

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1997 Nr. 270

A. TITEL

*Overeenkomst inzake de internationale handel in bedreigde in het wild levende dier- en plantesoorten, met Bijlagen;
Washington, 3 maart 1973*

B. TEKST

De Engelse en de Franse tekst van de Overeenkomst zijn geplaatst in *Trb.* 1975, 23; zie ook *Trb.* 1981, 232.

De Engelse tekst van de gewijzigde Bijlagen I, II en III, zoals van kracht op 11 juni 1992, is geplaatst in *Trb.* 1992, 180.

C. VERTALING

Zie *Trb.* 1975, 23, *Trb.* 1990, 92 en *Trb.* 1992, 180.

D. PARLEMENT

Zie *Trb.* 1981, 232, *Trb.* 1984, 47, *Trb.* 1986, 1, 104 en 196, *Trb.* 1987, 55, *Trb.* 1989, 177, *Trb.* 1990, 92, *Trb.* 1991, 162, *Trb.* 1992, 180 en *Trb.* 1995, 63.

E. BEKRACHTIGING

Zie *Trb.* 1975, 23, *Trb.* 1981, 232, *Trb.* 1984, 47, *Trb.* 1986, 1, *Trb.* 1990, 92, *Trb.* 1992, 180 en *Trb.* 1995, 63.

F. TOETREDING

Zie *Trb.* 1975, 23, *Trb.* 1981, 232, *Trb.* 1984, 47, *Trb.* 1986, 1, 104 en 196, *Trb.* 1987, 55, *Trb.* 1988, 18, *Trb.* 1989, 177, *Trb.* 1990, 92, *Trb.* 1991, 162, *Trb.* 1992, 180 en *Trb.* 1995, 63.

Behalve de aldaar genoemde hebben nog de volgende Staten in overeenstemming met artikel XXI een akte van toetreding tot de Overeenkomst nedergelegd bij de Regering van de Zwitserse Bondsstaat:

Dominica	4 augustus 1995
Wit-Rusland	10 augustus 1995
Mongolië	5 januari 1996
Saudi-Arabië ¹⁾	12 maart 1996
Georgië	13 september 1996
Turkije	23 september 1996
Letland	11 februari 1997
Swaziland	26 februari 1997
Jamaica	23 april 1997
Jemen	5 mei 1997
Myanmar	13 juni 1997

¹⁾ Onder het volgende voorbehoud betreffende soorten die voorkomen in Bijlage I:

„Cathartidae	Gymnogyps californianus
	Vultur gryphus
Accipitridae	Aquila adalberti (also referenced as Aquila heliaca adalberti)
	Aquila heliaca
	Chondrohierax uncinatus wilsonii (also referenced as Chondrohierax wilsonii)
	Haliaeetus albicilla
	Haliaeetus leucocephalus
	Harpia harpyja
	Pitheophaga jefferyi
Falconidae	Falco araea
	Falco jugger
	Falco newtoni (population of Seychelles)
	Falco pelegrinoides (also referenced as Falco peregrinus babylonicus and Falco peregrinus pelegrinoides)
	Falco peregrinus
	Falco punctatus
	Falco rusticolus.”

G. INWERKINGTREDING

Zie *Trb.* 1981, 232, *Trb.* 1984, 47 en *Trb.* 1995, 63.

H. TOEPASSELIJKVERKLARING

Zie *Trb.* 1981, 232 en *Trb.* 1987, 55.

De Britse Ambassadeur te Bern heeft op 13 juni 1997 het volgende medegedeeld:

“I am instructed by Her Majesty’s Principal Secretary of State for Foreign and Commonwealth Affairs to refer to the Convention on International Trade in Endangered Species of Wild Fauna and Flora done at

Washington on 3 March 1973 and the Amendment to Article XI of the Convention done at Bonn on 22 June 1979 (hereinafter referred to as the 'Convention') which apply to Hong Kong at present.

