

Inventory

Implementation of Articles III.4 and III.5 of the Convention

Chile		
Party since 1 November 1983 ¹		
National Reports submitted: COP12 (2017), COP10 (2011), COP9 (2008)		
Relevant Legislation		
	<ul style="list-style-type: none"> • Supreme Decree number 868 of 14 October 1981 implements CMS. • Decree number 75 of 2005 of the Ministry Secretary General of the Presidency that approves the regulation for the classification of Wild Species. • Law Number 4601 about hunting, modified by Law number 19473 of 1996 that regulates aspects of conservation and use of wild fauna not considered hydrobiological species. • Decree number 5 of 1998 of the Ministry of Agriculture; Regulation of the Law on Hunting. It prohibits hunting and capture of all non-hydrobiological species listed on the CMS appendixes. It establishes the obligation for people who keep exotic species included in CMS to accredit legitimate obtaining. • Law 20417 of the Ministry of Environment creates the Recovery Plan of Conservation and Management of Species. • Decree 29 of 2011 of the Ministry of Environment establishes the Regulation for the Classification of Wild Species. • Law 20525 of the Ministry of Economy, Development, and Tourism. • Decree number 225 prohibits capture of several species for 30 years. 	
Article III.5		
	Laws that Implement the Take Prohibition	
	Aquatic Mammals	Taking of all Appendix I aquatic mammals is prohibited, but relevant law is not identified for all aquatic mammals. <ul style="list-style-type: none"> • Decree 225 of 1995 prohibits hunt of <i>Lontra felina</i>, <i>Lontra provocax</i>, <i>Physeter macrocephalus</i>, <i>Balaenoptera boreales</i>, <i>Balaenoptera musculus</i>, <i>Megaptera novaeangliae</i>, and <i>Eubalaena australis</i> for a term of 30 years.
	Terrestrial Mammals	Taking of all Appendix I terrestrial mammals is prohibited. <ul style="list-style-type: none"> • Law on Hunting number 19473 of the Ministry of Agriculture and Regulation

¹ Records indicate a discrepancy as to when CMS entered into force for Chile. Chile reports that it became a party on 12 December 1981. However, Chile submitted its instrument of ratification to Germany as the depositary on 7 August 1981. Article XVIII, paragraph 1, of the Convention states that the Convention enters into force “on the first day of the third month following the deposit of the fifteenth instrument of ratification, acceptance, approval or accession”. That date is 1 November 1983.

		<p>on the Law on Hunting Decree number 5 of 1998 modified by Decree 53 of 2004 and Decree 65 of 2015 of the Ministry of Agriculture.</p> <ul style="list-style-type: none"> • Decree number 5 of 1998 and its modifications prohibit hunting of <i>Hippocamelus bisulcus</i> and <i>Vicugna vicugna</i> in all national territory.
	Birds	<p>Taking of all Appendix I birds is prohibited.</p> <ul style="list-style-type: none"> • Law on Hunting number 19473 of the Ministry of Agriculture and Regulation on the Law on Hunting number 5 of 1998 modified by Decree 53 of 2004 and Decree 65 of 2015 of the Ministry of Agriculture. • Decree number 5 of 1998 (Article 4 of the Regulation of the Law of Hunting) prohibits hunting of <i>Puffinus creatopus</i> in all national territory. • Decree number 225 prohibits capture of several species for 30 years.
	Reptiles	<p>Hunting and capturing of marine turtles is prohibited.</p> <ul style="list-style-type: none"> • Decree 225 of 1995 prohibits hunt of <i>Chelonia mydas</i>, <i>Caretta caretta</i>, <i>Lepidochelys olivácea</i>, and <i>Dermochelys coriacea</i>. • Unknown for other reptiles.
	Fish	Unknown
Exceptions to the Take Prohibition		
	Aquatic Mammals	<p>Yes, but no law identified.</p> <p>Fishing Sub Secretariat can authorize capture of live specimens.</p>
	Terrestrial Mammals	<p>Yes</p> <ul style="list-style-type: none"> • The Agriculture and Cattle Raising Service (SAG) can grant a special authorization for scientific research, sustainable use (if there is a study that endorses it), for control of prejudices if there is a prior evaluation, or for capture of specimens for captive breeding. • Law of Hunting and its regulations: Allows sustainable use of vicugna by granting quotas for the capture and release of vicugna for the extraction of its fiber.
	Birds	<p>Yes</p> <p>The Agriculture and Cattle Raising Service (SAG) and the Fishing Sub secretariat can authorize capture of specimens in Appendix I for research and reproduction.</p>
	Reptiles	Unknown
	Fish	Unknown
Article III.4		
Laws to conserve and, where feasible and appropriate, restore habitats of CMS Appendix I species		

