

CHAPTER 38:03 FOREST

ARRANGEMENT OF SECTIONS

PART I *Preliminary*

SECTION

1. Short title
2. Interpretation
- 2A. Application of the Convention

PART II *Delegation by Forest Officer*

3. Delegation

PART III *Declaration of Forest Reserves*

4. Declaration of forest reserves on State land
5. Application by local authority for establishment of forest reserve
6. Application by land board to establish forest reserve
7. Declaration of forest reserve on local authority land and land in tribal territory
8. Description of forest reserve
9. Variation of forest reserve
10. Marking of boundaries

PART IV *Protected Trees*

11. Declaration of protected trees

PART V *Control of Forest Produce*

12. Prohibited acts in forest reserve
13. Prohibited acts on State Land
14. Forest offences
15. Licence to do prohibited acts
16. Application for licence
17. Exemption
18. Exclusive licences
19. Application of certain sections to private land

PART VA *Trading in Endangered Species of Flora*

- 19A. Import, export, etc. of endangered species of flora
- 19B. Appointment of management and scientific authority

19C. Affixing of a mark to identify a specimen

PART VI
Miscellaneous

- 20. Production of licences
- 21. Production of proof of appointment
- 22. Civil remedy reserved
- 23. Assessment of damages on conviction
- 24. Power to confiscate property
- 25. Search without warrant
- 26. Arrest without warrant
- 27. Seizure of property liable to confiscation
- 28. Summary disposal of charges
- 29. Evidence
- 30. Extinguishing fires
- 31. Vicarious liability
- 32. Responsibility for child's conduct
- 33. Regulations

SCHEDULE

Act 23, 1968,
Act 29, 1980,
Act 8, 2005.

An Act to provide for the better regulation and protection of forests and forest produce in Botswana and to provide for matters incidental thereto.

[Date of Commencement: 10th March, 1968]

PART I
Preliminary (ss 1-2)

1. Short title

This Act may be cited as the Forest Act.

2. Interpretation

In this Act, unless the context otherwise requires-

"child" means any person who in the opinion of the court is under the age of 14 years;

"firewood" means fallen dead wood of trees, branches, waste wood and refuse wood, but does not include sound wood or wood suitable for any purpose other than burning;

"forest offence" means any contravention of this Act;

"forest officer" means the holder of the public office of that name or a public officer

appointed under section 3(2);

"forest official" means the forest officer, a forester, a forest assistant, or a forest guard;

"forest produce" includes trees, timber, brushwood, firewood, poles, bamboo, slabs, chips, saw-dust, plants, grass, reeds, thatch, bedding, creeper, fibre, leaves, fruits, seeds, roots, bark, resin, rubber, sap, charcoal, honey, wax, fungi, galls, earth, or any readily recognised part or derivative thereof and such other things as the Minister may by notice in the *Gazette* declare to be forest produce;

"forest reserve" or **"reserve"** means any area hereafter declared as a forest reserve by the President in pursuance of the provisions of this Act;

"licence" means a permit or certificate in writing issued in pursuance of the terms of this Act;

"livestock" means cattle, horses, donkeys, mules, pigs, sheep and goats, and young thereof;

"local authority land" means any area-

- (a) owned by a local authority; or
- (b) granted by a land board in pursuance of the Tribal Land Act, to a local authority;

"major forest produce" means any tree or part thereof other than seeds, fruits, leaves or twigs;

"officer" means an administrative officer, a forest official or a police officer;

"private land" means land which is not State Land or local authority land but does not include land in a tribal territory;

"protected tree" means a tree declared to be a protected tree in pursuance of the provisions of section 11;

"recognized road" means a road prescribed as a recognized road under section 17;

"river" includes streams and all natural water courses in which water flows or remains either throughout the year or at certain seasons;

"State land" has the same meaning as in the State Land Act;

"trees" includes palms, shrubs, bushes, climbers, seedlings, saplings and regrowth of all ages and of all kinds, and any part thereof;

"tribal territory" and **"tribe"** have the same meaning as in the Bogosi Act.

2A. Application of the Convention

Subject to the provisions of this Act, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (hereinafter referred to as "the Convention") as set out in the Schedule to this Act, including any Appendices thereto and any Resolutions of the Conferences of the parties shall have the force of law in Botswana in relation to trading in any species of flora to which the Convention applies.

PART II

Delegation by Forest Officer (s 3)

3. Delegation

(1) The forest officer may, with the approval of the Minister, delegate any of his powers and functions to a forester either generally or subject to such limitations as may be deemed fit.

(2) Without prejudice to subsection (1), the Minister may, in the absence of the forest officer, by notice published in the *Gazette* appoint such other public officer as he may consider fit to perform the functions conferred on the forest officer under this Act.

PART III

Declaration of Forest Reserves (ss 4-10)

4. Declaration of forest reserves on State Land

The President may, by statutory instrument, make an order to declare any area on State land to be a forest reserve.

5. Application by local authority for establishment of forest reserve

(1) A local authority may propose to the Minister that a forest reserve be established in any area of its land.

(2) Upon being satisfied that the proposed establishment of a forest reserve has been approved under the provisions of the Town and Country Planning Act, the Minister shall refer such proposal to the President.

6. Application by land board to establish forest reserve

A land board acting in accordance with the advice of the local authority may propose to the President that a forest reserve be established on any land within its area.

7. Declaration of forest reserve on local authority land and land in tribal territory

(1) The President may, after considering any proposals referred to him in terms of section 5 or 6, by order published in the *Gazette*, declare the area referred to therein to be a forest reserve.

(2) The President may, by the same or other order published in the *Gazette*, authorize a local authority to make bye-laws in respect of-

- (a) a forest reserve declared over the land of such local authority; or
- (b) a forest reserve declared on tribal territory within the area of such local authority.

(3) Any bye-laws referred to in subsection (2) may be made for the purpose of-

- (a) taking measures, including the appointment of officers, for the protection, control and management of such forest reserve;
- (b) issuing licences for the felling and taking of forest produce within such reserve; or
- (c) collecting fees or royalties in respect of such produce and paying such fees or royalties into the revenue of such local authority.

(4) The President may amend or revoke any authorization granted by him under subsection (2).

(5) An order made in terms of subsection (2) or (3) may provide that the protection, control and management of such forest reserve shall be subject to the general control and directions of the forest officer.

8. Description of forest reserve

An order made in terms of section 4 or section 7 shall describe in detail the delimitations of the proposed forest reserve.

9. Variation of forest reserve

The President may at any time, by order published in the *Gazette*, declare that any forest reserve shall cease to be such a reserve, or that the boundaries of any such reserve shall be varied:

Provided that no such declaration shall be made in respect of a forest reserve on local authority land or on land in tribal territory unless the authority referred to in section 5 or 6, as the case may be, has made a request therefor.

10. Marking of boundaries

The boundaries of any forest reserve established under this Part shall be marked by notice boards thereon, in the English language and in the languages of the inhabitants of the area in which the forest reserve is established, and by a fence or beacons, to the satisfaction of the forest officer.

PART IV

Protected Trees (s 11)

11. Declaration of protected trees

(1) The Minister may, by order published in the *Gazette*, declare any tree or class of tree to

be a protected tree in Botswana or in any part thereof:

Provided that no such declaration shall be made in respect of a tree-

- (a) in a tribal territory without the consent of the land board acting in accordance with the advice of the local authority;
- (b) on a private land, without the consent of the owner thereof.

(2) No person shall fell, cut, take, work, burn, injure or remove any protected tree unless he is the holder of a licence to do so issued under the provisions of this Act.

PART V

Control of Forest Produce (ss 12-19)

12. Prohibited acts in forest reserve

(1) No person shall in a forest reserve-

- (a) fell, cut, take, work, burn, injure or remove any forest produce;
- (b) squat, reside or build any hut or other living place or livestock enclosure, or construct or re-open any saw-pit or road;
- (c) set fire to any grass or undergrowth, or light or assist in lighting any fire, or leave unattended a fire which he has lit, or caused by his negligence, before such fire has been thoroughly extinguished, or leave therein any object likely to cause fire;
- (d) graze livestock or allow livestock to trespass;
- (e) clear, cultivate or break up land for cultivation or other purpose; or
- (f) be in possession of any implement for the cutting, taking, working or removal of forest produce,

unless he is the holder of a licence to do so, issued under the provisions of this Act, or any other written law, or is exempted under section 17.

(2) No person shall allow any fire lit by himself or his servants to spread into a forest reserve unless he is the holder of a licence to do so issued under the provisions of this Act.

13. Prohibited acts on State Land

(1) No person shall on State land fell, cut, take, work, burn, injure or remove-

- (a) any tree which is growing within 10 metres of the bank of any river; or
- (b) any forest produce, other than forest produce-
 - (i) used for domestic purposes in his private household or in that of his employer or

for the construction of household or garden implements and furniture for himself;
or

- (ii) gathered by any person belonging to a community which is entirely dependent for its living on hunting, the gathering of foodstuffs and the gathering of forest produce and who is himself so dependent and where the forest produce is gathered for the reasonable requirements of the members of the community to which he belongs,

unless he is the holder of a licence to do so, issued under the provisions of this Act.

(2) For the purposes of subsection (1)(b) "State land" does not include-

- (a) any area of land for which a city or a town council has been established in terms of the Town Council Regulations and in respect of which such city or town council has made provision in its bye-laws for the protection of any forest produce;
- (b) any area of land occupied by a public officer as quarters provided by the Government;
or
- (c) any other area of land which the Minister has declared, by order published in the *Gazette*, not to be State land.

14. Forest offences

Any person who-

- (a) contravenes section 11(2), 12 or 13 or the conditions of any licence issued to him under the provisions of section 15;
- (b) knowingly receives or is in possession of any forest produce in respect of which a forest offence has been committed;
- (c) without authority makes upon or fixes to any forest produce a mark used by any forest official for any purpose under this Act to indicate that such forest produce is the property of the State or to indicate that forest produce may lawfully be cut or removed, or removes, damages or defaces any boundary mark, beacon, notice or fence posted or erected to indicate the boundary of a forest reserve; or
- (d) without authority, alters, obliterates or defaces any stamp, mark or sign placed upon forest produce by or on the authority of a forest official, or counterfeits or alters any licence which may be issued under this Act,

shall be guilty of an offence and liable to a fine not exceeding P5 000 or to imprisonment for a term not exceeding two years, or to both and, if he is the holder of a licence to forfeiture of such licence.

15. Licence to do prohibited acts

The forest officer, or any forester deputed thereto by him in pursuance of section 3, may issue to any person a licence to do any act prohibited under the provisions of sections 11(2), 12 and 13 on such conditions as the officer issuing the licence may impose.

16. Application for licence

An application for a licence under section 15 shall be made to the appropriate licensing officer in the prescribed form.

17. Exemption

Notwithstanding anything contained in section 12-

- (a) a *bona fide* inhabitant of a town, village or habitation, specified by the Minister by order published in the *Gazette*, may perform such acts as may be specified in such order in a forest reserve adjacent to such town, village or habitation and referred to in the aforesaid notice; and
- (b) a *bona fide* traveller may, while travelling on a lawful journey on a recognized road through or in a forest reserve-
 - (i) light a fire for the purposes of cooking, warmth or protection;
 - (ii) take firewood for his own use and for the use of his servants for the purposes referred to in subparagraph (i);
 - (iii) be in possession of implements for the cutting and taking of firewood;
 - (iv) graze any transport animals required for his journey; or
 - (v) cut forest produce for the purpose of releasing or extracting any vehicle bogged down in such road.

(2) An order made under subsection (1) may prescribe roads which are recognized roads.

18. Exclusive licences

Notwithstanding anything to the contrary contained in this Act, the Minister may, subject to such general or special directions as he may think fit, authorize the forest officer to issue licences in respect of forest produce being the property of the State-

- (a) granting the exclusive right to take such produce; or
- (b) granting the right to take such produce free, or at a reduced fee,

on such conditions as the forest officer, in the absence of general or special directions by the Minister, may think fit.

19. Application of certain sections to private land

(1) The Minister may, in respect of local authority land or of private land, on the application of the local authority concerned or of the occupier of such private land, as the case may be, declare by order published in the *Gazette* that the provisions of section 13 and section 14 shall apply to such land as if such land was State land, whereupon the provisions of those sections shall apply to such land; and the Minister may direct that the control and management of such land shall be under the general control and direction of the forest officer.

(2) The Minister may, in respect of any land to which the provisions of sections 13 and 14 have been applied by subsection (1), declare, by order published in the *Gazette*, that the said provisions shall cease to apply to such land, whereupon the provisions shall cease to apply to such land and the forest officer shall cease to direct and control the management of such land.

PART VA

Trading in Endangered Species of Flora (ss 19A-19C)

19A. Import, export, etc. of endangered species of flora

(1) Subject to the provisions of this section, no person shall import, export or re-export, possess or transport any species of flora specified in the Convention except in accordance with a permit or certificate, as the case may be, issued by a management authority in consultation with the scientific authority.

(2) The Minister may make regulations for the issue and renewal of import, export or re-export, possession or transportation permits or certificates, and the conditions and duration of the permits or certificates.

(3) A person who contravenes subsection (1) shall be guilty of an offence and liable to a fine not exceeding P2,000 or to imprisonment for a term not exceeding two years, or to both.

19B. Appointment of management and scientific authority

The Minister may make regulations—

- (a) for the appointment of a management authority which shall be responsible for the issue of permits or certificates under section 19A; and
- (b) the appointment of a scientific authority which shall perform the functions specified in Articles III and IV of the Schedule.

19C. Affixing of a mark to identify a specimen

(1) A management authority appointed in terms of the regulations made under section 19B may affix a mark on a flora specimen for the purposes of identifying the specimen.

(2) No person shall alter, deface or erase a mark affixed in accordance with subsection (1).

(3) A person who contravenes subsection (2) shall be guilty of an offence and liable to a fine not exceeding P2,000 or to imprisonment for a term not exceeding two years, or to both.

PART VI
Miscellaneous (ss 20-33)

20. Production of licences

It shall be lawful for an officer to demand from any person the production of his licence to do any act in respect of which a licence is required under this Act and if such licence is not immediately produced, to restrain such person from further acts of a similar nature.

21. Production of proof of appointment

Any officer exercising or purporting to exercise any power conferred upon him by this Act shall produce on demand to any person concerned proof of his appointment.

22. Civil remedy reserved

Nothing contained in this Act shall abrogate from or interfere with the right of the State or of any person to sue for and recover damages, or relief against injury, caused by a forest offence:

Provided that in assessing any such damages, the court shall take into account the amount of any damages awarded in accordance with the provisions of section 23.

