

Greenpeace would like to take this opportunity to make the following comments on CITES Notification to the Parties No 2001/37.

While we appreciate the effort which has been put into the proposal for new criteria, we believe that the review process has departed from the mandate given to it in Conf 9.24 and taken forward at COP 11. The type of review requested in Conf 9.24 i.e. one with regard to the scientific validity of the criteria, definitions, notes and guidelines and their applicability to different groups of organisms did not take place. Furthermore, the proposed changes undermine the precautionary nature of CITES, greatly reduce flexibility and will put greater demands on the Parties. Accordingly, we believe that most of the changes proposed should not be made.

In particular:

- we strongly oppose the deletion of the paragraph at the top of page 2, beginning "RECOGNIZING that by virtue of the precautionary principle..." and the deletion of the first operative paragraph on page 2, beginning "RESOLVES that when considering...". We strongly oppose the new language proposed to replace the first operative paragraph referenced above since these changes undermine the precautionary principle.
- we strongly oppose inclusion of new operative paragraph on page 3 beginning "RECOMMENDS that a species ..." since it is not precautionary and seeks to introduce a new test for listing which is not provided for in the CITES treaty.
- we strongly oppose the final paragraph on page 3, beginning "RESOLVES that the Parties should not normally approve ..." since it reduces flexibility and undermines the rights of states party to CITES.
- we strongly oppose the current form of the paragraph at the top of page 4, beginning "RESOLVES that annotations to proposals to amend ..." and recommend that it be amended by deletion of the words 'on the basis of the best scientific advice', or by addition of material to make it clear that scientific advice alone (or the absence of scientific advice) shall not be the sole criterion used.

In addition to these major concerns, there are a number of other areas of concern in the proposed resolution and our concerns about loss of precaution and flexibility carry on into the annexes. We have attached our recommendations on these as an annex to this letter, which forms part of our comments.

Yours sincerely

On behalf of Greenpeace,
Geert Drieman

Appendices: Annex (page 3 and 4)

Annex

In the proposed resolution on criteria for amendment of Appendices I and II

Reject the following, in addition to the concerns identified in the body of the letter above:

-New language saying 'in accordance with Article II, paragraph 1'

-New language saying 'negligible'.

-Deletion of 'unless otherwise justified'.

Annex 1

Accept all new language except the word 'marked' in paragraph C 'A marked decline in the number of individuals in the wild, ...'

Reject the new language in paragraph B "in those life history stages that are of critical importance for the continued survival of the species and reject the deletion of paragraph D, which begins, 'The status of the species'

Annex 2a

Reject all changes

Annex 2b

Reject all changes

Annex 3

Reject all changes

Annex 4

Reject all changes

Annex 5

Accept the following

-New language in the first 4 new paragraphs beginning, "In Article I

of the Convention the term species ...and ending, '...not yet used the other option of geographical boundaries.'

-New language in the section entitled 'Area of distribution'.

-New language under 'Fluctuations', provided that the term 'two years' is replaced by 'two generations'.

-Deletion of the existing paragraph entitled 'Large fluctuations'.

-Deletion of 'presumably' and its replacement by 'possibly' under the section 'Possibly extinct'.

-New language under 'Recruitment'

New language under 'Vulnerability'

Reject All deletions and new language not identified above, specifically:

-Deletion of the existing definition of 'affected by trade' and the new language suggested to replace it

-Deletion of the existing section on decline and all new language suggested to replace it.

-New language under 'Near Future'

-Deletion of the section 'Generation'.

-Deletion of existing text under 'Population' and all new language suggested to replace it.

Annex 6

Accept all changes except the new language under Consultations

Reject the new language under 'Consultations', from 'Provide details on ... to ...take their views fully into account.'