		<p>Habitat protection. However, insufficient information is provided to understand the legal status:</p> <ul style="list-style-type: none"> • Marine protected areas: Choros-Damas, isle Chañaral de Aceituno. • Wild protected areas: National Park Pan de Azúcar, Natural Monument. • Cachagua Isle and Natuonal Reserve Humboldt Penguin. • Executive Decree 423 of 2003: San Juan Sector, Punta Sedger in Punta Arenas destined for conservation. It is the main nesting site of the ruddy-headed goose. • National Park Simpson River; San Rafael Lagoon, Bernardo O’Higgins and Torres del Paine; Los Huemules de Niblinto, Nuble, Futleufú, Tamango, Cerro Castillo, Las Guaytecas, Alacalufes, and Laguna Parrillar National Reserves. Protection of habitat of <i>hippocamelus bisulcus</i>. • National Parks Lauca, Volcan Isluga, Lullaillaco, and Nevado de Tres Cruces; National Reserves Las Vicugnas and Los Flamencos; and Natural Monument Salar de Sourire. Protection of habitat of <i>vicugna vicugna</i>. • New Ramsar site Bahía Lomas. • Coastal Marine Area Isla Grane de Atacama. Protection of habitat of Humboldt penguin. • National parks Lauca, Volcán Isluga, Lullaillaco, and Nevado Tres Cruces; National Reserves Las Vicugnas and Los Flamencos; and Natural Monument Salar de Sourire. Protection of habitat of <i>Phoenicopterus andinus</i> and <i>Phoenicopterus jamesi</i>. • Marine Park Franciso Coloane, feeding area of <i>Megaptera novaeangliae</i>. 												
<p>Laws that prevent, remove, compensate for or minimize, as appropriate, the adverse effects of activities or obstacles that seriously impede or prevent the migration of the species</p>														
		<table border="1"> <tr> <td data-bbox="483 885 861 917">Windmills (birds and bats)</td> <td data-bbox="861 885 1896 917">Unknown</td> </tr> <tr> <td data-bbox="483 917 861 982">Cell towers (birds and bats)</td> <td data-bbox="861 917 1896 982">Unknown</td> </tr> <tr> <td data-bbox="483 982 861 1015">Dams (fish)</td> <td data-bbox="861 982 1896 1015">Unknown</td> </tr> <tr> <td data-bbox="483 1015 861 1079">Road construction (mammals)</td> <td data-bbox="861 1015 1896 1079">Unknown</td> </tr> <tr> <td data-bbox="483 1079 861 1112">Train tracks (mammals)</td> <td data-bbox="861 1079 1896 1112">Unknown</td> </tr> <tr> <td data-bbox="483 1112 861 1427">Fishing gear/bycatch (marine mammals, sea turtles, fish)</td> <td data-bbox="861 1112 1896 1427"> <p>Law 20525 of the Ministry of Economy, Development, and Tourism; which modifies the General Law on Fishing and Aquaculture number 18892, in article 5, prohibits mutilation of fins of any shark species (“finning”) in any ship or fishing boat, or its transfer.</p> <p>Increasing control and oversight to prevent bycatch according to Law 20520 of the Ministry of Economy, Development, and Tourism. However, insufficient information is provided to understand content of obligation.</p> </td> </tr> </table>	Windmills (birds and bats)	Unknown	Cell towers (birds and bats)	Unknown	Dams (fish)	Unknown	Road construction (mammals)	Unknown	Train tracks (mammals)	Unknown	Fishing gear/bycatch (marine mammals, sea turtles, fish)	<p>Law 20525 of the Ministry of Economy, Development, and Tourism; which modifies the General Law on Fishing and Aquaculture number 18892, in article 5, prohibits mutilation of fins of any shark species (“finning”) in any ship or fishing boat, or its transfer.</p> <p>Increasing control and oversight to prevent bycatch according to Law 20520 of the Ministry of Economy, Development, and Tourism. However, insufficient information is provided to understand content of obligation.</p>
Windmills (birds and bats)	Unknown													
Cell towers (birds and bats)	Unknown													
Dams (fish)	Unknown													
Road construction (mammals)	Unknown													
Train tracks (mammals)	Unknown													
Fishing gear/bycatch (marine mammals, sea turtles, fish)	<p>Law 20525 of the Ministry of Economy, Development, and Tourism; which modifies the General Law on Fishing and Aquaculture number 18892, in article 5, prohibits mutilation of fins of any shark species (“finning”) in any ship or fishing boat, or its transfer.</p> <p>Increasing control and oversight to prevent bycatch according to Law 20520 of the Ministry of Economy, Development, and Tourism. However, insufficient information is provided to understand content of obligation.</p>													