23. Assessment of damages on conviction

(1) Upon conviction of any person for a forest offence, the court may assess the amount of any damage which may have been caused by the accused as a result of such offence, and may forthwith award as compensation for such injury the amount so assessed:

Provided that the amount so awarded shall not exceed the civil jurisdiction of the court; such award shall have the effect of a civil judgment of the court, and may be enforced accordingly.

(2) If an award under subsection (1) is in respect of a forest offence-

- (a) committed on State land, such award shall operate in favour of the State and any amount recovered thereunder shall be paid into the Consolidated Fund;
- (b) committed on local authority land or land in tribal territory, such award shall operate in favour of the local authority and any amount recovered thereunder shall be paid into the revenue of the local authority; or
- (c) committed on private land, such award shall operate in favour of the occupier of such land.

24. Power to confiscate property

(1) If any person is convicted of a forest offence, the court may order that, in addition to any penalty imposed upon the accused, any forest produce in respect of which the offence was committed, and any livestock, tools, instruments, vehicles or property used in connection with

the committing of such offence shall be confiscated to the State.

(2) If any person is convicted of a contravention of section 12(1)(b) the court may order that any hut, living place, enclosure or saw-pit shall be destroyed, and that the materials thereof shall be confiscated to the State.

(3) If the accused fails to comply with such order, the forest officer may cause it to be carried out, and any expense incurred thereby by the forest officer shall be a debt due by the accused to Government.

(4) Any property so confiscated shall be sold and the proceeds paid into the Consolidated Fund, or be otherwise disposed of as the Minister may direct.

25. Search without warrant

(1) If the forest officer or a forester believes on reasonable grounds that any person is guilty of a forest offence, he may enter upon any land without warrant for the purpose of investigating the suspected offence.

(2) If an officer believes on reasonable grounds that any person is guilty of a forest offence, or that there is upon any person or upon any land or premises anything as to which there are reasonable grounds of suspicion that it will afford evidence as to the commission of any such offence, he may without warrant enter upon such land or premises, and search such premises or such person or any baggage, package, parcel, conveyance, tent, building or enclosure under the control of such person, his agent or servant:

Provided that whenever a woman is searched, the search shall be made only in private and by a woman.

26. Arrest without warrant

(1) Any officer may, without warrant, arrest any person whom he reasonably suspects of having committed a forest offence, if such person refuses to give his name and address, or gives a name or address which such officer has reason to believe is false, or if such officer has reason to believe that such person will abscond.

(2) Every officer making an arrest under this section shall without unnecessary delay cause the person so arrested to be brought before a court having jurisdiction, to be dealt with according to law.

27. Seizure of property liable to confiscation

(1) If there is reason to believe that a forest offence has been committed in respect of any forest produce, such forest produce, together with all livestock, tools, instruments, vehicles or property used in committing such offence may be seized by any officer, and detained by him until the offender can be brought before a court of competent jurisdiction and an order of such court obtained as to the disposal thereof.

(2) The State shall not be responsible for any loss or damage which may occur to any property during the act of seizure or whilst such property is detained under subsection (1), and no officer shall be responsible for any such loss or damage unless he has caused the same negligently, maliciously or fraudulently.

28. Summary disposal of charges

When any person has been summoned or warned to appear in a magistrate's court, or has been arrested, or has been informed by a forest officer or a forester that it is intended to institute criminal proceedings against him for any offence under sections 12 or 13 the functions of an officer holding a rank or post designated by the Minister in terms of section 307(1) of the Criminal Procedure and Evidence Act for the purposes of section 307 of that Act may be performed or exercised by any forest officer or forester empowered thereto by the Minister by order published in the *Gazette*.

29. Evidence

Whenever in any proceedings under this Act the question arises whether any forest produce is the property of the State, a local authority or a tribe, it shall be presumed to be the property of the State, the local authority or a tribe, as the case may be, unless the contrary is proved.

30. Extinguishing fires

(1) If there is good reason to believe that any fire in the open air within 1,61 km of the boundary of a forest reserve may become dangerous to life or property any person may, either alone or with persons under his control, enter upon the land on which such fire is burning for the purpose of extinguishing that fire or preventing the extension thereof.

(2) If the forest officer or a forester is present at the scene of such fire he shall have the right to take control of operations directed at extinguishing that fire or preventing the extension thereof.

(3) Any person controlling any safety measures taken in terms of this section-

- (a) may take such measures as in the circumstances are reasonable and necessary or expedient for extinguishing or preventing the spread of the fire, and may for such purpose cause reasonable destruction of any trees, grass, crops or other vegetation by burning, cutting, ploughing or otherwise;
- (b) may call upon any able-bodied persons present at or in the vicinity of such fire to assist or to do any act or perform any service which may reasonably be considered necessary or expedient to control or extinguish or prevent the spread of the fire; or
- (c) may order any person whose life may be or may become endangered or whose presence at or in the vicinity of the fire may interfere with the fire, to remove himself or any vehicle or other thing under his control.

(4) Any person who fails to comply with any requirement or order under subsection (3) shall be guilty of an offence and liable to a fine not exceeding P500 or to imprisonment for a term not exceeding six months, or to both.

(5) No liability shall attach to the forest officer or a forester or other person in respect of any loss or damage arising out of the lawful exercise by them of any power conferred by this section; and no action shall lie for trespass or for damages caused in good faith by any person in charge of any operations lawfully undertaken under this section, or by any person assisting any such operations.

31. Vicarious liability

If the manager, agent, servant or other employee of any person (hereinafter called "the employer") does or omits to do anything in contravention of any of the provisions of this Act such employer shall be deemed himself to have contravened such provision and be liable to the penalties therefor, unless he proves to the satisfaction of the court that-

- (a) in doing or omitting to do such thing such manager, agent, servant or employee was acting without his connivance or permission;
- (b) all reasonable steps were taken by him to prevent any act or omission of the kind in question; and
- (c) it was not under any condition or in any circumstances within the scope of authority or the course of the employment of the manager, agent, servant or employee to do or omit to do acts whether lawful or unlawful of the character of the act or omission charged:

Provided that the fact that the employer issued instructions forbidding any act or omission of the kind in question shall not, of itself, be accepted as sufficient proof that he took all reasonable steps to prevent the act or omission.

32. Responsibility for child's conduct

Where any person having charge of a child-

- (a) by his act has conduced to the commission by that child of any act or omission which if committed by an adult would constitute an offence under this Act; or
- (b) fails to prevent the commission by that child of an act or omission which if committed by an adult would constitute an offence under this Act in circumstances where it was reasonably possible for that person to prevent the commission of the act or omission,

he shall be guilty of an offence and shall be liable to a fine not exceeding P250 or to imprisonment for a term not exceeding three months, or to both.

33. Regulations

- (1) The Minister may make regulations prescribing anything which under this Act is to be

prescribed.

(2) In particular, and without derogating from the generality of the foregoing, the Minister may make regulations concerning—

- (a) the issue, termination, cancellation, suspension or extension of licences and the conditions which may be attached thereto;
- (b) the fees to be paid or which may be refunded in respect of licences and exemptions from the payment of fees;
- (c) dimensions, seasoning, names and marks of any forest produce and registration of and the rendering of returns by persons engaged in the transport, sale, manufacture and use of forest produce;
- (d) providing for the survey and demarcation of forest reserves;
- (e) the position, use and registration of marking hammers, instruments or devices;
- (f) the marking and numbering of trees and the listing of trees in relation to their markings, numbers and location;
- (g) the removal of felled timber from a forest reserve and the conditions relating to its removal.

(3) Regulations made under this section may provide for penalties for contravention thereof not exceeding, for a first offence, a fine of P500 and imprisonment for six months and, for a second or subsequent offence, a fine of P1000 and imprisonment for one year.

(4) Different forms and different fees may be prescribed for, and different conditions may be attached to, different licences.

SCHEDULE

(Sec 2A)

Convention on International Trade in Endangered Species of Wild Fauna and Flora

The Contracting States,

Recognizing that wild fauna and flora in their many beautiful and varied forms are an irreplaceable part of the natural systems of the earth which must be protected for this and the generations to come;

Conscious of the ever-growing value of wild fauna and flora from aesthetic, scientific, cultural, recreational and economic points of view;

Recognizing that peoples and States are and should be the best protectors of their own wild fauna and flora;

Recognizing, in addition, that international co-operation is essential for the protection of certain

species of wild fauna and flora against over-exploitation through international trade;

Convinced of the urgency of taking appropriate measures to this end.

Have agreed as follows:

ARTICLE I ***Definitions***

For the purpose of the present Convention, unless the context otherwise requires:

- (a) **"Species"** means any species, subspecies, or geographically separate population thereof;
- (b) **"Specimen"** means:
 - (i) any animal or plant, whether alive or dead;
 - (ii) in the case of an animal: for species included in Appendices I and II, any readily recognizable part or derivative thereof; and for species included in Appendix III, any readily recognizable part or derivative thereof specified in Appendix III in relation to the species; and
 - (iii) in the case of a plant: for species included in Appendix I, any readily recognizable part or derivative thereof; and for species included in Appendices II and III, any readily recognizable part or derivative thereof specified in Appendices II and III in relation to the species;
- (c) **"Trade"** means export, re-export, import and introduction from the sea;
- (d) **"Re-export"** means export of any specimen that has previously been imported;
- (e) **"Introduction from the sea"** means transportation into a State of specimens of any species which were taken in the marine environment not under the jurisdiction of any State;
- (f) **"Scientific Authority"** means a national scientific authority designated in accordance with Article IX;
- (g) **"Management Authority"** means a national management authority designated in accordance with Article IX;
- (h) **"Party"** means a State for which the present Convention has entered into force.

ARTICLE II ***Fundamental Principles***

1. Appendix I shall include all species threatened with extinction which are or may be affected by trade. Trade in specimens of these species must be subject to particularly strict regulation in order not to endanger further their survival and must only be authorized in exceptional circumstances.

2. Appendix II shall include:

- (a) all species which although not necessarily now threatened with extinction may become so unless trade in specimens of such species is subject to strict regulation in order to avoid

utilization incompatible with their survival; and

- (b) other species which must be subject to regulation in order that trade in specimens of certain species referred to in subparagraph (a) of this paragraph may be brought under effective control.

3. Appendix III shall include all species which any Party identifies as being subject to regulation within its jurisdiction for the purpose of preventing or restricting exploitation, and as needing the co-operation of other Parties in the control of trade.

4. The Parties shall not allow trade in specimens of species included in Appendices I, II and III except in accordance with the provisions of the present Convention.

ARTICLE III

Regulation of Trade in Specimens of Species Included in Appendix I

1. All trade in specimens of species included in Appendix I shall be in accordance with the provisions of this Article.

2. The export of any specimen of a species included in Appendix I shall require the prior grant and presentation of an export permit. An export permit shall only be granted when the following conditions have been met:

- (a) a Scientific Authority of the State of export has advised that such export will not be detrimental to the survival of that species;
- (b) a Management Authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora;
- (c) a Management Authority of the State of export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment; and
- (d) a Management Authority of the State of export is satisfied that an import permit has been granted for the specimen.

3. The import of any specimen of a species included in Appendix I shall require the prior grant and presentation of an import permit and either an export permit or a re-export certificate. An import permit shall only be granted when the following conditions have been met:

- (a) a Scientific Authority of the State of import has advised that the import will be for purposes which are not detrimental to the survival of the species involved;
- (b) a Scientific Authority of the State of import is satisfied that the proposed recipient of a living specimen is suitably equipped to house and care for it; and
- (c) a Management Authority of the State of import is satisfied that the specimen is not to be used for primarily commercial purposes.

4. The re-export of any specimen of a species included in Appendix I shall require the prior grant and presentation of a re-export certificate. A re-export certificate shall only be granted when the following conditions have been met:

- (a) a Management Authority of the State of re-export is satisfied that the specimen was imported

into that State in accordance with the provisions of the present Convention;

- (b) a Management Authority of the State of re-export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment; and
- (c) a Management Authority of the State of re-export is satisfied that an import permit has been granted for any living specimen.

5. The introduction from the sea of any specimen of a species included in Appendix I shall require the prior grant of a certificate from a Management Authority of the State of introduction. A certificate shall only be granted when the following conditions have been met:

- (a) a Scientific Authority of the State of introduction advises that the introduction will not be detrimental to the survival of the species involved;
- (b) a Management Authority of the State of introduction is satisfied that the proposed recipient of a living specimen is suitably equipped to house and care for it; and
- (c) a Management Authority of the State of introduction is satisfied that the specimen is not to be used for primarily commercial purposes.

ARTICLE IV

Regulation of Trade in Specimens of Species Included in Appendix II

1. All trade in specimens of species included in Appendix II shall be in accordance with the provisions of this Article.

2. The export of any specimen of a species included in Appendix II shall require the prior grant and presentation of an export permit. An export permit shall only be granted when the following conditions have been met:

- (a) a Scientific Authority of the State of export has advised that such export will not be detrimental to the survival of that species;
- (b) a Management Authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora; and
- (c) a Management Authority of the State of export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment.

3. A Scientific Authority in each Party shall monitor both the export permits granted by that State for specimens of species included in Appendix II and the actual exports of such specimens. Whenever a Scientific Authority determines that the export of specimens of any such species should be limited in order to maintain that species throughout its range at a level consistent with its role in the ecosystems in which it occurs and well above the level at which that species might become eligible for inclusion in Appendix I, the Scientific Authority shall advise the appropriate Management Authority of suitable measures to be taken to limit the grant of export permits for specimens of that species.

4. The import of any specimen of a species included in Appendix II shall require the prior presentation of either an export permit or a re-export certificate.

5. The re-export of any specimen of a species included in Appendix II shall require the prior grant and presentation of a re-export certificate. A re-export certificate shall only be granted when the following

Copyright Government of Botswana

conditions have been met:

- (a) a Management Authority of the State of re-export is satisfied that the specimen was imported into that State in accordance with the provisions of the present Convention; and
- (b) a Management Authority of the State of re-export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment.

6. The introduction from the sea of any specimen of a species included in Appendix II shall require the prior grant of a certificate from a Management Authority of the State of introduction. A certificate shall only be granted when the following conditions have been met:

- (a) a Scientific Authority of the State of introduction advises that the introduction will not be detrimental to the survival of the species involved; and
- (b) a Management Authority of the State of introduction is satisfied that any living specimen will be so handled as to minimize the risk of injury, damage to health or cruel treatment.

