

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



Seventeenth meeting of the Conference of the Parties  
Johannesburg (South Africa), 24 September – 5 October 2016

Interpretation and implementation matters

Trade control and traceability

Hunting trophies

HUNTING TROPHIES OF SPECIES LISTED IN APPENDIX I OR II

1. This document has been submitted by the European Union.\*

Background

2. Hunting trophies of species listed in Appendix I or II of the Convention are traded in significant numbers. Such exports consist mainly of trophies of animals taken from the wild but, in some instances, correspond to animals produced in captivity.
3. Well-managed and sustainable trophy hunting is an important conservation tool which provides both livelihood opportunities for rural communities and incentives for habitat conservation, and generate profits which can be invested for conservation purposes. However, the sustainability of offtake from populations subject to trophy hunting is sometimes called into question. In particular, concerns have been raised about the sustainability of trade in hunting trophies of species listed in Appendix I or II, especially where trophies represent a large share of the overall trade affecting the species concerned.
4. A number of initiatives have been taken to provide guidance to Parties in relation to the sustainability of trophy hunting. In particular, the International Union for the Conservation of Nature adopted in 2012 the IUCN SSC Guiding Principles on Trophy Hunting as a Tool for Creating Conservation Incentives, which provides very useful non-binding recommendations.
5. According to Resolution 12.3 (Rev. CoP16), a hunting trophy is defined as “a whole animal, or a readily recognizable *part or derivative of an animal, specified on any accompanying CITES permit or certificate, that:*
  - i) *is raw, processed or manufactured;*
  - ii) *was legally obtained by the hunter through hunting for the hunter’s personal use; and*
  - iii) *is being imported, exported or re-exported by or on behalf of the hunter, as part of the transfer from its country of origin, ultimately to the hunter’s State of usual residence.”*
6. Article VII.3 of the Convention provides for an exemption to Articles III, IV, and V applying to specimens considered as personal and household effects. Additionally, Resolution Conf. 13.7 (Rev. CoP14) on the control of trade in personal and household effects sets out that trade in certain specimens, such as hunting

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\* *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

trophies, can be exempted from the requirement to be accompanied by an export permit or re-export certificate, with the exception of rhino horns and elephant ivory contained in hunting trophies. The practice varies widely among CITES Parties, with a number of them requiring that hunting trophies of species listed in Appendix II are accompanied by export permits. The current practices create some confusion on the applicable legal regime and the absence of a general requirement for export permits for hunting trophies of species listed in Appendix II means that there is no guarantee under the CITES framework on the legal and sustainable origins of these trophies.