		Improvement of fish hooks to reduce turtle bycatch. However, insufficient information is provided to understand content of obligation.
		Implementation of mechanisms to liberate turtles tangled in fishing longlines. However, insufficient information is provided to understand content of obligation.
	Shipping mammals) (marine	Unknown
Laws that prevent, reduce or control factors that are endangering or are likely to further endanger the species, including strictly controlling the introduction of or controlling or eliminating, already introduced species.		
		<p>Using Law on Hunting, the Agriculture and Cattle-raising Service (SAG) created areas where hunting is prohibited.</p> <p>Fishing sub secretariat coordinates Action Plan for Marine Birds. However, insufficient information is provided to understand content of obligation.</p> <p>National Forest Corporation and Ministry of Environment published the National Plan for the Conservation of <i>Puffinus creatopus</i>. However, insufficient information is provided to understand the legal status.</p> <p>July 2014: Plan for the Adaptation to Climate Change in Biodiversity, which is elaborated in the framework of the National Action Plan on Climate Change and the update of the National Biodiversity Strategy, approved by the Council of Ministers for Sustainability and Climate Change. However, insufficient information is provided to understand content of obligation.</p> <p>Methodological adaptation of the Plan for the Recovery, Conservation, and Management of the Ruddy-headed goose. However, insufficient information is provided to understand content of obligation.</p> <p>Bi-national plan between Chile and Argentina for the conservation of the ruddy-headed goose. However, insufficient information is provided to understand content of obligation.</p> <p>Classification of different species: NOTE Insufficient information is provided to understand the legal significance of these classifications and legal status.</p> <ul style="list-style-type: none"> • Classification of <i>Puffinus creatopus</i> as “in danger of extinction”. • Classification of <i>Calidris canutus rufa</i> as “in danger of extinction”. • Classification of Humboldt penguin as “vulnerable” by the Regulation of Classification of Wild Species.

		<ul style="list-style-type: none"> • Classification of <i>Hippocamelus bisulcus</i> as “in danger of extinction”. • Classification of <i>Lontra felina</i> as “Insufficiently known” by the Regulation of Classification of Wild Species. • Classification of <i>Lontra provocax</i> as “in danger of extinction” in the Region of Los Lagos to the north and as “Insufficiently known” in the Aysén and Magallanes Regions by the Regulation of Classification of Wild Species. <p>National Conservation Plans for <i>Hippocamelus bisulcus</i> and <i>Vicugna vicugna</i>. However, insufficient information is provided to understand content of obligation in the plans.</p> <p>Inspection by the SAG of illegal hunting. However, insufficient information is provided to understand content of obligation.</p> <p>Creation of National Commission for the Conservation of <i>Hippocamelus bisulcus</i>. Integrated by governmental agencies and two NGOs. However, insufficient information is provided to understand content of obligation.</p> <p>Reintroduction of specimens of <i>Hippocamelus bisulcus</i> in the National Reserve Nuble. NOTE: Insufficient information is provided to understand the legal status.</p> <p>Eradication of introduced species in the Magallanes Region, such as <i>Mustela vison</i> and <i>castor Canadensis</i>. Establishment of capture quotas for the <i>Pseudalopex griseus</i>. However, insufficient information is provided to understand the legal status.</p> <p>National Conservation Plan of <i>Pelecanoides garnotii</i>. However, insufficient information is provided to understand content of obligation.</p> <p>D.S. Number 276 of 5 August 2003 of the Ministry of National Defence, Marine Sub Secretariat, aims to protect feeding areas of humpback whales in the Magallanes Region. However, insufficient information is provided to understand content of obligation.</p> <p>D.S. number 517 of 12 December 2005 of the Ministry of National Defence, Marine Sub Secretariat, involves living areas of <i>Lontra felina</i> in the Los Lagos Region. However, insufficient information is provided to understand content of obligation.</p> <p>D.S. number 360 of 9 December 2004 of the Ministry of National Defence, Marine Sub Secretariat, involves</p>
--	--	---

		living areas of Humboldt Penguin in the Atacama Region. However, insufficient information is provided to understand content of obligation.
Reservations, territorial inclusions, and territorial exclusions		
	Reservations	None
	Territorial Scope	“Nacional, continental e insular”. Thus, presumed to apply to all territory, including any overseas territories and semi-autonomous zones.