7. Certificates referred to in paragraph 6 of this Article may be granted on the advice of a Scientific Authority, in consultation with other national scientific authorities or, when appropriate, international scientific authorities, in respect of periods not exceeding one year for total numbers of specimens to be introduced in such periods.

ARTICLE V

Regulation of Trade in Specimens of Species Included in Appendix III

1. All trade in specimens of species included in Appendix III shall be in accordance with the provisions of this Article.

2. The export of any specimen of a species included in Appendix III from any State which has included that species in Appendix III shall require the prior grant and presentation of an export permit. An export permit shall only be granted when the following conditions have been 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 State for the protection of fauna and flora; and
- (b) a Management Authority of the State of export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment.

3. The import of any specimen of a species included in Appendix III shall require, except in circumstances to which paragraph 4 of this Article applies, the prior presentation of a certificate of origin and, where the import is from a State which has included that species in Appendix III, an export permit.

4. In the case of re-export, a certificate granted by the Management Authority of the State of re-export that the specimen was processed in that State or is being re-exported shall be accepted by the State of import as evidence that the provisions of the present Convention have been complied with in respect of the specimen concerned.

ARTICLE VI

Permits and Certificates

1. Permits and certificates granted under the provisions of Articles III, IV, and V shall be in

accordance with the provisions of this Article.

2. An export permit shall contain the information specified in the model set forth in Appendix IV, and may only be used for export within a period of six months from the date on which it was granted.

3. Each permit or certificate shall contain the title of the present Convention, the name and any identifying stamp of the Management Authority granting it and a control number assigned by the Management Authority.

4. Any copies of a permit or certificate issued by a Management Authority shall be clearly marked as copies only and no such copy may be used in place of the original, except to the extent endorsed thereon.

5. A separate permit or certificate shall be required for each consignment of specimens.

6. A Management Authority of the State of import of any specimen shall cancel and retain the export permit or re-export certificate and any corresponding import permit presented in respect of the import of that specimen.

7. Where appropriate and feasible a Management Authority may affix a mark upon any specimen to assist in identifying the specimen. For these purposes "**mark**" means any indelible imprint, lead seal or other suitable means of identifying a specimen, designed in such a way as to render its imitation by unauthorized persons as difficult as possible.

ARTICLE VII

Exemptions and Other Special Provisions Relating to Trade

1. The provisions of Articles III, IV and V shall not apply to the transit or transshipment of specimens through or in the territory of a Party while the specimens remain in Customs control.

2. Where a Management Authority of the State of export or re-export is satisfied that a specimen was acquired before the provisions of the present Convention applied to that specimen, the provisions of Articles III, IV and V shall not apply to that specimen where the Management Authority issues a certificate to that effect.

3. The provisions of Articles III, IV and V shall not apply to specimens that are personal or household effects. This exemption shall not apply where:

- (a) in the case of specimens of a species included in Appendix I, they were acquired by the owner outside his State of usual residence, and are being imported into that State; or
- (b) in the case of specimens of species included in Appendix II:
 - (i) they were acquired by the owner outside his State of usual residence and in a State where removal from the wild occurred;
 - (ii) they are being imported into the owner's State of usual residence; and
 - (iii) the State where removal from the wild occurred requires the prior grant of export permits before any export of such specimens; unless a Management Authority is satisfied that the specimens were acquired before the provisions of the present Convention applied to such specimens.

4. Specimens of an animal species included in Appendix I bred in captivity for commercial purposes,

or of a plant species included in Appendix I artificially propagated for commercial purposes, shall be deemed to be specimens of species included in Appendix II.

5. Where a Management Authority of the State of export is satisfied that any specimen of an animal species was bred in captivity or any specimen of a plant species was artificially propagated, or is a part of such an animal or plant or was derived therefrom, a certificate by that Management Authority to that effect shall be accepted in lieu of any of the permits or certificates required under the provisions of Article III, IV or V.

6. The provisions of Articles III, IV and V shall not apply to the non-commercial loan, donation or exchange between scientists or scientific institutions registered by a Management Authority of their State, of herbarium specimens, other preserved, dried or embedded museum specimens, and live plant material which carry a label issued or approved by a Management Authority.

7. A Management Authority of any State may waive the requirements of Articles III, IV and V and allow the movement without permits or certificates of specimens which form part of a travelling zoo, circus, menagerie, plant exhibition or other travelling exhibition provided that:

- (a) the exporter or importer registers full details of such specimens with that Management Authority;
- (b) the specimens are in either of the categories specified in paragraph 2 or 5 of this Article; and
- (c) the Management Authority is satisfied that any living specimen will be so transported and cared for as to minimize the risk of injury, damage to health or cruel treatment.

ARTICLE VIII

Measures to Be Taken by the Parties

1. The Parties shall take appropriate measures to enforce the provisions of the present Convention and to prohibit trade in specimens in violation thereof. These shall include measures:

- (a) to penalize trade in, or possession of, such specimens, or both; and
- (b) to provide for the confiscation or return to the State of export of such specimens.

2. In addition to the measures taken under paragraph 1 of this Article, a Party may, when it deems it necessary, provide for any method of internal reimbursement for expenses incurred as a result of the confiscation of a specimen traded in violation of the measures taken in the application of the provisions of the present Convention.

3. As far as possible, the Parties shall ensure that specimens shall pass through any formalities required for trade with a minimum of delay. To facilitate such passage, a Party may designate ports of exit and ports of entry at which specimens must be presented for clearance. The Parties shall ensure further that all living specimens, during any period of transit, holding or shipment, are properly cared for so as to minimize the risk of injury, damage to health or cruel treatment.

4. Where a living specimen is confiscated as a result of measures referred to in paragraph 1 of this Article:

- (a) the specimen shall be entrusted to a Management Authority of the State of confiscation;
- (b) the Management Authority shall, after consultation with the State of export, return the specimen to that State at the expense of that State, or to a rescue centre or such other place as the

Management Authority deems appropriate and consistent with the purposes of the present Convention; and

- (c) the Management Authority may obtain the advice of a Scientific Authority, or may, whenever it considers it desirable, consult the Secretariat in order to facilitate the decision under sub-paragraph (b) of this paragraph, including the choice of a rescue centre or other place.

5. A rescue centre as referred to in paragraph 4 of this Article means an institution designated by a Management Authority to look after the welfare of living specimens, particularly those that have been confiscated.

6. Each Party shall maintain records of trade in specimens of species included in Appendices I, II and III which shall cover:

- (a) the names and addresses of exporters and importers; and
- (b) the number and type of permits and certificates granted; the States with which such trade occurred; the numbers or quantities and types of specimens, names of species as included in Appendices I, II and III and, where applicable, the size and sex of the specimens in question.

7. Each Party shall prepare periodic reports on its implementation of the present Convention and shall transmit to the Secretariat:

- (a) an annual report containing a summary of the information specified in subparagraph (b) of paragraph 6 of this Article; and
- (b) a biennial report on legislative, regulatory and administrative measures taken to enforce the provisions of the present Convention.

8. The information referred to in paragraph 7 of this Article shall be available to the public where this is not inconsistent with the law of the Party concerned.

ARTICLE IX

Management and Scientific Authorities

1. Each Party shall designate for the purposes of the present Convention:

- (a) one or more Management Authorities competent to grant permits or certificates on behalf of that Party; and
- (b) one or more Scientific Authorities.

2. A State depositing an instrument of ratification, acceptance, approval or accession shall at that time inform the Depositary Government of the name and address of the Management Authority authorized to communicate with other Parties and with the Secretariat.

3. Any changes in the designations or authorizations under the provisions of this Article shall be communicated by the Party concerned to the Secretariat for transmission to all other Parties.

4. Any Management Authority referred to in paragraph 2 of this Article shall, if so requested by the Secretariat or the Management Authority of another Party, communicate to it impression of stamps, seals or other devices used to authenticate permits or certificates.

ARTICLE X

Trade with States not Party to the Convention

Where export or re-export is to, or import is from, a State not a Party to the present Convention, comparable documentation issued by the competent authorities in that State which substantially conforms with the requirements of the present Convention for permits and certificates may be accepted in lieu thereof by any Party.

ARTICLE XI ***Conference of the Parties***

1. The Secretariat shall call a meeting of the Conference of the Parties not later than two years after the entry into force of the present Convention.

2. Thereafter the Secretariat shall convene regular meetings at least once every two years, unless the Conference decides otherwise, and extraordinary meetings at any time on the written request of at least one-third of the Parties.

3. At meetings, whether regular or extraordinary, the Parties shall review the implementation of the present Convention and may:

- (a) make such provision as may be necessary to enable the Secretariat to carry out its duties, and adopt financial provisions;
- (b) consider and adopt amendments to Appendices I and II in accordance with Article XV;
- (c) review the progress made towards the restoration and conservation of the species included in Appendices I, II and III;
- (d) receive and consider any reports presented by the Secretariat or by any Party; and
- (e) where appropriate, make recommendations for improving the effectiveness of the present Convention.

4. At each regular meeting, the Parties may determine the time and venue of the next regular meeting to be held in accordance with the provisions of paragraph 2 of this Article.

5. At any meeting, the Parties may determine and adopt rules of procedure for the meeting.

6. The United Nations, its Specialized Agencies and the International Atomic Energy Agency, as well as any State not a Party to the present Convention, may be represented at meetings of the Conference by observers, who shall have the right to participate but not to vote.

7. Any body or agency technically qualified in protection, conservation or management of wild fauna and flora, in the following categories, which has informed the Secretariat of its desire to be represented at meetings of the Conference by observers, shall be admitted unless at least one-third of the Parties present object:

- (a) international agencies or bodies, either governmental or non-governmental, and national governmental agencies and bodies; and
- (b) national non-governmental agencies or bodies which have been approved for this purpose by the State in which they are located. Once admitted, these observers shall have the right to participate but not to vote.

ARTICLE XII

The Secretariat

1. Upon entry into force of the present Convention, a Secretariat shall be provided by the Executive Director of the United Nations Environment Programme. To the extent and in the manner he considers appropriate, he may be assisted by suitable inter-governmental or non-governmental international or national agencies and bodies technically qualified in protection, conservation and management of wild fauna and flora.

2. The functions of the Secretariat shall be:

- (a) to arrange for and service meetings of the Parties;
- (b) to perform the functions entrusted to it under the provisions of Articles XV and XVI of the present Convention;
- (c) to undertake scientific and technical studies in accordance with programmes authorized by the Conference of the Parties as will contribute to the implementation of the present Convention, including studies concerning standards for appropriate preparation and shipment of living specimens and the means of identifying specimens;
- (d) to study the reports of Parties and to request from Parties such further information with respect thereto as it deems necessary to ensure implementation of the present Convention;
- (e) to invite the attention of the Parties to any matter pertaining to the aims of the present Convention;
- (f) to publish periodically and distribute to the Parties current editions of Appendices I, II and III together with any information which will facilitate identification of specimens of species included in those Appendices;
- (g) to prepare annual reports to the Parties on its work and on the implementation of the present Convention and such other reports as meetings of the Parties may request;
- (h) to make recommendations for the implementation of the aims and provisions of the present Convention, including the exchange of information of a scientific or technical nature;
- (i) to perform any other function as may be entrusted to it by the Parties.

ARTICLE XIII

International Measures

1. When the Secretariat in the light of information received is satisfied that any species included in Appendix I or II is being affected adversely by trade in specimens of that species or that the provisions of the present Convention are not being effectively implemented, it shall communicate such information to the authorized Management Authority of the Party or Parties concerned.

2. When any Party receives a communication as indicated in paragraph 1 of this Article, it shall, as soon as possible, inform the Secretariat of any relevant facts insofar as its laws permit and, where appropriate, propose remedial action. Where the Party considers that an inquiry is desirable, such inquiry may be carried out by one or more persons expressly authorized by the Party.

3. The information provided by the Party or resulting from any inquiry as specified in paragraph 2 of

this Article shall be reviewed by the next Conference of the Parties which may make whatever recommendations it deems appropriate.

ARTICLE XIV

Effect on Domestic Legislation and International Conventions

1. The provisions of the present Convention shall in no way affect the right of Parties to adopt:

- (a) stricter domestic measures regarding the conditions for trade, taking, possession or transport of specimens of species included in Appendices I, II and III, or the complete prohibition thereof; or
- (b) domestic measures restricting or prohibiting trade, taking, possession or transport of species not included in Appendix I, II or III.

2. The provisions of the present Convention shall in no way affect the provisions of any domestic measures or the obligations of Parties deriving from any treaty, convention, or international agreement relating to other aspects of trade, taking, possession or transport of specimens which is in force or subsequently may enter into force for any Party including any measure pertaining to the Customs, public health, veterinary or plant quarantine fields.

3. The provisions of the present Convention shall in no way affect the provisions of, or the obligations deriving from, any treaty, convention or international agreement concluded or which may be concluded between States creating a union or regional trade agreement establishing or maintaining a common external Customs control and removing Customs control between the parties thereto insofar as they relate to trade among the States members of that union or agreement.

4. A State party to the present Convention, which is also a party to any other treaty, convention or international agreement which is in force at the time of the coming into force of the present Convention and under the provisions of which protection is afforded to marine species included in Appendix II, shall be relieved of the obligations imposed on it under the provisions of the present Convention with respect to trade in specimens of species included in Appendix II that are taken by ships registered in that State and in accordance with the provisions of such other treaty, convention or international agreement.

5. Notwithstanding the provisions of Articles III, IV and V, any export of a specimen taken in accordance with paragraph 4 of this Article shall only require a certificate from a Management Authority of the State of introduction to the effect that the specimen was taken in accordance with the provisions of the other treaty, convention or international agreement in question.

6. Nothing in the present Convention shall prejudice the codification and development of the law of the sea by the United Nations Conference on the Law of the Sea convened pursuant to Resolution 2750 C (XXV) of the General Assembly of the United Nations nor the present or future claims and legal views of any State concerning the law of the sea and the nature and extent of coastal and flag State jurisdiction.

ARTICLE XV

Amendments to Appendices I and II

1. The following provisions shall apply in relation to amendments to Appendices I and II at meetings of the Conference of the Parties:

- (a) Any Party may propose an amendment to Appendix I or II for consideration at the next meeting. The text of the proposed amendment shall be communicated to the Secretariat at

least 150 days before the meeting. The Secretariat shall consult the other Parties and interested bodies on the amendment in accordance with the provisions of subparagraphs (b) and (c) of paragraph 2 of this Article and shall communicate the response to all Parties not later than 30 days before the meeting.