7. A number of other Resolutions set out specific provisions regarding hunting trophies of certain species listed in Appendix I, such as Resolution Conf. 10.10 (Rev. CoP16) on *trade in elephant specimens*, Resolution Conf. 10.14 (Rev. CoP16) on *quotas for leopard hunting trophies and skins for personal use*, Resolution Conf. 10.15 (Rev. CoP14) on the *establishment of quotas for markhor hunting trophies*, and Resolution Conf. 13.5 (Rev. CoP14) on the *establishment of export quotas for black rhinoceros hunting trophies*. These Resolutions, by setting out specific conditions applying to international trade in trophies of those species, provide a framework aimed at improving the sustainability of exports of these species. These conditions are nonetheless limited to exports of individual species listed in Appendix I, and therefore do not apply to other species listed in Appendix I or II and exported as hunting trophies.
8. Concerns have been raised in recent years about cases where the provisions on trade in hunting trophies have been deliberately misused. In the particular case of rhinoceroses, it was clearly established that criminal networks hired people in importing countries, paid their travel to South Africa as well as their rhinoceros hunting safaris, after which they took possession of the horns and illegally traded them to Asian countries. Apart from the widespread misuse of rhino hunting trophies for illegal commercial purposes in the Czech Republic, investigations carried out in Slovakia but also in countries outside the European Union, show that a similar modus operandi of hiring 'pseudo-hunters' and even 'bona fide-hunters' has been used widely by criminal networks to channel rhino horns out of South Africa and ultimately to markets in Asia.
9. In addition, some of the trophy hunting quotas agreed by the Conference of Parties have not been reviewed since they were last agreed by the CoP. This is in particular the case of leopard hunting quotas set in Resolution Conf. 10.14 (Rev. CoP16), which were last considered by the CoP for Mozambique at CoP14 (2007), for Namibia and South Africa at CoP13 (2004), for Tanzania at CoP12 (2002) and for other countries at CoP10 (1997) itself. Since those dates, more information may have become available on populations, the impact of harvests and/or better means of ensuring sustainability of hunts. The species, which was previously considered as of 'Least Concern' according to the IUCN Red List, was categorized as "Near Threatened" in 2008 based on a population decline in large parts of its range due to habitat loss and fragmentation, and hunting for trade and pest control. Yet these quotas are in place with the assumption that 'no new scientific or management data have emerged to indicate that the population of the species in the range State concerned can no longer sustain the agreed quota', in line with Resolution Conf. 9.21 (Rev. CoP13) on the interpretation and application of quotas for species included in Appendix I. The European Union and its Member States believe therefore that trophy hunting quotas set by the Conference of the Parties should be subject to regular review by the Animals Committee in collaboration with exporting countries.
10. In 2013 and 2014, the European Union and its Member States conducted a comprehensive assessment of imports into the EU of hunting trophies of species listed in Appendix II. This assessment included a review of the sustainability of such imports for selected taxa<sup>1</sup>. On the basis of this assessment, and of a consultation with a large number of Parties to the Convention and stakeholders, the European Union and its Member States adopted in 2015 new rules for the import of hunting trophies of six taxa for which it was demonstrated that there were concerns regarding the sustainable or legal origin of trophies imported from certain exporting countries. The taxa concerned by these provisions are the African lion (*Panthera leo*), the polar bear (*Ursus maritimus*), Appendix II populations of the African elephant (*Loxodonta africana*),

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<sup>1</sup> See:

- UNEP-WCMC. 2013. *Assessing potential impacts of trade in trophies imported for hunting purposes to the EU-27 on conservation status of Annex B species*. UNEP-WCMC, Cambridge  
[http://ec.europa.eu/environment/cites/pdf/reports/SRG65\\_Part1.pdf](http://ec.europa.eu/environment/cites/pdf/reports/SRG65_Part1.pdf)
- UNEP-WCMC. 2013. *Assessing potential impacts of trade in trophies imported for hunting purposes to the EU-27 on conservation status of Annex B species. Part 2: Discussion and case studies*. UNEP-WCMC, Cambridge  
[http://ec.europa.eu/environment/cites/pdf/reports/SRG%2065\\_7%20Hunting%20trophies%20report\\_2.pdf](http://ec.europa.eu/environment/cites/pdf/reports/SRG%2065_7%20Hunting%20trophies%20report_2.pdf)
- UNEP-WCMC. 2014. *Review trophy hunting in selected species*. UNEP-WCMC, Cambridge.  
[http://ec.europa.eu/environment/cites/pdf/reports/SRG%2068\\_6%20Review%20of%20trophy%20hunting%20in%20selected%20species%20\\_public\\_.pdf](http://ec.europa.eu/environment/cites/pdf/reports/SRG%2068_6%20Review%20of%20trophy%20hunting%20in%20selected%20species%20_public_.pdf)

Appendix II populations of the Southern white rhinoceros (*Ceratotherium simum simum*), the hippo (*Hippopotamus amphibius*) and the argali sheep (*Ovis ammon*). Imports in the EU of trophies of these taxa are now subject to the issuance of import permits.

