

Conf. 10.20*

Frequent cross-border 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 (Rev. CoP17)¹, adopted at the eighth meeting of the Conference of the Parties (Kyoto, 1992) and revised at the 11th and 17th meetings (Gigiri, 2000; Johannesburg, 2016), 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;

NOTING that the repeated granting of permits and certificates under Article III, IV, V or VII of the Convention for 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;

RECOGNIZING that Article XIV, paragraph 1 (a), of the Convention states that the provisions of the 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

1. RECOMMENDS that:

- a) the term 'personal or household effects' in Article VII, paragraph 3, 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) although any Party may issue a certificate of ownership to the personal owner of a legally acquired live animal who wishes to travel to other States with the animal as a personal or household effect, it should do so only after agreement between the Parties concerned and if the usual residence of the owner is in the territory of such Party and the animal is registered with the Management Authority of that Party;
- c) a Management Authority 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) the Management Authority require the applicant for a certificate of ownership to provide his name and address and pertinent data regarding the live animal, including the species, sex and mark number or other means of identification;
- e) the certificate issued in accordance with paragraph b) above include in box 5, or in another box if the standard form referred to in Resolution Conf. 12.3 (Rev. CoP18)² is not used, the

* Corrected by the Secretariat following the 11th, 13th, 14th, 15th, 16th and 17th meetings of the Conference of the Parties.

¹ Corrected by the Secretariat: originally referred to Resolution Conf. 8.13.

² Corrected by the Secretariat following the 13th, 14th, 15th, 16th, 17th and 18th meetings of the Conference of the Parties: originally referred to Resolution Conf. 10.2, later corrected to Resolution Conf. 12.3 (Rev. CoP18).

following language: "The specimen covered by this certificate, which permits multiple cross-border 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) 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 be immediately returned to the issuing Management Authority;
- g) a certificate of ownership issued for a live animal as a personal or household effect be valid for a maximum period of three years to allow multiple imports, exports and re-exports of the animal;
- h) the Parties concerned treat each certificate of ownership as a type of passport that allows the movement of a live animal accompanied by its owner across their borders upon presentation of the original certificate to the appropriate border control officer who:
 - i) inspects the original and validates it 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 allows it to remain with the specimen;
- i) the Parties concerned inspect such a live animal to ensure that it is transported and cared for in a manner that minimizes the risk of injury, damage to health or cruel treatment;
- j) the Parties concerned require that any live animal that is a personal or household effect be securely marked or otherwise appropriately identified and that this mark be included on the certificate of ownership so that the authorities of the State into which the live animal enters can verify that the certificate corresponds to the live animal in question;
- k) when, during a stay in another State, a live animal travelling under a certificate of ownership produces progeny, the holder of the certificate comply with the requirements of Article III, IV or V to export such progeny from the State where it was produced and to import it into the holder's State of usual residence. For progeny produced from an animal travelling under a certificate of ownership, a certificate of ownership may be issued after it has been moved to the State of usual residence of the owner of the parent;
- l) 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 and the same date of validity as the original document and a new date of issuance, and contain the following statement: "This certificate is a true copy of the original";
- m) in accordance with paragraph e) above, the owner not sell or otherwise transfer a live animal that is a personal or household effect when travelling outside of his State of usual residence; and
- n) Parties maintain records of the number of certificates of ownership issued under this Resolution and if possible include the certificate numbers and the scientific names of the species concerned in their annual reports.