- (b) Amendments shall be adopted by a two-thirds majority of Parties present and voting. For these purposes "Parties present and voting" means Parties present and casting an affirmative or negative vote. Parties abstaining from voting shall not be counted among the two-thirds required for adopting an amendment.
- (c) Amendments adopted at a meeting shall enter into force 90 days after that meeting for all Parties except those which make a reservation in accordance with paragraph 3 of this Article.

2. The following provisions shall apply in relation to amendments to Appendices I and II between meetings of the Conference of the Parties:

- (a) Any Party may propose an amendment to Appendix I or II for consideration between meetings by the postal procedures set forth in this paragraph.
- (b) For marine species, the Secretariat shall, upon receiving the text of the proposed amendment, immediately communicate it to the Parties. It shall also consult inter-governmental bodies having a function in relation to those species especially with a view to obtaining scientific data these bodies may be able to provide and to ensuring co-ordination with any conservation measures enforced by such bodies. The Secretariat shall communicate the views expressed and data provided by these bodies and its own findings and recommendations to the Parties as soon as possible.
- (c) For species other than marine species, the Secretariat shall, upon receiving the text of the proposed amendment, immediately communicate it to the Parties, and, as soon as possible thereafter, its own recommendations.
- (d) Any Party may, within 60 days of the date on which the Secretariat communicated its recommendations to the Parties under subparagraph (b) or (c) of this paragraph, transmit to the Secretariat any comments on the proposed amendment together with any relevant scientific data and information.
- (e) The Secretariat shall communicate the replies received together with its own recommendations to the Parties as soon as possible.
- (f) If no objection to the proposed amendment is received by the Secretariat within 30 days of the date the replies and recommendations were communicated under the provisions of sub-paragraph (e) of this paragraph, the amendment shall enter into force 90 days later for all Parties except those which make a reservation in accordance with paragraph 3 of this Article.
- (g) If an objection by any Party is received by the Secretariat, the proposed amendment shall be submitted to a postal vote in accordance with the provisions of subparagraphs (h), (i) and (j) of this paragraph.
- (h) The Secretariat shall notify the Parties that notification of objection has been received.
- (i) Unless the Secretariat receives the votes for, against or in abstention from at least one-half of the Parties within 60 days of the date of notification under subparagraph (h) of this paragraph, the proposed amendment shall be referred to the next meeting of the Conference for further

consideration.

- (j) Provided that votes are received from one-half of the Parties, the amendment shall be adopted by a two-thirds majority of Parties casting an affirmative or negative vote.
- (k) The Secretariat shall notify all Parties of the result of the vote.
- (l) If the proposed amendment is adopted it shall enter into force 90 days after the date of the notification by the Secretariat of its acceptance for all Parties except those which make a reservation in accordance with paragraph 3 of this Article.

3. During the period of 90 days provided for by subparagraph (c) of paragraph 1 or subparagraph (l) of paragraph 2 of this Article any Party may by notification in writing to the Depositary Government make a reservation with respect to the amendment. Until such reservation is withdrawn the Party shall be treated as a State not a Party to the present Convention with respect to trade in the species concerned.

ARTICLE XVI

Appendix III and Amendments thereto

1. Any Party may at any time submit to the Secretariat a list of species which it identifies as being subject to regulation within its jurisdiction for the purpose mentioned in paragraph 3 of Article II. Appendix III shall include the names of the Parties submitting the species for inclusion therein, the scientific names of the species so submitted, and any parts or derivatives of the animals or plants concerned that are specified in relation to the species for the purposes of subparagraph (b) of Article I.

2. Each list submitted under the provisions of paragraph 1 of this Article shall be communicated to the Parties by the Secretariat as soon as possible after receiving it. The list shall take effect as part of Appendix III 90 days after the date of such communication. At any time after the communication of such list, any Party may by notification in writing to the Depositary Government enter a reservation with respect to any species or any parts or derivatives, and until such reservation is withdrawn, the State shall be treated as a State not a Party to the present Convention with respect to trade in the species or part or derivative concerned.

3. A Party which has submitted a species for inclusion in Appendix III may withdraw it at any time by notification to the Secretariat which shall communicate the withdrawal to all Parties. The withdrawal shall take effect 30 days after the date of such communication.

4. Any Party submitting a list under the provisions of paragraph 1 of this Article shall submit to the Secretariat a copy of all domestic laws and regulations applicable to the protection of such species, together with any interpretations which the Party may deem appropriate or the Secretariat may request. The Party shall, for as long as the species in question is included in Appendix III, submit any amendments of such laws and regulations or any interpretations as they are adopted.

ARTICLE XVII

Amendment of the Convention

1. An extraordinary meeting of the Conference of the Parties shall be convened by the Secretariat on the written request of at least one-third of the Parties to consider and adopt amendments to the present Convention. Such amendments shall be adopted by a two-thirds majority of Parties present and voting. For these purposes "Parties present and voting" means Parties present and casting an affirmative or negative vote. Parties abstaining from voting shall not be counted among the two-thirds required for

adopting an amendment.

2. The text of any proposed amendment shall be communicated by the Secretariat to all Parties at least 90 days before the meeting.

3. An amendment shall enter into force for the Parties which have accepted it 60 days after two-thirds of the Parties have deposited an instrument of acceptance of the amendment with the Depositary Government. Thereafter, the amendment shall enter into force for any other Party 60 days after that Party deposits its instrument of acceptance of the amendment.

ARTICLE XVIII ***Resolution of Disputes***

1. Any dispute which may arise between two or more Parties with respect to the interpretation or application of the provisions of the present Convention shall be subject to negotiation between the Parties involved in the dispute.

2. If the dispute can not be resolved in accordance with paragraph 1 of this Article, the Parties may, by mutual consent, submit the dispute to arbitration, in particular that of the Permanent Court of Arbitration at The Hague, and the Parties submitting the dispute shall be bound by the arbitral decision.

ARTICLE XIX ***Signature***

The present Convention shall be open for signature at Washington until 30th April 1973 and thereafter at Berne until 31st December 1974.

ARTICLE XX ***Ratification, Acceptance, Approval***

The present Convention shall be subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Government of the Swiss Confederation which shall be the Depositary Government.

ARTICLE XXI ***Accession***

The present Convention shall be open indefinitely for accession. Instruments of accession shall be deposited with the Depositary Government.

ARTICLE XXII ***Entry into Force***

1. The present Convention shall enter into force 90 days after the date of deposit of the tenth instrument of ratification, acceptance, approval or accession, with the Depositary Government.

2. For each State which ratifies, accepts or approves the present Convention or accedes thereto after the deposit of the tenth instrument of ratification, acceptance, approval or accession, the present Convention shall enter into force 90 days after the deposit by such State of its instrument of ratification, acceptance, approval or accession.

ARTICLE XXIII

Reservations

1. The provisions of the present Convention shall not be subject to general reservations. Specific reservations may be entered in accordance with the provisions of this Article and Articles XV and XVI.

2. Any State may, on depositing its instrument of ratification, acceptance, approval or accession, enter a specific reservation with regard to:

- (a) any species included in Appendix I, II or III; or
- (b) any parts or derivatives specified in relation to a species included in Appendix III.

3. Until a Party withdraws its reservation entered under the provisions of this Article, it shall be treated as a State not a Party to the present Convention with respect to trade in the particular species or parts or derivatives specified in such reservation.

ARTICLE XXIV ***Denunciation***

Any Party may denounce the present Convention by written notification to the Depositary Government at any time. The denunciation shall take effect twelve months after the Depositary Government has received the notification.

ARTICLE XXV ***Depositary***

1. The original of the present Convention, in the Chinese, English, French, Russian and Spanish languages, each version being equally authentic, shall be deposited with the Depositary Government, which shall transmit certified copies thereof to all States that have signed it or deposited instruments of accession to it.

2. The Depositary Government shall inform all signatory and acceding States and the Secretariat of signatures, deposit of instruments of ratification, acceptance, approval or accession, entry into force of the present Convention, amendments thereto, entry and withdrawal of reservations and notifications of denunciation.

3. As soon as the present Convention enters into force, a certified copy thereof shall be transmitted by the Depositary Government to the Secretariat of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

In witness whereof the undersigned Plenipotentiaries, being duly authorized to that effect, have signed the present Convention.

Done at Washington this third day of March, One Thousand Nine Hundred and Seventy-three.

APPENDICES I, II, III ***INTERPRETATION***

1. Species included in these Appendices are referred to—

- (a) by the name of the species; or

(b) as being all of the species included in a higher taxon or designated part thereof.

2. The abbreviation "spp." is used to denote all species of a higher taxon.

3. Other references to taxa higher than species are for the purposes of information or classification only. The common names included after the scientific names of families are for reference only. They are intended to indicate the species within the family concerned that are included in the Appendices. In most cases this is not all of the species within the family.

4. The following abbreviations are used for plant taxa below the level of species ---

(a) "ssp." is used to denote subspecies; and

(b) "var(s)." is used to denote variety (varieties).

5. As none of the species of higher taxa of FLORA included in Appendix I is annotated to the effect that its hybrids shall be treated in accordance with the provisions of Article III of the Convention, this means that artificially propagate hybrids produced from one or more of these species or taxa may be traded with a certificate of artificial propagation, and that seeds and pollen (including pollinia), cut flowers, seedling or tissue cultures obtained in vitro, in solid or liquid media, transported in sterile containers of these hybrids are not subject to the provisions of the Convention.

6. The names of the countries in parentheses placed against the names of species in Appendix III are those of the Parties submitting these species for inclusion in this Appendix.

7. In accordance with Article I, paragraph (b), subparagraph (iii), of the Convention, the symbol (#) followed by a number placed against the name of a species or higher taxon included in Appendix II or III designates parts or derivatives which are specified in relation thereto for the purposes of the Convention as follows—

(a) #1 designates all parts and derivatives, except—

(i) seeds, spores and pollen (including pollinia),

(ii) seedling or tissue cultures obtained in vitro, in solid or liquid media, transported in sterile containers, and

(iii) cut flowers of artificially propagated plants;

(b) #2 designates all parts and derivatives, except—

(i) seeds and pollen,

(ii) seedling or tissue cultures obtained in vitro, in solid or liquid media, transported in sterile containers,

(iii) cut flowers of artificially propagated plants, and

(iv) chemical derivatives and finished pharmaceutical products;

(c) #3 designates whole and sliced roots and parts of roots, excluding manufactured parts or derivatives such as powders, pills, extracts, tonics, teas and confectionery;

(d) #4 designates all parts and derivatives, except—

- (i) seeds, except those from Mexican cacti originating in Mexico, and pollen,
 - (ii) seedling or tissue cultures obtained in vitro, in solid or liquid media, transported in sterile containers,
 - (iii) cut flower of artificially propagated plants,
 - (iv) fruits and parts and derivatives thereof of naturalized or artificially propagated plants,
 - (v) separate stem joints (pads) and parts and derivatives thereof of naturalized or artificially propagated plants of the genus *Opuntia* subgenus *Opuntia*;
- (e) #5 designates logs, sawn wood and veneer sheets;
 - (f) #6 designates logs, swan wood, veneer sheets and plywood;
 - (g) #7 designates logs, wood chips and unprocessed broken material; and
 - (h) #8 designates all parts and derivatives, except-
 - (i) seeds and pollen (including pollinia),
 - (ii) seedling or tissue cultures obtained in vitro, in solid or liquid media, transported in sterile containers,
 - (iii) cut flowers of artificially propagated plants, and
 - (iv) fruits and parts and derivatives thereof of artificially propagated plants of the genus *Vanilla*.

Appendices

I

II

III

FAUNA (ANIMALS)

PHYLUM CHORDATA

CLASS MAMMALIA

(MAMMALS)

MONOTREMATA

Tachyglossidae Echidnas,
spiny anteaters

Zaglossus spp.

DASYUROMORPHIA

Dasyuridae Dunnarts

***Sminthopsis
longicaudata***

***Sminthopsis
psammophila***

Thylacinidae Tasmanian
wolf, thylacine

***Thylacinus
cynocephalus***
(possibly extinct)

PERAMELEMORPHIA

Peramelidae Bandicoots

Chaeropus ecaudatus
(possibly extinct)

Macrotis lagotis

Macrotis leucura

Perameles bougainville

DIPROTODONTIA

Phalangeridae Cuscuses

Phalanger orientalis

Spilocuscus maculatus

Vombatidae Northern
hairy-nosed wombat

Lasiorhinus krefftii

Macropodidae Kangaroos,
wallabies

Dendrolagus inustus

Dendrolagus ursinus

Lagorchestes hirsutus

Lagostrophus fasciatus

Onychogalea fraenata

Onychogalea lunata

Potoroidae Rat-kangaroos

Bettongia spp.

***Caloprymnus
campestris***
(possibly extinct)

SCANDENTIA

Tupaïidae Tree shrews

Tupaïidae spp.

CHIROPTERA

Phyllostomidae Broad-nosed
bat

Platyrrhinus
(Uruguay)

Pteropodidae Fruit bats,
flying foxes

Acerodon spp. (Except the
species included in
Appendix I)

Acerodon jubatus

Acerodon lucifer
(possibly extinct)

Pteropus spp. (Except the
species included in
Appendix I)

Pteropus insularis

Pteropus mariannus

Pteropus molossinus

Pteropus phaeocephalus

Pteropus pilosus

Pteropus samoensis

Pteropus tonganus

PRIMATES Apes, monkeys

PRIMATES spp. (Except the
species included in
Appendix I)

Lemuridae Large lemurs

Lemuridae spp.

Megaladapidae Sportive
lemurs

Megaladapidae spp.
(possibly extinct)

Cheirogaleidae Dwarf lemurs

Cheirogaleidae spp.

Indridae Avahi, indris,
sifakas, woolly lemurs

Indridae spp.

Daubentoniidae Aye-aye

Daubentonia
madagascariensis

Callitrichidae Marmosets,
tamarins

Callimico goeldii

Callithrix aurita

Callithrix flaviceps

Leontopithecus spp.

Saguinus bicolor

Saguinus geoffroyi

Saguinus leucopus

Saguinus oedipus

Cebidae New World
monkeys

Alouatta coibensis

Alouatta palliata

Alouatta pigra

***Ateles geoffroyi*
*frontatus***

***Ateles geoffroyi*
*panamensis***

***Brachyteles*
*arachnoides***

Cacajao spp.

Chiropotes albinasus

Lagothrix flavicauda

Saimiri oerstedii

Cercopithecidae Old World
monkeys

***Cercocebus galeritus*
*galeritus***

Cercopithecus diana

Macaca silenus

Mandrillus leucophaeus

Mandrillus sphinx

Nasalis concolor

Nasalis larvatus

Presbytis potenziani

***Procolobus pennantii*
*kirkii***

***Procolobus*
*rufomitratu***

Pygathrix spp.