### Discussion

11. Based on the above elements, it is proposed that international trade in hunting trophies of species listed in Appendix I or II should be subject to provisions that would enable for better controls of the sustainable and legal origin of those specimens. Such measures should be accompanied by a closer dialogue between exporting and importing countries to ensure the effective implementation of the Convention, including in cases where importing countries adopt stricter domestic measures.
12. In reviewing the current set of provisions regulating trade in hunting trophies of species listed in Appendix I or II, the European Union and its Member States believe that a Resolution should be adopted by the Conference of the Parties with a view to establishing a clear framework guaranteeing the sustainable and legal origin of hunting trophies of species listed in Appendix I or II. This Resolution should in particular set out a number of conditions that should be met before such exports can be authorized.
13. The European Union and its Member States also believe that exporting countries should issue export permits for hunting trophies of species listed in Appendix I or II. While recognizing that this principle is already applied by a number of Parties, the European Union and its Member States are of the view that Resolution Conf. 13.7 (Rev. CoP14) on the control of trade in personal and household effects should be amended, so as to enable for an even implementation of these provisions by Parties. These amendments would provide a more adequate basis for enforcement efforts and controls of trade in hunting trophies.
14. It is also proposed that trophy hunting quotas set by the CoP should benefit from review at regular intervals by the Animals Committee involving the active collaboration of the exporting countries. This is in particular the case of leopard quotas set in Resolution Conf. 10.14 (Rev. CoP16).
15. In recognition of the fact that there may be particular concerns with the practice of trophy hunting of some taxa, the European Union and its Member States believe that consideration should be given to developing additional species-specific guidance on measures to achieve non-detriment, to augment the general conditions set out in the proposed Resolution, where this is considered necessary. Furthermore the EU and its Member States are of the view that priority should be given to species where concerns have already been raised about the sustainability of trophies and specifically propose the African Lion (*Panthera leo*) as a priority in this respect. The aim of any additional species-specific guidance should be to promote best management practice based on transparent and robust principles, and be developed in conjunction with exporting countries, drawing on expert opinion. Such guidance might be added, as Annexes, to the proposed Resolution at a future meeting of the Conference of the Parties.

### Recommendations

16. To assist Parties with the uniform interpretation and implementation of the Convention regarding trade in hunting trophies of species listed in Appendix I or II, the European Union and its Member States propose that the Conference of the Parties:
  - a) adopt the Resolution presented in Annex 1;
  - b) adopt the changes to Resolution Conf. 13.7 (Rev. CoP14) on the control of trade in personal and household effects presented in Annex 2;
  - c) adopt the Decisions presented in Annex 3 and Annex 4.

## COMMENTS FROM THE SECRETARIAT

- A. Regarding the proposed draft resolution contained in Annex 1 to this document, the Secretariat notes that certain of the proposed conditions for issuing export permits for hunting trophies of species listed in Appendix I or II would go beyond the requirements for the issuance of export permits contained in Articles III or IV of the Convention.
- B. According to the paragraph URGES 2 e), for example, exporting countries should only issue export permits when trophy hunting activities are managed in cooperation with and provide benefits to local communities, where relevant. While it may be desirable to take such socio-economic considerations and livelihoods into consideration when making non-detriment findings, these aspects are not specifically articulated in Article III or IV, and are not explicitly mentioned in Resolution Conf. 16.7 on *Non-detriment findings*. In this regard, the provisions that are proposed in paragraph 2 e) may set precedents for trade in specimens of species listed in Appendix I or II other than hunting trophies, and relevant amendments to Resolution Conf. 16.7 could be envisaged.
- C. Paragraph 3 of the proposed draft resolution recommends that trophy hunting activities relating to Appendix I-species should “produce tangible conservation benefits for the species concerned”. While the merits of such an objective can be understood, this introduces a concept that goes beyond the scope of the provisions in Article III for trade in Appendix I species, which requires that export “not be detrimental to the survival of the species concerned”. It can therefore be questioned whether this paragraph should or could be considered by the Conference of the Parties, and to what extent it might set a precedent for trade in specimens other than hunting trophies of species included in Appendix I. It is furthermore unclear to what extent “tangible conservation benefits” should differ from “non-detrimental”, how “benefits” are to be determined, and what happens in cases where Parties do not comply with the proposed recommendation.
- D. Regarding the proposed draft resolution contained in Annex 1, the Secretariat further notes that a separate proposal for a draft resolution on *Trade in hunting trophies of species listed on Appendix II* has been submitted for the consideration of the Conference of the Parties in document CoP17 Doc. 39.2. In view of the compatibility of the two draft resolutions, the Conference of the Parties may wish to consider consolidating the two proposals, as well as relevant elements of Resolution Conf. 2.11 (Rev.) on *Trade in hunting trophies of species listed in Appendix I*.
- E. Regarding the proposed amendments to Resolution Conf. 13.7 (Rev. CoP16), contained in Annex 2, the Secretariat notes that the proposal seeks to apply the approach taken to hunting trophies containing rhino horn or elephant ivory to all hunting trophies, which may serve to rationalise the approach taken to international trade in hunting trophies. The Secretariat recommends that the Conference of the Parties adopt the draft decisions contained in Annex 3. However, the Secretariat would suggest that it be requested to compile the information to be reviewed by the Animals Committee. The Secretariat therefore proposes the following amendment to the draft decisions contained in Annex 3:

