraguay, especially birds and reptiles.

In the light of this information for which there was no rational explanation in terms of local conservation situation of the species concerned, it appeared that the international fur trade, leather trade and pet trade had begun to use Paraguay as a basis for major transactions to circumvent and possibly to violate the Convention.

2. In December 1979, a member of the Secretariat visited Paraguay and its neighbouring countries Argentina, Bolivia and Brazil. Besides obtaining confidential information on the smuggling of wildlife and wildlife products to Paraguay from neighbouring countries, he was informed by the Management Authority of Paraguay that a case of forged export documents had recently been discovered. The document identified as a forgery was shown to the member of the Secretariat. It involved exports of a large quantity of furskins from a trade firm in Asunción (F.) to a trade firm in Frankfurt (D.), purporting to be authorized with stamps of the Plant Health Division (División de Sanidad Vegetal) of the Ministry of Agriculture of Paraguay.
3. On the occasion of the first meeting of the Technical Expert Committee on Harmonization of Permit Forms and Procedures (Bonn, January, 1980), officials of the U.S. Management Authority transmitted to the Management Authority of the Federal Republic of Germany a set of documents relating to the seizure of a commercial shipment of furskins during transit at Miami airport in June 1979. The shipment was identified by U.S. Customs as containing specimens listed on Appendix I of the Convention, including 102 ocelot skins (declared as Felis pardalis) and 24 otter skins (declared as Lutra paranis), consigned to a freight forwarder in Frankfurt. The freight forwarder named as recipient the Frankfurt trade firm of D., and produced evidence that between 26 April and 25 June 1979, at least

4,542 ocelot skins and 1,607 otter skins from Paraguay consigned to D. had already been accepted for import by the Customs authorities of the Federal Republic of Germany in Frankfurt. He also produced an export permit issued to the firm of F. in Asunción, bearing the stamp of the Plant Health Division of the Ministry of Agriculture of Paraguay, on a F.R.G. permit form (copy attached hereto).

In a meeting held on 30 January 1980 with the Secretariat and officials of the U.S. Management Authority, the Management Authority of the Federal Republic of Germany agreed to investigate the case.

An investigation was initiated on 14 February 1980 by the Customs Investigations Branch in Frankfurt, which submitted its report to the CITES Management Authority on 12 May 1980 (with a supplementary report on 10 June 1980), recommending to close the case against D. and against the freight forwarder for lack of evidence. In particular, the report stated that:

- (a) the original export permit from Paraguay had since expired and could no longer be found for verification;
- (b) the CITES Management Authority indicated that at least 5 similar export permits from Paraguay had previously been presented by D. and accepted as authentic;
- (c) all otter skins imported on the basis of the permit were already sold and could not be obtained for inspection;
- (d) an expert from the professional training institute of the German Fur Trade Federation had disputed the scientific validity of the identification of the seized otter skins as given by the U.S. authorities;
- (e) the importing firm (D.) claimed that the authenticity of the documents was the sole responsibility of the exporting firm (F.).

After several enquiries from the Secretariat, the F.R.G. Management Authority transmitted a copy of the report to the Secretariat on 6 January 1981.

4. Meanwhile, following an enquiry from the French Management Authority, the Secretariat transmitted on 14 February 1980 to the Management Authority of Paraguay for verification a document authorizing the Asunción firm of F. to export 3,000 hides of Dracaena guianensis (Appendix II) to France on a permit form printed in English and allegedly stamped by a veterinary official. No confirmation was received.
5. The U.K. Management Authority (as a result of a query from TRAFFIC/U.K.) enquired on 5 March 1980 about a certificate issued by the F.R.G. Management Authority on 15 January 1980, authorizing the re-export to the United Kingdom of 2,490 ocelot skins (Felis pardalis) and 2,438 peludo skins (Felis wiedii) originating in Paraguay, consigned to the London firm of S. by a Frankfurt freight

forwarder on behalf of the Belgian firm of B. in Brussels. On 10 March 1980, the Secretariat informed the F.R.G. Management Authority that B. had applied to the competent Belgian authority for a re-export certificate concerning a shipment of 2,490 ocelot skins, 2,438 peludo skins and 1,338 otter skins from Paraguay; the certificate which was not based on any authentic original export documents from Paraguay; had been granted for the ocelot and peludo skins but not for the otter skins and the shipment had been sent to Frankfurt.

In the course of a Customs investigation initiated by the F.R.G. Management Authority in April 1980, the freight forwarder named the London firm of H. as the consignee of the shipment. The F.R.G. Management Authority so informed the U.K. Management Authority on 13 August 1980.