Semnopithecus entellus

Trachypithecus geei

Trachypithecus pileatus

Hylobatidae Gibbons

Hylobatidae spp.

Hominidae Chimpanzees,
gorilla, orang-utan

Gorilla gorilla

Pan spp.

Pongo pygmaeus

XENARTHRA

Myrmecophagidae American
anteaters

Myrmecophaga tridactyla

Tamandua mexicana
(Guatemala)

Bradypodidae Three-toed
sloth

Bradypus variegatus

Megalonychidae Two-toed
sloth

Choloepus hoffmanni
(Costa Rica)

Dasypodidae Armadillos

Cabassous centralis
(Costa Rica)

Cabassous tatouay
(Uruguay)

Chaetophractus nationi
(A zero annual export quota
has been established. All
specimens shall be deemed
to be specimens of species
included in Appendix I and
the trade in them shall be
regulated accordingly)

Priodontes maximus

PHOLIDOTA

Manidae Pangolins

Manis spp. (A zero annual
export quota has been
established for *Manis*
crassicaudata, *M. javanica*
and *M. pentadactyla* for
specimens removed from the
wild and traded for primarily
commercial purposes)

LAGOMORPHA

Leporidae Hispid hare,
volcano rabbit

Caprolagus hispidus

Romerolagus diazi

RODENTIA

Sciuridae Ground squirrels,
tree squirrels

Cynomys mexicanus

Epixerus ebii (Ghana)

Marmota caudata (India)

Marmota himalayana (India)

Ratula spp.

Sciurus deppei
(Costa Rica)

Anomaluridae African flying
squirrels

Anomalurus beecrofti
(Ghana)

Anomalurus derbianus
(Ghana)

Anomalurus pelii (Ghana)

Idiurus macrotis (Ghana)

Muridae Mice, rats

Leporillus conditor

Pseudomys praeconis

Xeromys myoides

Zyomys pedunculatus

Hystricidae Crested
porcupine

Hystrix cristata (Ghana)

Erethizontidae New World
porcupines

Sphiggurus mexicanus
(Honduras)

Sphiggurus spinosus
(Uruguay)

Agoutidae Paca

Agouti paca (Honduras)

Dasyproctidae Agouti

Dasyprocta punctata
(Honduras)

Chinchillidae Chinchillas

Chinchilla spp. (Specimens
of the domesticated form are
not subject to the provisions
of the Convention)

CETACEA Dolphins,
porpoises, whales

CETACEA spp. (Except the
species included in Appendix
I. A zero annual export quota
has been established for live
specimens from the Black
Sea population of *Tursiops*
truncatus removed from the
wild and traded for primarily
commercial purposes)

Platanistidae River dolphins

Lipotes vexillifer

***Platanista* spp.**

Ziphiidae Beaked whales,
bottle-nosed whales

***Berardius* spp.**

***Hyperoodon* spp.**

Physeteridae Sperm whales

Physeter catodon

Delphinidae Marine dolphins

***Sotalia* spp.**

***Sousa* spp.**

Phocoenidae Porpoises

***Neophocaena*
*phocaenoides***

Phocoena sinus

Eschrichtiidae Grey whale

Eschrichtius robustus

Balaenopteridae Humpback
whale, rorquals

***Balaenoptera*
*acutorostrata***

(Except the population of
West Greenland, which is
included in Appendix II)

***Balaenoptera*
*bonaerensis***

Balaenoptera borealis

Balaenoptera edeni

Balaenoptera musculus

Balaenoptera physalus

Megaptera novaeangliae

Balaenidae Bowhead whale,
right whales

Balaena mysticetus

***Eubalaena* spp.**

Neobalaenidae Pygmy right
whale

Caperea marginata

CARNIVORA

Canidae Bush dog, foxes,
wolves

Canis aureus (India)

Canis lupus (Only the
populations of Bhutan,
India, Nepal and
Pakistan; all other
populations are included
in Appendix II)

Canis lupus (Except the
populations of Bhutan, India,
Nepal and Pakistan, which
are included in Appendix I)

Cerdocyon thous

Chrysocyon brachyurus

Cuon alpinus

Pseudalopex culpaeus

Pseudalopex griseus

Pseudalopex gymnocercus

Speothos venaticus

Vulpes bengalensis (India)

Vulpes cana

Vulpes vulpes griffithi
(India)

Vulpes vulpes montana
(India)

Vulpes vulpes pusilla
(India)

Vulpes zerda

Ursidae Bears, pandas

Ursidae spp. (Except the
species included in
Appendix I)

Ailuropoda melanoleuca

Ailurus fulgens

Helarctos malayanus

Melursus ursinus

Tremarctos ornatus

Ursus arctos (Only the
populations of Bhutan,
China, Mexico and
Mongolia; all other
populations are included
in Appendix II)

Ursus arctos isabellinus

Ursus thibetanus

Procyonidae Coatis,
kinkajou, olingos

Bassaricyon gabbii (Costa
Rica)

Bassariscus sumichrasti
(Costa Rica)

Nasua narica (Honduras)

Nasua nasua solitaria
(Uruguay)

Potos flavus (Honduras)

Mustelidae Badgers,
martens, weasels, etc.

Lutrinae Otters

Lutrinae spp. (Except the
species included in
Appendix I)

Aonyx congicus (Only
the populations of
Cameroon and Nigeria; all
other populations are
included in Appendix II)

Enhydra lutris nereis

Lontra felina

Lontra longicaudis

Lontra provocax

Lutra lutra

Pteronura brasiliensis

Mellivorinae Honey badger

Mellivora capensis
(Botswana, Ghana)

Mephitinae Hog-nosed skunk

Conepatus humboldtii

Mustelinae Grisons, martens,
tayra, weasels

Eira barbara (Honduras)

Galictis vittata (Costa Rica)

Martes flavigula (India)

Martes foina intermedia
(India)

Martes gwatkinsii (India)

Mustela altaica (India)

Mustela erminea ferghanae
(India)

Mustela kathiah (India)

Mustela nigripes

Mustela sibirica (India)

Viverridae Binturong, civets,
falanouc, fossa, linsangs,
otter-civet, palm civets

Arctictis binturong (India)

Civettictis civetta
(Botswana)

Cryptoprocta ferox

Cynogale bennettii

Eupleres goudotii

Fossa fossana

Hemigalus derbyanus

Paguma larvata (India)

Paradoxurus

hermaphroditus (India)

Paradoxurus jerdoni (India)

Prionodon linsang

Prionodon pardicolor

Viverra civettina (India)

Viverra zibetha (India)

Viverricula indica (India)

Herpestidae Mongooses

Herpestes brachyurus
fuscus (India)

Herpestes edwardsii (India)

Herpestes javanicus
auropunctatus (India)

Herpestes smithii (India)

Herpestes urva (India)

Herpestes vitticollis (India)

Hyaenidae Aardwolf

Proteles cristatus
(Botswana)

Felidae Cats

Felidae spp. (Except the species included in Appendix I. Specimens of the domesticated form are not subject to the provisions of the Convention)

Acinonyx jubatus

(Annual export quotas for live specimens and hunting trophies are granted as follows: Botswana: 5; Namibia: 150; Zimbabwe: 50. The trade in such specimens is subject to the provisions of Article III of the Convention)

Caracal caracal (Only the population of Asia; all other populations are included in Appendix II)

Catopuma temminckii

Felis nigripes

Herpailurus yaguarondi (Only the populations of Central and North America; all other populations are included in Appendix II)

Leopardus pardalis

Leopardus tigrinus

Leopardus wiedii

Lynx pardinus

Neofelis nebulosa

Oncifelis geoffroyi

Oreailurus jacobita

Panthera leo persica

Panthera onca

Panthera pardus

Panthera tigris

Pardofelis marmorata

Prionailurus

bengalensis

bengalensis (Only the populations of Bangladesh, India and Thailand; all other populations are included in Appendix II)

Prionailurus planiceps

Prionailurus

rubiginosus (Only the population of India; all other populations are included in Appendix II)

Puma concolor coryi

***Puma concolor
costaricensis***

Puma concolor cougar

Uncia uncia

Otariidae Fur seals, sealions

Arctocephalus spp. (Except the species included in Appendix I)

Arctocephalus townsendi

Tapiridae Tapirs

Tapiridae spp. (Except the species included in Appendix II)

Tapirus terrestris

Rhinocerotidae
Rhinoceroses

Rhinocerotidae spp.
(Except the subspecies included in Appendix II)

Ceratotherium simum simum (Only the population of South Africa; all other populations are included in Appendix I. For the exclusive purpose of allowing international trade in live animals to appropriate and acceptable destinations and hunting trophies. All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly)

ARTIODACTYLA

Tragulidae Mouse-deer

Hyemoschus aquaticus
(Ghana)

Suidae Babirusa, pygmy hog

Babyrousa babyrussa

Sus salvanius

Tayassuidae Peccaries

Tayassuidae spp. (Except the species included in Appendix I and the populations of *Pecari tajacu* of Mexico and the United States of America, which are not included in the Appendices)

Catagonus wagneri

Hippopotamidae
Hippopotamuses

Hexaprotodon liberiensis

Hippopotamus amphibius

Camelidae Guanaco, vicuna

Lama guanicoe

Vicugna vicugna (Except the populations of: Argentina [the populations of the Provinces of Jujuy and Catamarca and the semi-captive populations of the Provinces of Jujuy, Salta, Catamarca, La Rioja and San Juan]; Bolivia [the whole population]; Chile [population of the Primera Región]; and Peru [the whole population]; which are included in Appendix II)

Vicugna vicugna (Only the populations of **Argentina**³ [the populations of the Provinces of Jujuy and Catamarca and the semi-captive populations of the Provinces of Jujuy, Salta, Catamarca, La Rioja and San Juan]; **Bolivia**⁴ [the whole population]; **Chile**⁵ [population of the Primera Región]; **Peru**⁶ [the whole population]; all other populations are included in Appendix I)

Moschidae Musk deer

Moschus spp. (Only the populations of Afghanistan, Bhutan, India, Myanmar, Nepal and Pakistan; all other populations are included in Appendix II)

Moschus spp. (Except the populations of Afghanistan, Bhutan, India, Myanmar, Nepal and Pakistan, which are included in Appendix I)

Cervidae Deer, guemals, muntjacs, pudus

Axis calamianensis

Axis kuhlii

Axis porcinus annamiticus

Blastocerus dichotomus

Cervus duvaucelii

Cervus elaphus bactrianus

Cervus elaphus barbarus
(Tunisia)

Cervus elaphus hanglu

Cervus eldii

Dama mesopotamica

***Hippocamelus* spp.**

Mazama americana
cerasina (Guatemala)

Megamuntiacus

vuquanghensis

Muntiacus crinifrons

Odocoileus virginianus
mayensis (Guatemala)

Ozotoceros bezoarticus

Pudu mephistophiles

Pudu puda

Antilocapridae Pronghorn

Antilocapra americana
(Only the population of
Mexico; no other
population is included in
the Appendices)

Bovidae Antelopes, cattle,
duikers, gazelles, goats,
sheep, etc.

Addax nasomaculatus

Ammotragus lervia

Antilope cervicapra (Nepal)

Bison bison athabasca

Bos gaurus (Excludes the domesticated form, which is referenced as *Bos frontalis*, and is not subject to the provisions of the Convention)

Bos mutus (Excludes the domesticated form, which is referenced as *Bos grunniens*, and is not subject to the provisions of the Convention)

Bos sauveli

Bubalus arnee (Nepal)
(Excludes the domesticated form, which is referenced as *Bubalus bubalis*)

Bubalus depressicornis

Bubalus mindorensis

Bubalus quarlesi

Budorcas taxicolor

Capra falconeri

Cephalophus dorsalis

Cephalophus jentinki

Cephalophus monticola

Cephalophus ogilbyi

Cephalophus silvicultor

Cephalophus zebra

Damaliscus lunatus
(Ghana)

Damaliscus pygargus
pygargus

Gazella cuvieri (Tunisia)

Gazella dama

Gazella dorcas (Tunisia)

Gazella leptoceros (Tunisia)

Hippotragus niger
variani

Kobus leche

Naemorhedus baileyi

Naemorhedus caudatus

Naemorhedus goral

Naemorhedus
sumatraensis

Oryx dammah

Oryx leucoryx

Ovis ammon (Except the
subspecies included in
Appendix I)

Ovis ammon hodgsonii

Ovis ammon
nigrimontana

Ovis canadensis (Only the
population of Mexico; no
other population is included
in the Appendices)

Ovis orientalis ophion

Ovis vignei (Except the
subspecies included in
Appendix I)

Ovis vignei vignei

Pantholops hodgsonii

***Pseudoryx
nghetinhensis***

***Rupicapra pyrenaica
ornata***

Saiga tatarica

Tetracerus quadricornis
(Nepal)

Tragelaphus eurycerus
(Ghana)

Tragelaphus spekii (Ghana)

CLASS AVES (BIRDS)

STRUTHIONIFORMES

Struthionidae Ostrich

Struthio camelus (Only
the populations of Algeria,
Burkina Faso, Cameroon,
the Central African
Republic, Chad, Mali,
Mauritania, Morocco, the
Niger, Nigeria, Senegal
and the Sudan; all other
populations are not
included in the
Appendices)

RHEIFORMES

Rheidae Rheas

Rhea americana

Rhea pennata (Except
Rhea pennata pennata
which is included in
Appendix II)

Rhea pennata pennata

TINAMIFORMES

Tinamidae Tinamou

Tinamus solitarius

SPHENISCIFORMES

Spheniscidae Penguins

Spheniscus demersus

Spheniscus humboldti

PODICIPEDIFORMES

Podicipedidae Grebe

Podilymbus gigas

PROCELLARIIFORMES

Diomedeidae Albatross

Diomedea albatrus

PELECANIFORMES

Pelecanidae Pelican

Pelecanus crispus

Sulidae Booby

Papasula abbotti

Fregatidae Frigatebird

Fregata andrewsi

CICONIIFORMES

Ardeidae Egrets, herons

Ardea goliath (Ghana)

Bubulcus ibis (Ghana)

Casmerodius albus
(Ghana)

Egretta garzetta (Ghana)

Balaenicipitidae Shoebill,
whale-headed stork

Balaeniceps rex

Ciconiidae Storks

Ciconia boyciana

Ciconia nigra

***Ephippiorhynchus
senegalensis*** (Ghana)

Jabiru mycteria

Leptoptilos crumeniferus
(Ghana)

Mycteria cinerea

Threskiornithidae Ibises,
spoonbills

Bostrychia hagedash
(Ghana)

Bostrychia rara (Ghana)

Eudocimus ruber

Geronticus calvus

Geronticus eremita

Nipponia nippon

Platalea leucorodia

Threskiornis aethiopicus
(Ghana)

Phoenicopteridae Flamingos

Phoenicopteridae spp.