### **Directed to the Secretariat**

17.X0 Subject to external funding, the Secretariat shall, in collaboration with relevant range States and organizations, compile information on the quotas established under Resolution Conf. 10.14 (Rev. CoP16), as well as new information on the population status, levels of mortality or on other means of assessing the sustainability of quotas, for consideration of the Animals Committee at its 30th meeting.

- F. The Secretariat recommends that the Conference of the Parties adopt the draft decision regarding guidance for achieving non-detriment for the export of African lion hunting trophies, contained in Annex 4. However, for practical reasons, the Secretariat would suggest that it compile the information to be reviewed by the Animals Committee, in collaboration with relevant importing and exporting countries, expert opinion and local communities. The Secretariat also advises that the species-specific guidance called for be developed in the context of the making of non-detriment findings for harvest of export of hunting trophies of lions. The Secretariat therefore suggests the following amendment to the draft decision contained in Annex 4:

**Directed to the Secretariat**

17.x4 Subject to external finding, the Secretariat shall, in collaboration with relevant importing and exporting countries, local communities and experts, collate the available information on the harvest and export of hunting trophies of African lion (*Panthera leo*), for consideration of the Animals Committee at its 29th meeting.

**Directed to the Animals Committee**

17.x3 The Animals Committee shall:

- a) develop, by their 29th meeting, in collaboration with relevant importing and exporting countries, local communities and expert opinion, species-specific guidance for the making of non-detriment findings for the harvest and export of hunting trophies of African lion (*Panthera leo*);
- b) report their conclusions to the 69th meeting of the Standing Committee and to Parties, as appropriate, in particular regarding the possible need for any amendments to Res 17.xx to include any species-specific guidance;

- G. The Secretariat further recommends that the draft decision contained in Annex 4 be discussed as part of the broader discussion on *Panthera leo* under agenda items 82.2 on Review of the Appendices: *Felidae* spp. and 88 on Proposals to amend Appendices I and II.
- H. Should the above-mentioned amendments to the draft decisions in Annexes 3 and 4 be adopted, the Secretariat would need to hire external consultants to compile the required information, generating budgetary implications of approximately USD 40,000 to 60,000.

## DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

### Trade in hunting trophies of species listed in Appendix I or II

RECOGNIZING that well-managed and sustainable trophy hunting is consistent with and contributes to species conservation, as it provides both livelihood opportunities for rural communities and incentives for habitat conservation, and generates benefits which can be invested for conservation purposes;

RECALLING that Resolution Conf. 16.6 on CITES and livelihoods recognizes that poor rural communities may attach economic, social, cultural and ceremonial importance to some CITES-listed species, and RECOGNIZING the resources that trophy hunting provides to certain local communities;

RECOGNIZING further that a number of conditions or criteria need to be met to guarantee that trophy hunting is sustainably managed, does not undermine the conservation of the target species and provide benefits to local communities;

AWARE of the challenges that Parties face when making scientifically-based non-detriment findings and establishing sustainable quotas for hunting trophies, and that the sharing of guiding principles and experience for making such decisions would improve implementation of Articles III and IV of the Convention;