I am also instructed to state that, in accordance with the Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong signed on 19 December 1984, the Government of the United Kingdom will restore Hong Kong to the People's Republic of China with effect from 1 July 1997. The Government of the United Kingdom will continue to have international responsibility for Hong Kong until that date. Therefore, from that date the Government of the United Kingdom will cease to be responsible for the international rights and obligations arising from the application of the Convention to Hong Kong....".

De Chinese Ambassadeur te Bern heeft op 9 juni 1997 het volgende medegedeeld:

In accordance with the Joint Declaration of the Government of the People's Republic of China and the Government of the United Kingdom of Great Britain and Northern Ireland on the Question of Hong Kong signed on 19 December 1984, the People's Republic of China will resume the exercise of sovereignty over Hong Kong with effect from 1 July 1997. Hong Kong will, with effect from that date, become a Special Administrative Region of the People's Republic of China and will enjoy a high degree of autonomy, except in foreign and defence affairs which are the responsibilities of the Central People's Government of the People's Republic of China.

In this connection, I am instructed by the Minister of Foreign Affairs of the People's Republic of China to make the following notification:

The Convention on International Trade in Endangered Species of Wild Fauna and Flora done on 3 March 1973 (hereinafter referred to as the "Convention") to which the Government of the People's Republic of China deposited its instrument of accession on 8 January 1981, will apply to the Hong Kong Special Administrative Region with effect from 1 July 1997. The Government of the People's Republic of China also makes the following declaration:

In accordance with Article 9 of the Convention, it designates the Agriculture and Fishery Department of the Government of the Hong Kong Special Administrative Region as the Management Authority; the Advisory Committee for the Protection of Rare Animals and Plant Species of the Hong Kong Special Administrative Region as the Scientific Authority.

The Government of the People's Republic of China will assume responsibility for the international rights and obligations arising from the application of the Convention to the Hong Kong Special Administrative Region.... (*vertaling*)

I. OPZEGGING

Zie *Trb.* 1975, 23, *Trb.* 1981, 232 en *Trb.* 1987, 55.

J. GEGEVENS

Zie *Trb.* 1975, 23, *Trb.* 1981, 232, *Trb.* 1984, 47, *Trb.* 1986, 1, 104 en 196, *Trb.* 1987, 55, *Trb.* 1988, 18, *Trb.* 1989, 177, *Trb.* 1990, 92, *Trb.* 1991, 162, *Trb.* 1992, 180 en *Trb.* 1995, 63.

I. Wijziging van artikel XI, derde lid, letter a

Zie *Trb.* 1981, 232, *Trb.* 1984, 47, *Trb.* 1986, 1, 104 en 196, *Trb.* 1987, 55, *Trb.* 1988, 18, *Trb.* 1989, 177 en *Trb.* 1991, 162.

II. Wijziging van artikel XXI

Zie *Trb.* 1986, 1 en 104, *Trb.* 1987, 55, *Trb.* 1991, 162, *Trb.* 1992, 180 en *Trb.* 1995, 63.

III. Wijzigingen in de Bijlagen I en II

Zie *Trb.* 1989, 177 en *Trb.* 1990, 92.

Tijdens een van 9 tot 20 juni 1997 te Harare, Zimbabwe, gehouden vergadering van de Conferentie der Partijen bij de Overeenkomst zijn wijzigingen van de Bijlagen I en II aangenomen. De Conferentie nam de volgende besluiten:

2. The Conference of the Parties took the following decisions:

a) The following taxa are deleted from Appendix II of the Convention:

Appendix II

FAUNA

CHORDATA

MAMMALIA

DIPROTODONTIA

Burramyidae

Macropodidae

*Burramys parvus**Dendrolagus bennettianus**Dendrolagus lumholtzi*

ARTIODACTYLA
Tayassuidae

*Pecari tajacu***
(the population of
Mexico)

AVES

GRUIFORMES
Turnicidae
Pedionomidae
Rallidae

Turnix melanogaster
Pedionomus torquatus
Gallirallus australis
hectori

MOLLUSCA

BIVALVIA

UNIONOIDA
Unionidae

Fusconaia subrotunda
Lampsilis brevicula
Lexingtonia dolabelloides

GASTROPODA

STYLOMMATOPHORA
Paryphantidae

Paryphanta spp.