ANSERIFORMES

Anatidae Ducks, geese,
swans, etc.

Alopochen aegyptiacus
(Ghana)

Anas acuta (Ghana)

Anas aucklandica

Anas bernieri

Anas capensis (Ghana)

Anas clypeata (Ghana)

Anas crecca (Ghana)

Anas formosa

Anas laysanensis

Anas oustaleti

Anas penelope (Ghana)

Anas querquedula (Ghana)

Aythya nyroca (Ghana)

Branta canadensis
leucopareia

Branta ruficollis

Branta sandvicensis

Cairina moschata
(Honduras)

Cairina scutulata

Coscoroba coscoroba

Cygnus melanocorypha

Dendrocygna arborea

Dendrocygna autumnalis
(Honduras)

Dendrocygna bicolor
(Ghana, Honduras)

Dendrocygna viduata
(Ghana)

Nettapus auritus (Ghana)

Oxyura leucocephala

Plectropterus gambensis
(Ghana)

Pteronetta hartlaubii
(Ghana)

Rhodonessa
caryophyllacea
(possibly extinct)

Sarkidiornis melanotos

FALCONIFORMES Eagles,
falcons, hawks, vultures

FALCONIFORMES spp.
(Except the species included
in Appendices I and III and
the species of the family
Cathartidae)

Cathartidae New World
vultures

***Gymnogyps
californianus***

Sarcoramphus papa
(Honduras)

Vultur gryphus

Accipitridae Hawks, eagles

Aquila adalberti

Aquila heliaca

Chondrohierax

uncinatuswilsonii

Haliaeetus albicilla

***Haliaeetus
leucocephalus***

Harpia harpyja

Pithecophaga jefferyi

Falconidae Falcons

Falco araea

Falco jugger

Falco newtoni (Only the
population of Seychelles)

Falco pelegrinoides

Falco peregrinus

Falco punctatus

Falco rusticolus

GALLIFORMES

Megapodiidae
Megapodes, scrubfowl

Macrocephalon maleo

Cracidae Chachalacas,
curassows, guans

Crax blumenbachii

Crax alberti (Colombia)

Crax daubentoni (Colombia)

Crax globulosa (Colombia)

Crax rubra (Colombia, Costa
Rica, Guatemala, Honduras)

Mitu mitu

Oreophasis derbianus

Ortalis vetula (Guatemala,
Honduras)

Pauxi pauxi (Colombia)

Penelope albipennis

Penelope purpurascens
(Honduras)

Penelopina nigra
(Guatemala)

Pipile jacutinga

Pipile pipile

Phasianidae Grouse,
guineafowl, partridges,
pheasants, tragopans

Agelastes meleagrides
(Ghana)

Agriocharis ocellata
(Guatemala)

Arborophila charltonii
(Malaysia)

Arborophila orientalis
(Malaysia)

Argusianus argus

Caloperdix oculatea
(Malaysia)

Catreus wallichii

Colinus virginianus
ridgwayi

Crossoptilon
crossoptilon

Crossoptilon harmani

Crossoptilon
mantchuricum

Gallus sonneratii

Ithaginis cruentus

Lophophorus
impejanus

Lophophorus lhuysii

Lophophorus sclateri

Lophura edwardsi

Lophura erythrophthalma
(Malaysia)

Lophura ignita (Malaysia)

Lophura imperialis

Lophura swinhoii

Melanoperdix nigra
(Malaysia)

Pavo muticus

Polyplectron bicalcaratum

Polyplectron emphanum

Polyplectron germaini

Polyplectron inopinatum
(Malaysia)

Polyplectron malacense

Polyplectron schleiermacheri

Rheinardia ocellata

Rhizothera longirostris
(Malaysia)

Rollulus rouloul (Malaysia)

Syrmaticus ellioti

Syrmaticus humiae

Syrmaticus mikado

Tetraogallus caspius

Tetraogallus tibetanus

Tragopan blythii

Tragopan caboti

*Tragopan
melanocephalus*

Tragopan satyra (Nepal)

*Tympanuchus cupido
attwateri*

GRUIFORMES

Gruidae Cranes

Gruidae spp. (Except the
species included in
Appendix I)

Grus americana

*Grus canadensis
nesiotes*

Grus canadensis pulla

Grus japonensis

Grus leucogeranus

Grus monacha

Grus nigricollis

Grus vipio

Rallidae Rail

Gallirallus sylvestris

Rhynochetidae Kagu

Rhynochetos jubatus

Otididae Bustards

Otididae spp. (Except the
species included in
Appendix I)

Ardeotis nigriceps

Chlamydotis undulata

Eupodotis bengalensis

CHARADRIIFORMES

Burhinidae Thick-knee

Burhinus bistriatus
(Guatemala)

Scolopacidae Curlews, green
shanks

Numenius borealis

Numenius tenuirostris

Tringa guttifer

Laridae Gull

Larus relictus

COLUMBIFORMES

Columbidae Doves, pigeons

Caloenas nicobarica

Columba guinea (Ghana)

Columba iriditorques
(Ghana)

Columba livia (Ghana)

Columba mayeri (Mauritius)

Columba unicincta (Ghana)

Ducula mindorensis

Gallicolumba luzonica
***Goura* spp.**

Oena capensis (Ghana)

Streptopelia decipiens
(Ghana)

Streptopelia roseogrisea
(Ghana)

Streptopelia semitorquata
(Ghana)

Streptopelia senegalensis
(Ghana)

Streptopelia turtur (Ghana)

Streptopelia vinacea
(Ghana)

Treron calva (Ghana)

Treron waalia (Ghana)

Turtur abyssinicus (Ghana)

Turtur afer (Ghana)

Turtur brehmeri (Ghana)

Turtur tympanistris
(Ghana)

PSITTACIFORMES

PSITTACIFORMES spp.
(Except the species included
in Appendix I and Appendix
III, and excluding
Melopsittacus undulatus and
Nymphicus hollandicus,
which are not included in the
Appendices)

Psittacidae Amazons,
cockatoos, lories, lorikeets,
macaws, parakeets, parrots

Amazona arausiaca

Amazona barbadensis

Amazona brasiliensis

Amazona guildingii

Amazona imperialis

Amazona leucocephala

Amazona ochrocephala
auropalliata

Amazona ochrocephala
belizensis

Amazona ochrocephala
caribaea

Amazona ochrocephala
oratrix

Amazona ochrocephala
parvipes

Amazona ochrocephala
tresmariae

Amazona pretrei

Amazona rhodocorytha

Amazona tucumana

Amazona versicolor

Amazona vinacea

Amazona viridigenalis

Amazona vittata

Anodorhynchus spp.

Ara ambigua

Ara glaucogularis (Often traded under the incorrect designation *Ara caninde*)

Ara macao

Ara militaris

Ara rubrogenys

Cacatua goffini

Cacatua haematuropygia

Cacatua moluccensis

Cyanopsitta spixii

Cyanoramphus forbesi

Cyanoramphus novaezelandiae

Cyclopsitta diophthalma coxeni

Eos histrio

Eunymphicus cornutus

Geopsittacus occidentalis (possibly extinct)

Guarouba guarouba

Neophema chrysogaster

Ognorhynchus icterotis

Pezoporus wallicus

Pionopsitta pileata

Probosciger aterrimus

Propyrrhura couloni

Propyrrhura maracana

***Psephotus
chrysopterygius***

Psephotus dissimilis

***Psephotus
pulcherrimus*** (possibly
extinct) ***echo***

Psittacula krameri
(Ghana)

Pyrrhura cruentata

Rhynchopsitta spp.

Strigops habroptilus

Vini ultramarina

CUCULIFORMES

Musophagidae Turacos

Corythaeola cristata
(Ghana)

Crinifer piscator (Ghana)

***Musophaga
porphyreolopha***

Musophaga violacea
(Ghana)

Tauraco spp.

STRIGIFORMES Owls

STRIGIFORMES spp.
(Except the species included
in Appendix I)

Tytonidae Barn owl

Tyto soumagnei

Strigidae Owls

Athene blewitti

Mimizuku gurneyi

***Ninox novaeseelandiae
undulata***

***Ninox squamipila
natalis***

APODIFORMES

Trochilidae Hummingbirds

Trochilidae spp. (Except the
species included in Appendix
I)

Glaucis dohrnii

TROGONIFORMES

Trogonidae Quetzal

Pharomachrus mocinno

CORACIIFORMES

Bucerotidae Hornbills

***Aceros* spp.** (Except the
species included in Appendix
I)

Aceros nipalensis

Aceros subruficollis

Anorhynchus spp.

Anthracoceros spp.

Buceros spp. (Except the species included in Appendix I)

Buceros bicornis

Buceros vigil

Penelopides spp.

PICIFORMES

Capitonidae Barbet

Ramphastidae Toucans

Semnornis ramphastinus
(Colombia)

Bailloniidae bailloni
(Argentina)

Pteroglossus aracari

Pteroglossus castanotis
(Argentina)

Pteroglossus viridis

Ramphastos dicolorus
(Argentina)

Ramphastos sulfuratus

Ramphastos toco

Ramphastos tucanus

Ramphastos vitellinus

Selenidera maculirostris
(Argentina)

Picidae Woodpeckers

Campephilus imperialis

Dryocopus javensis richardsi

PASSERIFORMES

Cotingidae Cotingas

Cephalopterus ornatus
(Colombia)

Cephalopterus penduliger
(Colombia)

Cotinga maculata

***Rupicola* spp.**

Xipholena atropurpurea

Pittidae Pittas

Pitta guajana

Pitta gurneyi

Pitta kochi

Pitta nympha

Atrichornithidae Scrub-bird

Atrichornis clamosus

Hirundinidae Martin

Pseudochelidon sirintarae

Pycnonotidae Bulbul

Pycnonotus zeylanicus

Muscicapidae Old World
flycatchers

Bebrornis rodericanus
(Mauritius)

Cyornis ruckii

Dasyornis broadbenti
litoralis
(possibly extinct)

Dasyornis longirostris

Garrulax canorus

Leiothrix argentauris

Leiothrix lutea

Liocichla omeiensis

Picathartes
gymnocephalus

Picathartes oreas

Terpsiphone
bourbonnensis (Mauritius)

Zosteropidae White-eye

Zosterops albogularis

Meliphagidae Honeyeater

Lichenostomus
melanops cassidix

Emberizidae Cardinals,
tanagers

Gubernatrix cristata

Paroaria capitata

Paroaria coronata

Tangara fastuosa

Icteridae Blackbird

Agelaius flavus

Fringillidae Finches

Carduelis cucullata

Carduelis yarrellii

Serinus canicapillus

(Ghana)

Serinus leucopygius

(Ghana)

Serinus mozambicus

(Ghana)

Estrildidae Mannikins,
waxbills

Amadina fasciata (Ghana)

Amandava formosa

Amandava subflava

(Ghana)

Estrilda astrild (Ghana)

Estrilda caerulescens

(Ghana)

Estrilda melpoda (Ghana)

Estrilda troglodytes

(Ghana)

Lagonosticta rara (Ghana)

Lagonosticta rubricata
(Ghana)

Lagonosticta rufopicta
(Ghana)

Lagonosticta senegala
(Ghana)

Lagonosticta vinacea
(Ghana)

Lonchura bicolor (Ghana)

Lonchura cantans (Ghana)

Lonchura cucullata
(Ghana)

Lonchura fringilloides
(Ghana)

Mandingoa nitidula (Ghana)

Nesocharis capistrata
(Ghana)

Nigrita bicolor (Ghana)

Nigrita canicapilla (Ghana)

Nigrita fusconota (Ghana)

Nigrita luteifrons (Ghana)

Ortygospiza atricollis
(Ghana)

Padda oryzivora

Parmoptila rubrifrons
(Ghana)

Pholidornis rushiae
(Ghana)

Poephila cincta cincta

Pyrenestes ostrinus
(Ghana)

Pytilia hypogrammica
(Ghana)

Pytilia phoenicoptera
(Ghana)

Spermophaga haematina
(Ghana)

Uraeginthus bengalus
(Ghana)

Ploceidae Weavers,
whydahs

Amblyospiza albifrons
(Ghana)

Anaplectes rubriceps
(Ghana)

Anomalospiza imberbis
(Ghana)

Bubalornis albirostris
(Ghana)

Euplectes afer (Ghana)

Euplectes ardens (Ghana)

Euplectes franciscanus
(Ghana)

Euplectes hordeaceus
(Ghana)

Euplectes macrourus
(Ghana)

Malimbus cassini (Ghana)

Malimbus malimbicus
(Ghana)

Malimbus nitens (Ghana)

Malimbus rubricollis
(Ghana)

Malimbus scutatus (Ghana)

***Pachyphantes
superciliosus*** (Ghana)

Passer griseus (Ghana)

Petronia dentata (Ghana)

Plocepasser superciliosus
(Ghana)

Ploceus albinucha (Ghana)

Ploceus aurantius (Ghana)

Ploceus cucullatus (Ghana)

Ploceus heuglini (Ghana)

Ploceus luteolus (Ghana)

Ploceus melanocephalus
(Ghana)

Ploceus nigerrimus
(Ghana)

Ploceus nigricollis (Ghana)

Ploceus pelzelni (Ghana)

Ploceus preussi (Ghana)

Ploceus tricolor (Ghana)

Ploceus vitellinus (Ghana)

Quelea erythrops (Ghana)

Sporopipes frontalis
(Ghana)

Vidua chalybeata (Ghana)

Vidua interjecta (Ghana)

Vidua larvaticola (Ghana)

Vidua macroura (Ghana)

Vidua orientalis (Ghana)

Vidua raricola (Ghana)

Vidua togoensis (Ghana)

Vidua wilsoni (Ghana)

Sturnidae Mynahs (Starlings)

Gracula religiosa

Leucopsar rothschildi

Paradisaeidae Birds of
paradise

Paradisaeidae spp.