RECALLING that Resolution Conf. 16.7 on Non-detriment findings set out a number of guiding principles that Scientific Authorities should take into account in considering whether trade would be detrimental to the survival of a species;

RECALLING that Resolution Conf. 10.10 (Rev. CoP16) on trade in elephant specimens, Resolution Conf. 10.14 (Rev. CoP16) on quotas for leopard hunting trophies and skins for personal use, Resolution Conf. 10.15 (Rev. CoP14) on the establishment of quotas for markhor hunting trophies and Resolution Conf. 13.5 (Rev. CoP14) on the establishment of export quotas for black rhinoceros hunting trophies set out specific conditions applying to international trade in trophies of those Appendix I species;

RECALLING that the Appendix I listing of cheetahs (*Acinonyx jubatus*) is accompanied by an annotation regarding annual export quotas for live specimens and hunting trophies;

RECALLING that Resolution Conf. 2.11 (Rev.) on trade in hunting trophies of species listed in Appendix I recommends that hunting trophies of Appendix I species shall be accompanied by import and export permits, and that this Resolution sets out provisions according to which Parties should carry out scientific examination before issuing permits ;

### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. AGREES that the export of hunting trophies of species listed in Appendix I or II should be conditional upon issuance of an export permit in accordance with Articles III or IV of the Convention.
2. URGES exporting countries to only issue export permits for hunting trophies of species listed in Appendix I or II when the following conditions are met:
  - a) a Management Authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that country for the protection of fauna;
  - b) sound biological data have been, and continue to be, collected from the source population(s);
  - c) a Scientific Authority of the State of export has advised that harvest levels are sustainable, taking account of all mortality sources affecting the wild population of the species, including mortality due to illegal killing;
  - d) adaptive management is in place for the species concerned, and may include measures such as establishment of hunting or export quotas, restrictions on trophy size or animal age or sex, and monitoring of harvest levels to inform future management, in particular for species of Appendix I;

- e) trophy hunting activities relating to the species concerned are managed in cooperation with and provide benefits to local communities, where relevant.
- 3. RECOMMENDS that trophy hunting activities relating to species listed in Appendix I should produce tangible conservation benefits for the species concerned.
- 4. RECOMMENDS Parties trading in hunting trophies to apply the *Guidelines for the preparation and submission of CITES annual reports* in order to assess adherence to quotas and compliance with the provisions of the Convention.
- 5. RECOMMENDS that importing countries maintain a close dialogue with exporting countries as necessary to ensure the effective implementation of the Convention regarding hunting trophies, in particular in cases where importing countries adopt stricter domestic measures.

PROPOSED AMENDMENTS TO RESOLUTION CONF. 13.7 (REV. COP16)  
ON THE CONTROL OF TRADE IN PERSONAL AND HOUSEHOLD EFFECTS

NB: Text to be deleted is ~~crossed out~~. Proposed new text is underlined.

**Resolution Conf. 13.7 (Rev. CoP16~~7~~), Control of trade in personal and household effects**

(...)

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

(...)

AGREES that Parties shall:

- a) regulate the cross-border movements of legally acquired, personally owned live animals of species listed in the Appendices of CITES in accordance with Resolution Conf. 10.20;
- b) not require export permits or re-export certificates, for personal or household effects which are dead specimens, parts or derivatives of Appendix-II species except:
  - i) where they have been advised through a Notification from the Secretariat or on the CITES website that the other Party involved in the trade requires such documents; or
  - ii) for the export and re-export of ~~rhino horn or elephant ivory contained in~~ hunting trophies; or
  - iii) for the following, where the quantity exceeds the specified limits:
    - caviar of sturgeon species (*Acipenseriformes* spp.) – up to a maximum of 125 grams per person whereby the container has to be labelled in accordance with Resolution Conf. 12.7 (Rev. CoP16);
    - rainsticks of Cactaceae spp. – up to three specimens per person;
    - specimens of crocodylian species – up to four specimens per person;
    - queen conch (*Strombus gigas*) shells – up to three specimens per person;
    - seahorses (*Hippocampus* spp.) – up to four specimens per person;
    - giant clam (*Tridacnidae* spp.) shells – up to three specimens, each of which may be one intact shell or two matching halves, not exceeding 3 kg per person; and
    - specimens of agarwood – up to 1 kg of woodchips, 24 ml of oil and two sets of beads or prayer beads (or two necklaces or bracelets) per person;

(...)