FLORA

PORTULACACEAE

Lewisia tweedyi

THEACEAE

Camellia chrysantha

b) The following taxa are transferred from Appendix I to Appendix II of the Convention:

Appendix II

FAUNA

CHORDATA

MAMMALIA

PROBOSCIDEA

*Loxodonta africana**
(the populations of Botswana, Namibia and Zimbabwe, to allow:
1) export of hunting trophies for non-commercial purposes;
2) export of live animals to appropriate and acceptable destinations (Namibia: for non-commercial purposes only);
3) export of hides (Zimbabwe only);
4) export of leather goods and ivory carvings for non-commercial purposes (Zimbabwe only). No international trade in ivory is permitted before 18 months after the transfer to Appendix II comes into effect (i.e. 18 March 1999). Thereafter, under experimental quotas for raw ivory not exceeding 25.3 tonnes (Botswana), 13.8 tonnes (Namibia) and 20 tonnes (Zimbabwe), raw ivory may be exported to Japan subject to the conditions established in Decision of the Conference of the Parties regarding ivory No. 10.1)

ARTIODACTYLA

Camelidae

*Vicugna vicugna**
 (the population of the Province of Jujuy and the semi-captive populations of the Provinces of Jujuy, Salta, Catamarca, La Rioja and San Juan, Argentina, with an annotation to allow only the international trade in wool sheared from live vicuñas and in cloth and manufactured items made thereof, under the mark “VICUNA-ARGENTINA”; and the populations of the Conservation Units of Mauri-Desaguadero, Ulla Ulla and Lipez-Chichas, Bolivia, with an annotation to allow only the international trade in cloth made of wool sheared from live vicuñas, under the mark “VICUNA-BOLIVIA”, but with a zero export quota)
Bison bison athabascae

Bovidae

REPTILIA

CROCODYLIA
Alligatoridae

*Caiman latirostris**
 (the population of Argentina)

FLORA

PROTEACEAE

Orothamnus zeyheri
Protea odorata

c) The following taxa are transferred from Appendix II to Appendix I of the Convention:

Appendix I

FAUNA

CHORDATA

MAMMALIA

ARTIODACTYLA

Bovidae

Ovis ammon nigrimontana

AVES

PSITTACIFORMES

Psittacidae

Amazona viridigenalis
Vini ultramarina

d) The following taxa are included in Appendix II of the Convention:

Appendix II

FAUNA

CHORDATA

MAMMALIA

XENARTHRA

Dasypodidae

Chaetophractus nationi
(with a zero export quota)

AVES

PASSERIFORMES

Pycnonotidae

Muscicapidae

Pycnonotus zeylanicus
Leiothrix argenteauris
Leiothrix lutea
Liocichla omeiensis
Tangara fastuosa
Amandava formosa
Padda oryzivora
Gracula religiosa

Emberizidae

Estrildidae

Sturnidae

REPTILIA

TESTUDINATA

Emydidae

Callagur borneoensis

PISCES

ACIPENSERIFORMES

ACIPENSERIFORMES

spp.

(this amendment will enter into force on 1 April 1998)

FLORA

RANUNCULACEAE

Hydrastis canadensis

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

SCROPHULARIACEAE

Picrorhiza kurrooa

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

VALERIANACEAE

Nardostachys grandiflora

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

e) The populations of Madagascar and Uganda of *Crocodylus niloticus* (REPTILIA, CROCODYLIA, Crocodylidae) included in Appendix

II subject to specified annual export quotas are maintained in Appendix II without being subject to such quotas (proposals submitted pursuant to Resolution Conf. 3.15 on Ranching).

f) The population of the United Republic of Tanzania of *Crocodylus niloticus* included in Appendix II is maintained in Appendix II subject to an annual export quota of 1100 wild specimens (including 100 hunting trophies) for 1998 to 2000, in addition to ranched specimens.