CLASS REPTILIA (REPTILES)

TESTUDINATA

Dermatemydidae Central

American river turtle

Dermatemys mawii

Platysternidae Big-headed
turtle

***Platysternon
megacephalum***

Emydidae Box turtles,
freshwater turtles

Annamemys annamensis

Batagur baska

Callagur borneoensis

Clemmys insculpta

Clemmys muhlenbergi

***Cuora* spp.**

Geoclemys hamiltonii

Heosemys depressa

Heosemys grandis

Heosemys leytensis

Heosemys spinosa

Hieremys annandalii

***Kachuga* spp. (Except the
species included in
Appendix I)**

Kachuga tecta

Leucocephalon yuwonoi

Mauremys mutica

Melanochelys tricarinata

Morenia ocellata

Orlitia borneensis

Pyxidea mouhotii

Siebenrockiella crassicollis

***Terrapene* spp.** (Except the species included in Appendix I)

Terrapene coahuila

Testudinidae Tortoises

Testudinidae spp. (Except the species included in Appendix I. A zero annual export quota has been established for *Geochelone sulcata* for specimens removed from the wild and traded for primarily commercial purposes)

Geochelone nigra

Geochelone radiata

Geochelone yniphora

Gopherus flavomarginatus

Psammobates geometricus

Pyxis planicauda

Testudo kleinmanni

Testudo weneri

Cheloniidae Marine turtles

Cheloniidae spp.

Dermodochelyidae Leatherback turtle

Dermodochelys coriacea

Trionychidae Softshell
turtles, terrapins

Apalone ater

Aspideretes gangeticus

Aspideretes hurum

Aspideretes nigricans

***Chitra* spp.**

Lissemys punctata

***Pelochelys* spp.**

***Trionyx triunguis* (Ghana)**

Pelomedusidae
Afro-American side-necked
turtles

***Erymnochelys
mada-gascariensis***

***Pelomedusa subrufa*
(Ghana)**

Peltocephalus dumeriliana

***Pelusios adansonii* (Ghana)**

***Pelusios castaneus*
(Ghana)**

***Pelusios gabonensis*
(Ghana)**

***Pelusios niger* (Ghana)**

***Podocnemis* spp.**

Chelidae Austro-American
side-necked turtle

Pseudemydura umbrina

CROCODYLIA Alligators,
caimans, crocodiles

CROCODYLIA spp.
(Except the species included
in Appendix I)

Alligatoridae Alligators,
caimans

Alligator sinensis

Caiman crocodilus

apaporiensis

Caiman latirostris

(Except the population of
Argentina, which is
included in Appendix II)

Melanosuchus niger

(Except the population of
Ecuador, which is
included in Appendix II,
and is subject to a zero
annual export quota until
an annual export quota
has been approved by the
CITES Secretariat and
the IUCN/SSC Crocodile
Specialist Group)

Crocodylidae Crocodiles

Crocodylus acutus

***Crocodylus*
*cataphractus***

Crocodylus intermedius

***Crocodylus*
*mindorensis***

Crocodylus moreletii

Crocodylus niloticus

(Except the populations of Botswana, Ethiopia, Kenya, Madagascar, Malawi, Mozambique, South Africa, Uganda, the United Republic of Tanzania [subject to an annual export quota of no more than 1600 wild specimens including hunting trophies, in addition to ranched specimens], Zambia and Zimbabwe; these populations are included in Appendix II)

Crocodylus palustris

Crocodylus porosus

(Except the populations of Australia, Indonesia and Papua New Guinea, which are included in Appendix II)

Crocodylus rhombifer

Crocodylus siamensis

Osteolaemus tetraspis

Tomistoma schlegelii

Gavialidae Gavial

Gavialis gangeticus

RHYNCHOCEPHALIA

Sphenodontidae Tuatara

***Sphenodon* spp.**

SAURIA

Gekkonidae Geckos

***Cyrtodactylus
serpensinsula***

Hoplodactylus spp. (New
Zealand)

Naultinus spp. (New
Zealand)

Phelsuma spp.

Agamidae Agamas,
mastigures

Uromastyx spp.

Chamaeleonidae
Chameleons

Bradypodion spp.

Brookesia spp. (Except the
species included in
Appendix I)

Brookesia perarmata

Calumma spp.

Chamaeleo spp.

Furcifer spp.

Iguanidae Iguanas

Amblyrhynchus cristatus

Brachylophus spp.

Conolophus spp.

Cyclura spp.

Iguana spp.

Phrynosoma coronatum

Sauromalus varius

Lacertidae Lizards

Gallotia simonyi

Podarcis lilfordi

Podarcis pityusensis

Cordylidae Spiny-tailed
lizards

***Cordylus* spp.**

Teiidae Caiman lizards,
tegulizards

Crocodilurus amazonicus

***Dracaena* spp.**

***Tupinambis* spp.**

Scincidae Skink

Corucia zebrata

Xenosauridae Chinese
crocodile lizard

Shinisaurus crocodilurus

Helodermatidae Beaded
lizard, gila monster

***Heloderma* spp.**

Varanidae Monitor lizards

***Varanus* spp.** (Except the
species included in
Appendix I)

Varanus bengalensis

Varanus flavescens

Varanus griseus

Varanus komodoensis

Varanus nebulosus

SERPENTES Snakes

Loxocemidae Mexican dwarf
boa

Loxocemidae spp.

Pythonidae Pythons

Pythonidae spp. (Except the
subspecies included in
Appendix I)

Python molurus
molurus

Boidae Boas

Boidae spp. (Except the
species included in Appendix
I)

Acrantophis spp.

Boa constrictor
occidentalis

Epicrates inornatus

Epicrates monensis

Epicrates subflavus

Sanzinia
madagascariensis

Bolyeriidae Round Island
boas

Bolyeriidae spp. (Except the
species included in Appendix
I)

Bolyeria multocarinata

Casarea dussumieri

Tropidophiidae Wood boas

Tropidophiidae spp.

Colubridae Typical snakes,
water snakes, whipsnakes

Atretium schistosum (India)

Cerberus rhynchops (India)

Clelia clelia

Cyclagras gigas

Elachistodon westermanni

Ptyas mucosus

Xenochrophis piscator
(India)

Elapidae Cobras, coral
snakes

***Hoplocephalus
bungaroides***

Micrurus diastema
(Honduras)

Micrurus nigrocinctus
(Honduras)

Naja atra

Naja kaouthia
Naja mandalayensis
Naja naja
Naja oxiana
Naja philippinensis
Naja sagittifera
Naja samarensis
Naja siamensis
Naja sputatrix
Naja sumatrana
Ophiophagus hannah

Viperidae Vipers

Crotalus durissus
(Honduras)

Daboia russelii (India)

Vipera ursinii (Only the population of Europe, except the area which formerly constituted the Union of Soviet Socialist Republics; these latter populations are not included in the Appendices)

Vipera wagneri

CLASS AMPHIBIA

(AMPHIBIANS)

ANURA

Bufonidae Toads

Altiphrynoides spp.

Atelopus zeteki

Bufo periglenes

Bufo superciliaris

Nectophrynoides spp.

Nimbaphrynoides spp.

Spinophrynoides spp.

Dendrobatidae Poison frogs

Dendrobates spp.

Epipedobates spp.

Minyobates spp.

Phyllobates spp.

Mantellidae Mantellas

Mantella spp.

Microhylidae Red rain frog,
tomato frog

Dyscophus antongilii

Scaphiophryne gottlebei

Myobatrachidae
Gastric-brooding frogs

Rheobatrachus spp.

Ranidae Frogs

Euphlyctis hexadactylus

Hoplobatrachus tigerinus

CAUDATA

Ambystomidae Axolotls

Ambystoma dumerilii

Ambystoma mexicanum

Cryptobranchidae Giant salamanders

***Andrias* spp.**

**CLASS ELASMOBRANCHII
(SHARKS)**

ORECTOLOBIFORMES

Rhincodontidae Whale shark

Rhincodon typus

LAMNIFORMES

Lamnidae Great white shark

Carcharodon carcharias
(Australia)

Cetorhinidae Basking shark

Cetorhinus maximus

**CLASS ACTINOPTERYGII
(FISH)**

ACIPENSERIFORMES

Paddlefish, sturgeons

ACIPENSERIFORMES spp.
(Except the species included
in Appendix I)

Acipenseridae Sturgeons

Acipenser brevirostrum

Acipenser sturio

OSTEOGLOSSIFORMES

Osteoglossidae Arapaima,
bonytongue

Arapaima gigas

Scleropages formosus

CYPRINIFORMES

Cyprinidae Blind carps,
plaeesok

Caecobarbus geertsi

Probarbus jullieni

Catostomidae Cui-ui

Chasmistes cujus

SILURIFORMES

Pangasiidae Pangasid
catfish

Pangasianodon gigas

SYNGNATHIFORMES

Syngnathidae Pipefishes,
seahorses

***Hippocampus* spp.**

PERCIFORMES

Sciaenidae Totoaba

Totoaba macdonaldi

**CLASS SARCOPTERYGII
(LUNGFISHES)**

COELACANTHIFORMES

Latimeriidae Coelacanth

Latimeria spp.

CERATODONTIFORMES

Ceratodontidae Australian
lungfish

Neoceratodus forsteri

PHYLUM

ECHINODERMATA

CLASS HOLOTHUROIDEA

(SEA CUCUMBERS)

ASPIDOCHIROTIDA

Stichopodidae Sea
cucumbers

Isostichopus fuscus
(Ecuador)

PHYLUM ARTHROPODA

CLASS ARACHNIDA

(SPIDERS)

SCORPIONES

Scorpionidae Scorpions

Pandinus dictator

Pandinus gambiensis

Pandinus imperator

ARANEAE

Theraphosidae Red-kneed
tarantulas, tarantulas

Aphonopelma albiceps

Aphonopelma pallidum

***Brachypelma* spp.**

Brachypelmides klaasi

**CLASS INSECTA
(INSECTS)**

COLEOPTERA

Lucanidae Cape stag beetles

***Colophon* spp.** (South
Africa)

LEPIDOPTERA

Papilionidae Birdwing
butterflies, swallowtail
butterflies

Atrophaneura jophon

Atrophaneura pandiyana

***Bhutanitis* spp.**

***Ornithoptera* spp.** (*sensu*
species included in
Appendix I)

Ornithoptera alexandrae

Papilio chikae

Papilio homerus

Papilio hospiton

Parnassius apollo

***Teinopalpus* spp.**

***Trogonoptera* spp. (*sensu*
D' Abrera)**

***Troides* spp. (*sensu* D'
Abrera)**

PHYLUM ANNELIDA

CLASS HIRUDINOIDEA (LEECHES)

ARHYNCHOBDELLIDA

Hirudinidae Medicinal leech

Hirudo medicinalis

PHYLUM MOLLUSCA

CLASS BIVALVIA (CLAMS, MUSSELS)

VENERIDA

Tridacnidae Giant clams

Tridacnidae spp.

UNIONIDA

Unionidae Freshwater
mussels, pearly mussels

Conradilla caelata

Cyprogenia aberti

Dromus dromas

Epioblasma curtisi

Epioblasma florentina

Epioblasma sampsoni

Epioblasma sulcata
perobliqua

Epioblasma torulosa
gubernaculum

Epioblasma torulosa
rangiana

Epioblasma torulosa
torulosa

Epioblasma turgidula

Epioblasma walkeri

Fusconaia cuneolus

Fusconaia edgariana

Lampsilis higginsii

Lampsilis orbiculata
orbiculata

Lampsilis satur

Lampsilis virescens

Plethobasus
cicatricosus

Plethobasus
cooperianus

Pleurobema clava

Pleurobema plenum

Potamilus capax

Quadrula intermedia

Quadrula sparsa

Toxolasma cylindrella

Unio nickliniana

Unio tampicoensis
tecomatensis

Villosa trabalis

CLASS GASTROPODA

(SNAILS AND CONCHES)

STYLOMMATOPHORA

Achatinellidae Agate snails,
oahu tree snails

Achatinella spp.

Camaenidae Green tree snail

Papustyla pulcherrima

MESOGASTROPODA

Strombidae Queen conch

Strombus gigas

PHYLUM CNIDARIA

CLASS ANTHOZOA
(CORALS, SEA
ANEMONES)

HELIOPORACEA Blue
corals

Helioporidae spp. (Includes
only the species *Heliopora*
coerulea. Fossils are not
subject to the provisions of
the Convention)

STOLONIFERA

Tubiporidae Organ-pipe corals

Tubiporidae spp. (Fossils are not subject to the provisions of the Convention)

ANTIPATHARIA Black corals

ANTIPATHARIA spp.

SCLERACTINIA Stony corals

SCLERACTINIA spp.
(Fossils are not subject to the provisions of the Convention)

CLASS HYDROZOA (SEA FERNS, FIRE CORALS, STINGING MEDUSAE)

MILLEPORINA

Milleporidae Fire corals

Milleporidae spp. (Fossils are not subject to the provisions of the Convention)

STYLASTERINA

Stylasteridae Lace corals

Stylasteridae spp. (Fossils are not subject to the provisions of the Convention)

FLORA (PLANTS)

AGAVACEAE Agaves

Agave arizonica

Agave parviflora

***Agave victoriae-reginae* #1**

Nolina interrata

AMARYLLIDACEAE
Snow-drops, sternbergias

Galanthus spp. #1

Sternbergia spp. #1

APOCYNACEAE Elephant
trunks

Pachypodium spp. #1
(Except the species included
in Appendix I)

Pachypodium ambongense

Pachypodium baronii

Pachypodium decaryi

Rauvolfia serpentina #2

ARALIACEAE Ginseng

Panax ginseng #3 (Only the
population of the Russian
Federation; no other
population is included in the
Appendices)

Panax quinquefolius #3

ARAUCARIACEAE
Monkey-puzzle tree

Araucaria araucana

BERBERIDACEAE
May-apple

Podophyllum hexandrum
#2

BROMELIACEAE Air plants,
bromelias

Tillandsia harrisii #1

Tillandsia kammii #1

Tillandsia kautskyi #1

Tillandsia mauryana #1

Tillandsia sprengeliana #1

Tillandsia sucrei #1

Tillandsia xerographica #1

CACTACEAE Cacti

CACTACEAE spp. 7 #4

(Except the species included
in Appendix I)

Ariocarpus spp.

Astrophytum asterias

Aztekium ritteri

*Coryphantha
werdermannii*

Discocactus spp.

