

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA



Fifty-fourth meeting of the Standing Committee
Geneva (Switzerland), 2-6 October 2006

Interpretation and implementation of the Convention

Review of Resolutions, Decisions and the Appendices

REVIEW OF RESOLUTIONS AND DECISIONS

1. This document has been prepared by the Secretariat.

Resolutions

2. The Secretariat is continuing its review of Resolutions and intends to prepare proposals, for consideration at the 14th meeting of the Conference of the Parties (CoP14), to consolidate or revise the following Resolutions:

- a) Conf. 1.5 (Rev. CoP12) – Interpretation and implementation of certain provisions of the Convention

Proposed revision: Consolidation of the operative part into Resolution Conf. 9.25 (Rev.) on Inclusion of species in Appendix III.

- b) Conf. 8.4 – National laws for implementation of the Convention

Proposed revision: Deletion of the reference to reporting at the ninth meeting of the Conference of the Parties, in paragraph c).

- c) Conf. 9.5 (Rev. CoP13) – Trade with States not party to the Convention

Proposed revision: In the paragraph under INSTRUCTS, add 'enforcement authorities' to the list of authorities for which information is to be included in the Directory with regard to non-Parties.

- d) Conf. 9.24 (Rev. CoP13) – Criteria for amendment of Appendices I and II

Proposed revision: In Annex 6, section A, second indent, second sub-indent, change "Annex 2a", to "Annex 2b", to correct an error.

- e) Conf. 10.4 – Cooperation and synergy with the Convention on Biological Diversity

Proposed revision: Deletion of the paragraph under INVITES, as this refers to things to be done at meetings that have since taken place. (The text would have been better included in a Decision.)

- f) Conf. 10.8 (Rev. CoP12) – Conservation of and trade in bears

Proposed revision: Amendment of the introductory text under URGES to update or eliminate the reference to action to be taken by the 13th meeting of the Conference of the Parties, since this has passed.

- g) Conf. 10.10 (Rev. CoP12) – Trade in elephant specimens

Proposed revision: In Annex 1, add a reference to the Technical Advisory Group for ETIS (as in Annex 2, section 2, in relation to MIKE) because this group is also supposed to provide oversight for ETIS, in accordance with the operative part of the Resolution, section "Regarding monitoring of illegal hunting of an trade in elephant specimens", paragraph d). Make minor editorial corrections.

- h) Conf. 10.16 (Rev.) – Specimens of animal species bred in captivity; and
Conf. 10.17 (Rev.) – Animal hybrids

Proposed revision: Consolidation of these two Resolutions, but paragraph a) of Resolution Conf. 10.17 (Rev.) to be consolidated into Resolution Conf. 9.24 (Rev. CoP13) on Criteria for amendment of Appendices I and II.

- i) Conf. 11.1 (Rev. CoP13) – Establishment of committees

Proposed revision: In the section "Regarding regional representation in the Standing Committee", subsection B, introductory text, replace "regional members" by "regional members and their alternates" and delete the following sentence. (NB: Some Parties of the Asian region complained at CoP13 that different parts of the region were inadequately represented, and suggested that the guidelines for selecting regional representatives should be tightened and more strictly applied. There may be changes proposed as a result.)

In addition, since Annex 3 refers to co-Chairmen of the Nomenclature Committee but the Resolution establishes only two members and not a Chairman or co-Chairmen, therefore either the main operative part of the Resolutions should be amended to refer to the members as co-Chairmen or Annex 3 should be amended to refer to the members rather than the co-Chairmen.

- j) Conf. 11.3 (Rev. CoP13) – Compliance and enforcement

Proposed revision: In the section "Regarding names used for parts and derivatives on permits and certificates": transfer paragraph a) to Resolution Conf. 12.3 (Rev. CoP13) with an amendment to refer to the *Guidelines for the preparation and submission of CITES annual reports* instead of to "a standardized nomenclature"; and delete paragraph b) in recognition of the existence of these *Guidelines*. Under the section starting "URGES ICPO-Interpol", delete paragraph a) as the appointment referred to has already been made.

In addition the Secretariat proposes to review whether this long Resolution can be amended to consolidate some of the language and concepts and to focus on enforcement, separating this issue from the issue of compliance, which is being dealt with by a working group of the Standing Committee.

- k) Conf. 11.10 (Rev. CoP12) – Trade in stony corals

Proposed revision: Change "Coenothecalia" to "Helioporacea" to follow the change in nomenclature agreed at CoP12.

- l) Conf. 11.11 (Rev. CoP13) – Regulation of trade in plants

Proposed revision: In the section "Regarding the definition of 'artificially propagated'", under the first DETERMINES, paragraph b), change "exempt" to "exempt from the provision of the Convention" to be specific.

m) Conf. 11.17 (Rev. CoP13) – National reports

Proposed revision: In the first paragraph under URGES, amendment of the number of the Notification to refer to the most recent Notification on this subject.

n) Conf. 12.3 (Rev. CoP13) – Permits and certificates

Proposed revision: Revision of the reference to purpose codes to indicate that they need only be used for Appendix-I species. For implementation of the Convention, there is no need at all to know the purpose of a transaction for specimens of species in Appendix II or III. It would simplify matters for Management Authorities, and reduce the burden on them, if they needed to indicate the purpose of the transaction only for specimens of species in Appendix I.

o) Conf. 12.6 – Conservation and management of sharks

Proposed revision: In the eighth preambular paragraph, update (or delete) the number of shark species included in the Appendices; update (or delete) the first and second paragraphs under DIRECTS, which refer to reporting at CoP13; and make editorial corrections.

p) Conf. 12.7 (Rev. CoP13) – Conservation of and trade in sturgeons and paddlefish

Proposed revision: Deletion of paragraph i) of Annex 1. At CoP13 this paragraph was expanded and included in the main body of the Resolution (as paragraph b) under RECOMMENDS, and should have been deleted from the Annex.

3. There are, in addition, minor editorial corrections to be made in Resolutions:

- Conf. 9.7 (Rev. CoP13) – Transit and transshipment;
- Conf. 10.21 – Transport of live animals;
- Conf. 11.19 – Identification Manual;
- Conf. 12.2 – Procedure for approval of externally funded projects;
- Conf. 12.4 – Cooperation between CITES and the Commission for the Conservation of Antarctic Marine Living Resources regarding trade in toothfish;
- Conf. 12.5 – Conservation of and trade in tigers and other Appendix-I Asian big cat species; and
- Conf. 12.11 (Rev. CoP13) – Standard nomenclature and operation of the Nomenclature Committee.

Decisions

4. After each meeting of the Conference of the Parties, the Secretariat revises the list of valid Decisions and eliminates those that are out of date or have been implemented. However, there still remain some Decisions that are intended to be valid for a long term. The Secretariat will identify these and make proposals for the transfer of the relevant texts into new or existing Resolutions, for consideration at CoP14.

Action required

5. The Secretariat would welcome comments on its proposals indicated above and on any further consolidations or corrections that are needed. During its preparation of documents for CoP14, the Secretariat would be pleased to consult with any Party that expresses an interest in the revision of any of the Resolutions under review.