g) The annotations of Appendix-II species annotated to limit the trade to certain types of specimens are amended to include the following wording: "All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly".

h) The annotation that indicates the conditions under which certain populations of *Vicugna vicugna* (MAMMALIA, ARTIODACTYLA, Camelidae) are included in Appendix II is amended to allow also the countries members of the Vicuña Convention to trade in luxury hand-crafts and knitted articles made of wool sheared from live vicuñas from Appendix-II populations, and to replace the words "VICUNANDES-CHILE" and "VICUNANDES-PÉRU" by the words "VICUÑA-COUNTRY OF ORIGIN".

i) The annotations that indicate for plant taxa included in Appendix II that all parts and derivatives, except specified ones, are subject to the provisions of the Convention, are amended to exclude also, where this is not yet the case, the cut flowers of artificially propagated plants.

j) The annotation that indicates for plant taxa included in Appendix II that only saw-logs, sawn wood and veneers are subject to the provisions of the Convention is amended to read: "Designates logs, sawn wood and veneer sheets".

k) The annotation placed against *Panax quinquefolius* included in Appendix II to indicate that only roots and readily recognizable parts thereof are subject to the provisions of the Convention is amended to read: "Designates whole and sliced roots and parts of roots, excluding manufactured parts or derivatives such as powders, pills, extracts, tonics, teas and confectionery".

l) The annotation placed against CACTACEAE spp. included in Appendix II to indicate that all parts and derivatives, except specified ones, are subject to the provisions of the Convention, is amended to indicate that the seeds from Mexican cacti originating in Mexico are also subject to the provisions of the Convention.

m) An annotation shall be placed against the taxa CACTACEAE spp., *Euphorbia* spp. and *Cyclamen* spp. included in Appendix II to indicate that the artificially propagated specimens of the following hybrids and/or cultivars are not subject to the provisions of the Convention:

CACTACEAE spp.	<i>Hatiora x graeseri</i> <i>Schlumbergera x buckleyi</i> <i>Schlumbergera russelliana x Schlumbergera truncata</i> <i>Schlumbergera orssichiana x Schlumbergera truncata</i> <i>Schlumbergera opuntioides x Schlumbergera truncata</i> <i>Schlumbergera truncata</i> (cultivars) <i>Gymnocalycium mihanovichii</i> (cultivars) forms lacking chlorophyll, grafted on the following grafting stocks: <i>Harrisia</i> “Jusbertii”, <i>Hylocereus trigonus</i> or <i>Hylocereus undatus</i> <i>Opuntia microdasys</i> (cultivars)
Euphorbia spp.	<i>Euphorbia trigona</i> (cultivars)
Cyclamen spp.	<i>Cyclamen persicum</i> (cultivars). The exemption does not apply to specimens traded as dormant tubers.

Following the adoption of the amendments set out in item 2, the following species and other taxa will no longer be listed as they were in Appendix I or II of the Convention, once the amendments enter into force. Some of them may, however, be included in either Appendix I of II under the name of other taxa:

Appendix I

Appendix II

FAUNA

CHORDATA

MAMMALIA

DIPROTODONTIA

Burramyidae
 Macropodidae

Burramys parvus
Dendrolagus bennettianus
Dendrolagus lumholtzi

ARTIODACTYLA

Bovidae

Bison bison athabascae

AVES

GRUIFORMES

Turnicidae

Turnix melanogaster

Pedionomidae
Rallidae

Pedionomus torquatus
Gallirallus australis
hectori

PISCES

ACIPENSERIFORMES

Acipenseridae
Polyodontidae

Acipenser oxyrhynchus
Polyodon spathula

MOLLUSCA

BIVALVIA

UNIONOIDA

Unionidae

Fusconaia subrotunda
Lampsilis brevicula
Lexingtonia dolabelloides

GASTROPODA

STYLOMMATOPHORA

Paryphantidae

Paryphanta spp.