*Echinocereus
ferreirianus* ssp.

lindsayi

Echinocereus schmollii

Escobaria minima

Escobaria sneedii

Mammillaria pectinifera

Mammillaria solisioides

Melocactus conoideus

***Melocactus
deinacanthus***

***Melocactus
glaucescens***

Melocactus paucispinus

Obregonia denegrii

Pachycereus militaris

Pediocactus bradyi

Pediocactus knowltonii

Pediocactus paradinei

***Pediocactus
peeblesianus***

Pediocactus sileri

***Pelecyphora* spp.**

***Sclerocactus
brevihamatus* ssp.**

tobuschii

***Sclerocactus
erectocentrus***

Sclerocactus glaucus

***Sclerocactus
mariposensis***

***Sclerocactus
mesae-verdae***

Sclerocactus nyensis

***Sclerocactus
papyracanthus***

***Sclerocactus
pubispinus***

Sclerocactus wrightiae

***Strombocactus* spp.**

***Turbinicarpus* spp.**

***Uebelmannia* spp.**

CARYOCARACEAE Ajo

***Caryocar costaricense* #1**

COMPOSITAE (Asteraceae)
Kuth

Saussurea costus

CRASSULACEAE Dudleyas

Dudleya stolonifera

Dudleya traskiae

CUPRESSACEAE Alerce,
cypresses

Fitzroya cupressoides

***Pilgerodendron
uviferum***

CYATHEACEAE Tree-ferns

***Cyathea* spp. #1**

CYCADACEAE Cycads

CYCADACEAE spp. #1

Cycas beddomei

DIAPENSIACEAE
Ocone-bells

***Shortia galacifolia* #1**

DICKSONIACEAE
Tree-ferns

***Cibotium barometz* #1**

***Dicksonia* spp. #1** (Only the populations of the Americas; no other population is included in the Appendices)

DIDIEREACEAE Alluaudias,
didiereas

DIDIEREACEAE spp. #1

DIOSCOREACEAE foot,
kniss

***Dioscorea deltoidea* #1**

DROSERACEAE

***Dionaea muscipula* #1**

EUPHORBIACEAE Spurges

***Euphorbia* spp. #1** (Except the species included in Appendix I; succulent species only; artificially propagated specimens of cultivars of *Euphorbia trigona* are not subject to the provisions of the Convention)

Euphorbia ambovombensis

Euphorbia capsaintemariensis

Euphorbia cremersii
(Includes the *forma viridifolia* and the var. *rakotozafy*)

Euphorbia cylindrifolia

(Includes the spp.
tuberifera)

Euphorbia decaryi

(Includes the vars.
ampanihyensis, *robinsonii*
and *spirosticha*)

Euphorbia francoisii

Euphorbia moratii

(Includes the vars.
antsingiensis,
bemarahensis and
multiflora)

***Euphorbia*
*parvicyathophora***

Euphorbia quartziticola

Euphorbia tulearensis

FOUQUIERIACEAE Ocotillos

***Fouquieria columnaris* #1**

Fouquieria fasciculata

Fouquieria purpusii

GNETACEAE Gnetums

***Gnetum montanum* #1**
(Nepal)

JUGLANDACEAE Gavilan

***Oreomunnea pterocarpa* #1**

LEGUMINOSAE (Fabaceae)

Afrormosia, cristobal,
rosewood, sandalwood

Dalbergia nigra

Dipteryx panamensis
(Costa Rica)

Pericopsis elata #5

Platymiscium

pleiostachyum #1

Pterocarpus santalinus #7

LILIACEAE Aloes

Aloe spp. #1 (Except the species included in Appendix I. Also excludes *Aloe vera*, also referenced as *Aloe barbadensis* which is not included in the Appendices)

Aloe albida

Aloe albiflora

Aloe alfredii

Aloe bakeri

Aloe bellatula

Aloe calcairophila

Aloe compressa (Includes the vars. *rugosquamosa*, *schistophila* and *paucituberculata*)

Aloe delphinensis

Aloe descoingsii

Aloe fragilis

Aloe haworthioides
(Includes the var. *aurantiaca*)

Aloe helenae

Aloe laeta (Includes the var.
maniaensis)

Aloe parallelifolia

Aloe parvula

Aloe pillansii

Aloe polyphylla

Aloe rauhii

Aloe suzannae

Aloe versicolor

Aloe vossii

MAGNOLIACEAE Magnolia

Magnolia liliifera var.
obovata #1 (Nepal)

MELIACEAE Mahoganies,
Spanish cedar

Cedrela odorata #5
[Population of Colombia
(Colombia)Population of
Peru (Peru)]

Swietenia humilis #1

Swietenia macrophylla #6
(Populations of the
Neotropics) [Enters into
effect on 15 November 2003]

Swietenia macrophylla #5
(Until 15 November 2003)
[Population of Bolivia
(Bolivia) Population of Brazil
(Brazil)]

All populations of the species
in the Americas (Costa Rica)
Population of Colombia
(Colombia) Population of
Mexico (Mexico) Population
of Peru (Peru)]

***Swietenia mahagoni* #5**

NEPENTHACEAE
Pitcher-plants (Old World)

***Nepenthes* spp. #1**

Nepenthes khasiana

Nepenthes rajah

ORCHIDACEAE Orchids

ORCHIDACEAE spp.8 #8
(Except the species included
in Appendix I)

(For all of the following
Appendix I species,
seedling or tissue cultures
obtained *in vitro*, in solid
or liquid media,
transported in sterile
containers are not subject
to the provisions of the
Convention)

Aerangis ellisii

Cattleya trianaei

Dendrobium cruentum

Laelia jongheana

Laelia lobata

***Paphiopedilum* spp.**

Peristeria elata

***Phragmipedium* spp.**

***Renanthera*
*imschootiana***

Vanda coerulea

OROBANCHACEAE
Broomrape

Cistanche deserticola

PALMAE (Arecaceae) Palms

***Beccariophoenix
madagascariensis***

***Chrysalidocarpus
decipiens* #1**

Lemurophoenix halleuxii

Marojejya darianii

***Neodypsis decaryi* #1**

Ravenea louvelii

Ravenea rivularis

Satranala decussilvae

Voanioala gerardii

PAPAVERACEAE Poppy

***Meconopsis regia* #1**
(Nepal)

PINACEAE Guatemala fir

Abies guatemalensis

PODOCARPACEAE
Podocarps

***Podocarpus neriifolius* #1**
(Nepal)

Podocarpus parlatorei

PORTULACACEAE
Lewisias, portulacas,
purslanes

Anacampseros spp. #1

Avonia spp. #1

Lewisia serrata #1

PRIMULACEAE Cyclamens

Cyclamen spp.9 #1

PROTEACEAE Proteas

Orothamnus zeyheri #1

Protea odorata #1

RANUNCULACEAE Golden
seals, yellow adonis, yellow
root

Adonis vernalis #2

Hydrastis canadensis #3

ROSACEAE African cherry,
stinkwood

Prunus africana #1

RUBIACEAE Ayuque

Balmea stormiae

SARRACENIACEAE
Pitcher-plants (New World)

Sarracenia spp. #1
(Except the species included
in Appendix I)

Sarracenia rubra ssp.

alabamensis Sarracenia

rubra* ssp. *jonesii

Sarracenia oreophila

SCROPHULARIACEAE
Kutki

***Picrorhiza kurroa* #3**
(Excludes *Picrorhiza*
scrophulariiflora)

STANGERIACEAE
Stangerias

***Bowenia* spp. #1**

Stangeria eriopus

TAXACEAE Himalayan yew

***Taxus wallichiana* #2**

TROCHODENDRACEAE

(Tetracentraceae)
Tetracentron

***Tetracentron sinense* #1**
(Nepal)

THYMELAEACEAE

(Aquilariaceae) Agarwood,
ramin

***Aquilaria malaccensis* #1**

***Gonystylus* spp. #1**
(Indonesia)

VALERIANACEAE
Himalayan spikenard

Nardostachys grandiflora
#3

WELWITSCHIAEAE

Welwitschia

Welwitschia mirabilis #1

ZAMIACEAE Cycads

ZAMIACEAE spp. #1
(Except the species included
in Appendix I)

Ceratozamia spp.

Chigua spp.

Encephalartos spp.

Microcycas calocoma

ZINGIBERACEAE Ginger lily

Hedychium philippinense
#1

ZYGOPHYLLACEAE

Lignum-vitae

Guaiacum spp. #2

1. *Populations of Botswana, Namibia and South Africa (listed in Appendix II):*

For the exclusive purpose of allowing: (1) trade in hunting trophies for non-commercial purposes; (2) trade in live animals for in situ conservation programmes; (3) trade in hides; (4) trade in leather goods for non-commercial purposes; (5) trade in registered raw ivory (for Botswana and Namibia, whole tusks and pieces; for South Africa, whole tusks and cut pieces of ivory that are both 20 cm or more in length and one kilogramme or more in weight) subject to the following: (i) only registered government-owned stocks, originating in the State (excluding seized ivory and ivory of unknown origin) and, in the case of South Africa, only ivory originating from the Kruger National Park; (ii) only to trading partners that have been verified by the Secretariat, in consultation with the Standing Committee, to have sufficient national legislation and domestic trade controls to ensure that the imported ivory will not be re-exported and will be managed in accordance with all requirements of Resolution Conf. 10.10 (Rev. CoP12) concerning domestic manufacturing and trade; (iii) not before May 2004, and in any event not before the Secretariat has verified the prospective importing countries, and the MIKE programme has reported to the

Copyright Government of Botswana

Secretariat on the baseline information (e.g. elephant population numbers, incidence of illegal killing); (iv) a maximum of 20,000 kg (Botswana), 10,000 kg (Namibia) and 30,000 kg (South Africa) of ivory may be traded, and despatched in a single shipment under strict supervision of the Secretariat; (v) the proceeds of the trade are used exclusively for elephant conservation and community conservation and development programmes within or adjacent to the elephant range; (vi) only after the Standing Committee has agreed that the above conditions have been met. On a proposal from the Secretariat, the Standing Committee can decide to cause this trade to cease partially or completely in the event of non-compliance by exporting or importing countries, or in the case of proven detrimental impacts of the trade on other elephant populations. All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly

2. *Population of Zimbabwe (listed in Appendix II):*

For the exclusive purpose of allowing: (1) export of hunting trophies for non-commercial purposes; (2) export of live animals to appropriate and acceptable destinations; (3) export of hides; (4) export of leather goods and ivory carvings for non-commercial purposes. All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly. To ensure that where (a) destinations for live animals are to be "appropriate and acceptable" and/or (b) the purpose of the import is to be "non-commercial", export permits and reexport certificates may be issued only after the issuing Management Authority has received, from the Management Authority of the State of import, a certification to the effect that: in case (a), in analogy to Article III, paragraph 3(b) of the Convention, the holding facility has been reviewed by the competent Scientific Authority, and the proposed recipient has been found to be suitably equipped to house and care for the animals; and/or in case (b), in analogy to Article III, paragraph 3(c), the Management Authority is satisfied that the specimens will not be used for primarily commercial purposes.

3. *Population of Argentina (listed in Appendix II):*

For the exclusive purpose of allowing international trade in wool sheared from live vicuñas, in cloth, and in derived manufactured products and other handicraft artefacts. The reverse side of the cloth must bear the logotype adopted by the range States of the species, which are signatories to the *Convenio para la Conservación y Manejo de la Vicuña*, and the selvages the words "VICUÑA-ARGENTINA". Other products must bear a label including the logotype and the designation "VICUÑA-ARGENTINA-ARTESANÍA". All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly.

4. *Population of Bolivia (listed in Appendix II):*

For the exclusive purpose of allowing international trade in: (a) wool and products derived therefrom sheared from live animals of the populations of the Conservation Units of Mauri-Desaguadero, Ulla Ulla and Lípez-Chichas; and (b) products made from wool sheared from live animals of the rest of the population of Bolivia. The reverse side of the cloth must bear the logotype adopted by the range States of the species, which are signatories to the *Convenio para la Conservación y Manejo de la Vicuña*, and the selvages the words "VICUÑA-BOLIVIA". Other products must bear a label including the logotype and the designation "VICUÑA-BOLIVIA-ARTESANÍA". All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly.

5. *Population of Chile (listed in Appendix II):*

For the exclusive purpose of allowing international trade in wool sheared from live vicuñas, and in cloth and items made thereof, including luxury handicrafts and knitted articles. The reverse side of the cloth must bear the logotype adopted by the range States of the species, which are signatories to the

Convenio para la Conservación y Manejo de la Vicuña, and the selvages the words "VICUÑA-CHILE". Other products must bear a label including the logotype and the designation "VICUÑA-CHILE-ARTESANÍA". All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly.

6. *Population of Peru (listed in Appendix II):*

For the exclusive purpose of allowing international trade in wool sheared from live vicuñas and in the stock extant at the time of the ninth meeting of the Conference of the Parties (November 1994) of 3249 kg of wool, and in cloth and items made thereof, including luxury handicrafts and knitted articles. The reverse side of the cloth must bear the logotype adopted by the range States of the species, which are signatories to the *Convenio para la Conservación y Manejo de la Vicuña*, and the selvages the words "VICUÑA-PERÚ". Other products must bear a label including the logotype and the designation "VICUÑA-PERÚ-ARTESANÍA". All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly.

7. *Artificially propagated specimens of the following hybrids and/or cultivars are not subject to the provisions of the Convention: *Hatiora x graeseri**

Schlumbergera x buckleyi

Schlumbergera russelliana x Schlumbergera truncata

Schlumbergera orssichiana x Schlumbergera truncata

Schlumbergera opuntioides x Schlumbergera truncata

Schlumbergera truncata (cultivars)

Cactaceae spp. colour mutants lacking chlorophyll, grafted on the following grafting stocks: *Harrisia 'Jusbertii'*,

Hylocereus trigonus or *Hylocereus undatus*

Opuntia microdasys (cultivars)

8. Artificially propagated specimens of hybrids within the genus *Phalaenopsis* are not subject to the provisions of the Convention when: (1) specimens are traded in shipments consisting of individual containers (i.e. cartons, boxes, or crates) containing 100 or more plants each; (2) all plants within a container are of the same hybrid, with no mixing of different hybrids within a container; (3) plants within a container can be readily recognized as artificially propagated specimens by exhibiting a high degree of uniformity in size and stage of growth, cleanliness, intact root systems, and general absence of damage or injury that could be attributable to plants originating in the wild; (4) plants do not exhibit characteristics of wild origin, such as damage by insects or other animals, fungi or algae adhering to leaves, or mechanical damage to roots, leaves, or other parts resulting from collection; and (5) shipments are accompanied by documentation, such as an invoice, which clearly states the number of plants and is signed by the shipper. Plants not clearly qualifying for the exemption must be accompanied by appropriate CITES documents.

9. Artificially propagated specimens of cultivars of *Cyclamen persicum* are not subject to the provisions of the Convention. However, the exemption does not apply to such specimens traded as dormant tubers.