On 3 December 1980, the F.R.G. Management Authority informed the Secretariat that its investigation of the case had been closed for lack of evidence regarding the Frankfurt freight forwarder. When the Secretariat informed the U.K. Management Authority on 9 December 1980, it turned out that on 24 November 1980 the London firm of S. had obtained a licence to import from Frankfurt 2,490 ocelot skins and 2,438 peludo skins. The licence was revoked on 16 December 1980, and the U.K. Management Authority transmitted the results of its investigation to the Secretariat on 12 January 1981.

According to the F.R.G. Management Authority, the felidae skins are still with the freight forwarder in Frankfurt. It is not known where the otter skins are, although it appears that the total weight of the fur skin shipment from Brussels to Frankfurt may have corresponded to the combined weight of the felidae skins and the otter skins.

6. Following an enquiry from the Swiss Management Authority, the Secretariat transmitted on 4 June 1980 to the Management Authority of Paraguay for verification a document authorizing the export of 22 live snakes (Cyclagras gigas, Appendix II) presented for importation in Switzerland. On 3 July 1980, the Management Authority of Paraguay confirmed that the document was a forgery.
7. At the request of the Danish Management Authority, the Secretariat transmitted on 5 August 1980 to the Management Authority of Paraguay for verification a document authorizing the export of 4 live parrots (Aratinga guaruba, Appendix I) alleged to have been bred in captivity and presented for importation in Denmark. On 9 September 1980, the Management Authority of Paraguay confirmed that the document was a forgery and that similar forgeries regarding hyacinth macaws and involving the same bird exporter had recently been submitted by the U.S. Management Authority.
8. On 28 August 1980, the Management Authority of the Federal Republic of Germany transmitted to the Secretariat 11 export permits from Paraguay (one of which indicated Brazil as country of origin), on the basis of which the Frankfurt firm of D. had imported from the Asunción firm of F. a total of 9,473 otter skins, 10,819 ocelot skins, at least 40,000 other skins of felidae (variously declared as

F. geoffroy, F. wiedii and F. tigrina) and 10,975 caiman hides. On 2 September 1980, the Secretariat transmitted the documents for verification to the Management Authority of Paraguay which on 15 October 1980 confirmed that 9 of the 11 documents submitted were forgeries. One of these turned out to be the document referred to in section 3 above (attached hereto). On 22 October 1980, the Secretariat transmitted this information to the F.R.G. Management Authority, which reported that criminal proceedings had been instituted against D. on 30 October 1980.

9. On 29 October 1980, the Secretariat requested samples of their Paraguay export permits from several other Management Authorities, referring to the forgeries discovered in the Federal Republic of Germany. On 3 December 1980, several documents from Paraguay were sent to the Secretariat by the U.S. Management Authority. As several of these showed characteristics similar to the documents previously confirmed as forgeries, they were transmitted to the Management Authority of Paraguay for verification, together with further permits concerning other fur importers in the Federal Republic of Germany.

(Antrag
bittet in
Maschinen-
schrift aus-
füllen, da
sonst keine
Bearbeitung)

1. Ausfuhrgenehmigung / Wiederausfuhrbescheinigung **) Nr.
Export permit / Re-export permit No.
Permís d'exportación / Introduction en proven. de la mer No.

No. 822 Decreto 31.137/77

2. Gültig bis: - valid until (date): - valide jusqu'à (date)

17 de octubre 1979

3. Name und Anschrift des Antragstellers: - name and address of the applicant for the permit: - nom et adresse du titulaire du permis:

Asunción/Paraguay

4. Ausstellende Behörde: - authority issuing the permit: - autorité délivrant le permis:



5. Ich/Wir beantrage/n die Ausfuhr folgenden/r Exemplare/s // Erzeugnisse/s:

~~XXXXXXXXXXXX~~ // Teil/e oder Erzeugnis/se von Exemplar/en einer Art nach ~~XXXXXX~~ Anhang II / ~~XXXXXX~~ *) des Übereinkommens, wie auf Blatt 2 näher bezeichnet.

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

Bestimmungsland: Alemania (BRD)

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

Ursprungsland: Paraguay

6. Empfänger (Name und Anschrift): - Recipient (name and address): - Destinaire (nom et adresse):

Frankfurt/Main - Alem.

7. Ich/Wir erkläre/n, daß mir/uns die Bestimmungen des Übereinkommens sowie die des Tierschutzgesetzes vom 24. 7. 1972 (Bundesgesetzbl. 1972 I S. 1277) in ihren geltenden Fassungen bekannt sind.

Asu. 9 de abril 1979

Unterschrift des Antragstellers/Firmenstempel

8. Genehmigung: - remark: Die Ausfuhr / Wiederausfuhr **) wird genehmigt.

Die Wiederausfuhr von Exemplaren des Anhanges I: Einfuhrgenehmigung der Bundesrepublik Deutschland mit Abfertigungsbestätigung der Zollstellen liegt vor.