**Annex 1**

Guidelines for interpretation of personal and household effects

Interpretation of Article VII, paragraph 3, of the Convention

(...)



12. Personally owned or possessed specimens are Appendix-I, -II or -III specimens that have been acquired while a person resides in his country of usual residence. There are many different ways in which a specimen may be acquired as long as the acquisition was in accordance with domestic law. Examples include, but are not limited to:

- Direct removal from the wild in the person's country of usual residence;
- As a gift acquired within the country of usual residence or imported under CITES provisions from another country;
- As an inheritance acquired either within the country of usual residence or imported under CITES provisions from another country;
- Purchase from a vendor who has either obtained the specimen legally from within the country of usual residence or who has imported the specimens under CITES provisions from another country; and
- A souvenir acquired while travelling abroad and imported either under the personal and household effects exemption or with the appropriate CITES documents;
- A hunting trophy that has been legally hunted abroad and imported ~~either under the personal and household effects exemption or~~ with the appropriate CITES documents.

(...)

16. Hunting trophies are specimens that meet the definition of 'hunting trophy' in Resolution 12.3 (Rev. CoP16). ~~They will be exempted as personal effects if both the countries of import and export implement the personal and household effects exemption for the species and the specimen at the time of import, export or re-export was worn, carried or included in personal baggage. Note that the export or re-export of rhino horn and elephant ivory contained in hunting trophies does not qualify for the personal and household effects exemption.~~

(...)

PROPOSED DECISIONS REGARDING THE REVIEW OF EXPORT QUOTAS SET BY THE COP  
FOR LEOPARD HUNTING TROPHIES AND HUNTING TROPHIES OF OTHER APPENDIX I SPECIES

***Directed to the Animals Committee***

- 17.x1 The Animals Committee shall review, by their 30th meeting and in collaboration with relevant range States, the quotas established under Resolution Conf. 10.14 (Rev. CoP16) and:
- a) consider whether these quotas are still set at levels which are considered to be non-detrimental to the survival of the species in the wild;
  - b) review any new information available on population status, levels of mortality or on other means of assessing the sustainability of quotas;
  - c) determine whether any quotas currently adopted by the CoP should, as a result, be re-assessed;
  - d) report their recommendations to the 70th meeting of the Standing Committee, in particular regarding the possible need for amendments to Resolution Conf. 10.14 (Rev. CoP16), as well as to Resolution Conf. 9.21 (Rev. CoP13) and other resolutions that relate to the establishment or implementation of quotas in place for Appendix I species, as well as the possible need to establish a regular review by the Animals Committee of these quotas.

***Directed to range States***

- 17.x2 Parties which have quotas established under Resolution Conf. 10.14 (Rev. CoP16) are invited to contribute to the review by the Animals Committee as referred to under Decision 17.x1, and to share with the Animals Committee any information they have on the status of leopard populations in their country and on the monitoring of levels of harvest and other attributes of hunted animals.

***Directed to the Standing Committee***

- 17.x3 The Standing Committee should consider the recommendations of the Animals Committee made in accordance with Decision 17.x1, and make its own recommendations, as appropriate, for consideration at the 18th meeting of the Conference of the Parties.

PROPOSED DECISION REGARDING GUIDANCE FOR ACHIEVING NON-DETRIMENT  
FOR THE EXPORT OF AFRICAN LION HUNTING TROPHIES

17.x3 The Animals Committee shall:

- a) develop, by their 29th meeting, in collaboration with relevant importing and exporting countries and expert opinion, species-specific guidance for the harvest and export of hunting trophies of African lion (*Panthera leo*);
- b) report their conclusions to the 69th meeting of the Standing Committee, in particular regarding the possible need for any amendments to Resolution Conf. 17.xx to include any species-specific guidance.