



## ΠΑΡΑΡΤΗΜΑ ΠΡΩΤΟΝ

### ΤΗΣ ΕΠΙΣΗΜΟΥ ΕΦΗΜΕΡΙΔΟΣ ΤΗΣ ΔΗΜΟΚΡΑΤΙΑΣ

ὕπ' Ἀρ. 1104 τῆς 21ης ΙΟΥΝΙΟΥ 1974

### ΝΟΜΟΘΕΣΙΑ

Ὁ περὶ τῆς Συμβάσεως ἐπὶ τοῦ Διεθνoῦς Ἐμπορίου Ἐξαφανιζομένων εἰδῶν Ἀγρίας Πανίδος καὶ Χλωρίδος (Κυρωτικὸς) Νόμος τοῦ 1974 ἐκδίδεται διὰ δημοσιεύσεως εἰς τὴν ἐπίσημον ἐφημερίδα τῆς Κυπριακῆς Δημοκρατίας συμφώνως τῷ Ἀρθρῷ 52 τοῦ Συντάγματος.

Ἀριθμὸς 20 τοῦ 1974

#### ΝΟΜΟΣ ΚΥΡΩΝ ΤΗΝ ΣΥΜΒΑΣΙΝ ΕΠΙ ΤΟΥ ΔΙΕΘΝΟΥΣ ΕΜΠΟΡΙΟΥ ΕΞΑΦΑΝΙΖΟΜΕΝΩΝ ΕΙΔΩΝ ΑΓΡΙΑΣ ΠΑΝΙΔΟΣ ΚΑΙ ΧΛΩΡΙΔΟΣ.

Ἡ Βουλὴ τῶν Ἀντιπροσώπων ψηφίζει ὡς ἀκολούθως :

1. Ὁ παρῶν Νόμος θὰ ἀναφέρηται ὡς ὁ περὶ τῆς Συμβάσεως ἐπὶ τοῦ Διεθνoῦς Ἐμπορίου Ἐξαφανιζομένων Εἰδῶν Ἀγρίας Πανίδος καὶ Χλωρίδος (Κυρωτικὸς) Νόμος τοῦ 1974. Συνοπτικὸς  
τίτλος.

2. Ἐν τῷ παρόντι Νόμῳ, ἐκτὸς ἑάν ἐκ τοῦ κειμένου προκύπτῃ διάφορος ἔννοια— Ἑρμηνεία

«Σύμβασις» σημαίνει τὴν Σύμβασιν ἐπὶ τοῦ Διεθνoῦς Ἐμπορίου Ἐξαφανιζομένων Εἰδῶν Ἀγρίας Πανίδος καὶ Χλωρίδος, τῆς ὁποίας τὸ κείμενον ἐν τῷ ἀγγλικῷ πρωτοτύπῳ ἐκτίθεται εἰς τὸ Πρῶτον Μέρος τοῦ Πίνακος καὶ ἐν μεταφράσει εἰς τὴν ἑλληνικὴν εἰς τὸ Δεύτερον Μέρος τοῦ Πίνακος : Πίναξ

Νοεῖται ὅτι ἐν περιπτώσει ἀντιθέσεως μεταξὺ τῶν δύο κειμένων ὑπερισχύει τὸ εἰς τὸ Πρῶτον Μέρος τοῦ Πίνακος ἐκτιθέμενον κείμενον.

3. Ἡ Σύμβασις, εἰς τὴν ὁποίαν ἡ προσχώρησις τῆς Κυπριακῆς Δημοκρατίας ἀπεφασίσθη διὰ τῆς ὑπ' ἄρ. 12.595 τῆς 23ης Αὐγούστου 1973 Ἀποφάσεως τοῦ Ὑπουργικοῦ Συμβουλίου, διὰ τοῦ παρόντος Νόμου κυροῦται. Κύρωσις  
Συμβάσεως.

ΠΙΝΑΞ  
("Αρθρον 2)

ΜΕΡΟΣ ΠΡΩΤΟΝ

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 cooperation 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 sub-paragraph (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 cooperation 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 ;
  - (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 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 as 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.