FLORA

PORTULACACEAE

Lewisia tweedyi

PROTEACEAE

Orothamnus
zeyheri
Protea odorata

THEACEAE

Camellia chrysantha

Het secretariaat deelde voorts het volgende mede

Annotations in the above lists (item 2) are to be interpreted as follows:

a) The abbreviation “spp.” is used to denote all species of a higher taxon.

b) An asterisk (*) placed against the name of a species indicates that one or more geographically separate populations of that species are included in Appendix I and are excluded from Appendix II.

c) Two asterisks (**) placed against the name of a species indicate that one or more geographically separate populations of that species are included in Appendix II and are excluded from Appendix I.

As a consequence of the adoption of standard references to the names of the species listed in the appendices, some purely editorial changes have been introduced in the revised versions of Appendices I, II and III and, where appropriate, annotations have been included in the "Interpretation of Appendices I and II" and in the "Interpretation of Appendix III".

As the species *Gracula religiosa* (AVES, PASSERIFORMES, Sturnidae) was included in Appendix II at the 10th meeting of the Conference of the Parties, this species, included in Appendix III at the request of Thailand, will be withdrawn from Appendix III on 18 September 1997. A revised version of Appendix III of the Convention has therefore been produced. A copy of this updated appendix, valid from 18 September 1997, is also attached to the present Notification.

In overeenstemming met artikel XV, eerste lid, letter c, van de Overeenkomst zijn de wijzigingen 90 dagen na de vergadering, dat wil zeggen op 18 september 1997, in werking getreden voor alle Partijen, met uitzondering van de Partijen die een voorbehoud hebben gemaakt in overeenstemming met het derde lid van dat artikel.

In overeenstemming met artikel XV, derde lid, van het Verdrag kon elke Partij – gedurende bovenbedoelde 90 dagen – door middel van een schriftelijke kennisgeving aan de depot-Regering een voorbehoud maken ten aanzien van een of meerdere van de wijzigingen. Zolang dit voorbehoud niet is ingetrokken, wordt deze Partij beschouwd als een Staat die geen Partij is bij deze Overeenkomst wat betreft de handel in bedoelde soorten. De andere Partijen passen dan de bepalingen van artikel X van de Overeenkomst toe op de handel met de Partij die het voorbehoud heeft gemaakt.

IV. Wijzigingen in Bijlage III

Zie *Trb.* 1991, 162.

V. Voorbehouden ten aanzien van de wijzigingen in de Bijlagen I, II en III

Zie *Trb.* 1991, 162 en *Trb.* 1992, 180

Liechtenstein en Zwitserland hebben op 8 februari 1995 een voorbehoud gemaakt tegen de soort *Taxus wallichiana* = 436 # 8, opgenomen in Bijlage II.

Zweden heeft op 6 juni 1997 voorbehouden gemaakt ten aanzien van de volgende soorten, opgenomen in Bijlage III: *Vulpes vulpes griffithi*, *Vulpes vulpes montana*, *Vulpes vulpes pusilla*, *Mustela erminea ferganana*.

VI. Intrekking van voorbehouden

Zie *Trb.* 1992, 180 en *Trb.* 1996, 63.

Rusland heeft op 26 april 1995 alle voorbehouden ingetrokken, met uitzondering van het voorbehoud ten aanzien van de soort *Lutra lutra*, opgenomen in Bijlage I.

Korea heeft bij nota van 25 september 1996 alle voorbehouden ingetrokken per 6 oktober 1996.

Zambia heeft op 20 maart 1997 het voorbehoud gemaakt op 8 januari 1990 tegen het overbrengen van de African Elephant, *Loxodonta africana*, van Bijlage II naar Bijlage I, ingetrokken.

In overeenstemming met artikel 19, tweede lid, van de Rijkswet goedkeuring en bekendmaking verdragen heeft de Minister van Buitenlandse Zaken bepaald dat bovenstaande, op 20 juni 1997 te Harare aangenomen wijzigingen zullen zijn bekendgemaakt op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de zestiende oktober 1997.

De Minister van Buitenlandse Zaken,

H. A. F. M. O. VAN MIERLO