Asunción, 17 de abril 1979

Unterschrift/Dienststempel - signature/official stamp - signature/cachet

Ort und Datum - place and date - place et date

9. Ausfuhr-/Wiederausfuhrbestätigung **) der abfertigenden Zolldienststelle (auch auf Blatt 2)

Unterschrift/Dienststempel - signature/official stamp - signature/cachet officiel

Ort und Datum - place and date - place et date

10. Einfuhrbestätigung im Bestimmungsland (nur für 1. Ausfertigung)

Unterschrift/Dienststempel - signature/official stamp - signature/cachet officiel

Ort und Datum - place and date - place et date

Dieser Vordruck ist auch bei jedem sonstigen Verbringen aus dem Geltungsbereich dieses Gesetzes zum Washingtoner Artenschutzübereinkommen zu verwenden. Diese Genehmigung befreit nicht von den aufgrund anderer Bestimmungen erlassenen Verboten und Einschränkungen.

*) ohne Blatt 2 ungültig - without page 2 not applicable - sans feuille 2 ne pas valable

**) Nichtzutreffendes streichen - delete if not applicable - rayer la mention inutile

Nr. No. 822 Decreto 31.137/77

vom 17 de Abril 1979

Beschreibung der/des Exemulare/s oder der Teile/des Teiles oder der/des Erzeugnisse/s aus Exemplaren einschließlich eventuell angebrachter Kennzeichen:

XXXXXXXXXXXX
XXXXXXXXXXXX
XXXXXXXXXXXX
XXXXXXXXXXXX

Teile oder Erzeugnisse

Parts or Derivatives

Parties ou Produits

Art - Species - Espèce

a) wissenschaftliche Bezeichnung

b) Vulgarbezeichnung

c) Codenummer des Deutschen Gebrauchs-Zolltarif

Anzahl

Menge

Geschlecht

(1/2)

Größe

Warenart

Kennzeichen

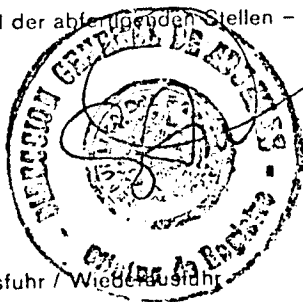
- 1) a) lutrinae spp., lobopé
b) lobo pé, otter
c) 4301 500 00

6000 pcs.

- 2) a) felis pardalis
b) Ozelots
c) 4301 350 00

6000 pcs.

Stempel der abfertigenden Stellen - stamp of the authorities inspecting - cachet des autorités ayant procédé à l'inspection



bei Ausfuhr / Wiederausfuhr

bei Einfuhr / Einbringen aus dem Meer



C/1
Skins of tigers and leopards seized from Italian trader at Calcutta airport.
Photo A. Wright



C/2 *
Stuffed caimans from Brazil, for sale to tourists, Guadeloupe.
Photo Ch. Zuber



C/3
Waste-baskets made from elephant feet, sold as souvenirs in East Africa.
Photo Okapia



C/4
Deep-frozen tiger and crocodiles, for sale in butcher shop, Federal Republic of Germany.
Photo DAC van den Hoorn



C/5
Baby macaques, smuggled from Bangkok to Brussels for Belgian pet-dealer.
Photo W.Y.Brockelman



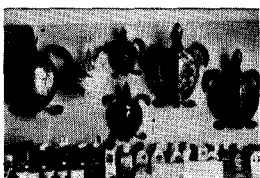
C/6
Cheetah skins from Ethiopia, smuggled from Djibouti to Hong Kong for Swiss fur trader.
Photo IUCN



C/7
Rare Mexican cacti, seized from the hand-baggage of a single German "botanist", Frankfurt airport.
Photo W. Barthlott



C/8 *
Mountain gorilla killed by poachers for its skull, Rwanda.
Photo J.P.van der Becke



C/9
Stuffed marine turtles in tourist shop, Caribbean.
Photo Ch. Zuber



C/10
Part of an illegal shipment of 150.000 snake skins seized at Calcutta airport, destination Hamburg.
Photo A. Wright



C/11 *
Bird-catcher caught with parrots, Peru.
Photo H. Jungius



C/12
141 rhino horns from Kenya, confiscated by customs in Bremen, Federal Republic of Germany.
Photo W.Wolf/Quick



C/13 *
Sperm whale ready for flensing.
Photo K.Balcomb



C/14 *
H.R.H. the Duke of Edinburgh inspects confiscated skins at CITES Headquarters, Switzerland.
Photo P. Virolle