

19.26 Compensation for Inequities Created by Universal Application of Trade Restrictions in Some International Conservation Regimes

RECALLING Recommendation 18.24 adopted at the 18th Session of the General Assembly;

NOTING the Convention on Biological Diversity, particularly Article 10 on Sustainable Use of Components of Biological Diversity;

COMMENDING those States which observe and enforce international agreements dealing with sustainable management of natural resources;

CONCERNED that some States are not effectively controlling the taking of wild species within their territories, the export of wild species and/or their derivatives from their territories, and/or the transit of contraband wild species and/or their derivatives through their territories;

CONCERNED also that some States, which sustainably manage their wild species and/or control export from and transit of contraband wild species and/or derivatives through their territories, are "punished", and thereby suffer losses which impair their ability to carry out national sustainable management practices, by international trade restrictions which are applied without distinguishing whether or not individual States are complying with the conservation measures related to the restrictions;

The General Assembly of IUCN - The World Conservation Union, at its 19th Session in Buenos Aires, Argentina, 17-26 January 1994:

1. REQUESTS the IUCN Commission on Environmental Law, in consultation with IUCN's other Commissions and the CITES Standing Committee, to appoint a Working Group by the end of 1994, to examine the issue of compensating a State or a duly authorized authority whose practices for management of wild species are:
 - (a) recognized as sustainable under generally accepted scientific and legal criteria; and/or
 - (b) who effectively control the export from and transit of contraband wild species and/or derivatives through their territory;for losses incurred as a result of universal trade restrictions deemed necessary in the common interest to furnish for endangered species the protection that some States are unable to provide;
2. CALLS UPON donor States, both within the framework of CITES and bilaterally, to continue to consider on their merits requests for scientific, technical and financial assistance, from developing countries which are implementing sustainable management practices.

Note. This Recommendation was adopted by a show of hands. The delegation of the State members India and United States indicated that they considered this matter should be handled by CITES rather than by IUCN.