

Recommended amendments to the English version of the Resolutions in effect

For ease of reference, changes that did not appear in the previous version have been highlighted in yellow.

Proposed revision of Resolution Conf. 3.4

Suggested amendments	Rationale
Technical cooperation	
NOTING that more than two-thirds of the present membership Parties of the Convention are developing countries;	<ul style="list-style-type: none"> - Addition of a hyphen in line with the spelling recommended by the Oxford English Dictionary. - "membership" cannot be "developing countries".
RECOGNIZING the special difficulties of developing countries in the establishment, staffing, training and equipment of Management Authorities <u>and Scientific Authorities</u> as required by the Convention ;	<ul style="list-style-type: none"> - "and Scientific Authorities" had been deleted by mistake in English (correction based on source document 3.20, Annex 1) - Deletion of "as required by the Convention" as it does not apply to most of the sentence that precedes it (the only requirement is to designate a Management and Scientific Authority)
ACKNOWLEDGING with appreciation the technical assistance to developing countries in this field, already provided by the World <u>WildlifeWide</u> Fund <u>for Nature</u> * and the People's Trust for Endangered Species;	<p>Change of the name of WWF to its current legal name, with the addition of a footnote that reads:</p> <p>* <i>Formerly referred to the "World Wildlife Fund".</i></p>
THE CONFERENCE OF THE PARTIES TO THE CONVENTION	
CALLS on all Parties to ensure the inclusion of the technical assistance, in matters relating to this Convention, in the bilateral and multilateral programmes of development aid in which they participate;	Deletion of the article as what is referred to here is "technical assistance" in general.
URGES Parties to make special funding and qualified staff available, possibly by way of 'associate expert' assignments to the Secretariat and to developing countries, to carry out such technical assistance projects for the benefits of the other Parties; and	
REQUESTS the Secretariat in consultation with the Standing Committee to continue to seek external funding for this purpose, <u>in consultation with the Standing Committee</u> , and to execute the projects	Text moved to clarify that the consultation with the Standing Committee only applies to seeking external funds, not to executing projects.

Suggested amendments	Rationale
so funded, on behalf of the Parties.	
<u>* Formerly referred to the "World Wildlife Fund".</u>	Addition of the footnote mentioned in the third paragraph of the preamble.

Proposed revision of Resolution Conf. 4.6 (Rev. CoP13)*

Suggested amendments	Rationale
Submission of draft resolutions and other documents for meetings of the Conference of the Parties	
CONSIDERING the volume of work involved in the preparation of documents to be submitted to the Conference of the Parties at its regular meetings;	
AFFIRMING the obligation of the Parties to collaborate closely with the Secretariat in the organization of meetings of the Conference of the Parties;	
RECOGNIZING the necessity that the Parties be informed in advance of the draft resolutions and other documents submitted by other Parties;	
OBSERVING that Article XV, paragraph 1 (a), of the Convention requires Parties to communicate the text of proposed amendments to Appendices I and II to the Secretariat at least 150 days before the meeting of the Conference of the Parties;	
THE CONFERENCE OF THE PARTIES TO THE CONVENTION	
AGREES that the term "the text of the proposed amendment" in Article XV, paragraph 1, of the Convention includes the substantially complete supporting statement accompanying it, and this interpretation is extended to draft resolutions and other documents submitted for consideration at meetings of the Conference of the Parties;	
RECOMMENDS that: a) the text of any draft resolution or other document to be submitted for consideration at a meeting of the Conference of the Parties be communicated to the Secretariat at least 150 days before the meeting; b) the Secretariat be authorized to accept draft resolutions and documents (other than proposals for amendment of Appendices I and II) after the 150-day deadline only in exceptional circumstances, when it is established, to the satisfaction of the Secretariat, that the draft resolutions or documents could not have been communicated before the deadline;	
c) when drafting a resolution that is intended to be exhaustive, or to treat a subject comprehensively, or to make significant changes in the way in which a subject is dealt with, a Party prepare the draft so that, if adopted, it will replace and repeal all	Deletion of redundant text.

Suggested amendments	Rationale
<p>existing Resolutions (or, as appropriate, the relevant paragraphs) on the same subject;</p>	
<p>d) when drafting resolutions and decisions which require the gathering of information, a Party consider whether such information could be sought via the annual or biennial report, or if a special report is needed, and generally ensure that the reporting burden is kept to a minimum;</p> <p>e) unless practical considerations dictate otherwise, draft resolutions not include:</p> <ul style="list-style-type: none"> i) instructions or requests to committees, working groups or the Secretariat, unless they are part of a long-term procedure; ii) decisions on the presentation of the Appendices; and iii) recommendations (or other forms of decision) that will be implemented soon after their adoption and will then be obsolete; 	
<p>f) as a general rule, documents submitted for consideration at a meeting of the Conference of the Parties be no more than 12 pages in length; and</p> <p>g) when a draft resolution is adopted that merely adds points to the recommendations (or other decisions) in existing Resolutions, or makes minor amendment thereto, the existing Resolutions be replaced by revised versions with the agreed changes;</p>	
<p>DIRECTS the Secretariat to put the following proposals on the agenda of the next extraordinary meeting of the Conference of the Parties, whenever this may be convened, as amendments to the Convention:</p> <ul style="list-style-type: none"> a) the provisions of Article XVI, regarding the listing of Appendix-III parts and derivatives, should be brought into line with Convention procedures for Appendices I and II (Article XV); b) paragraph 5 of Article XIV should read: "Notwithstanding the provisions of Article IV, any export of a specimen" etc.; c) paragraphs 3 (b) and 5 (b) of Article III should include "either a Management Authority or a Scientific Authority of the State" etc.; and d) correction of errors of an orthographical nature 	

Suggested amendments	Rationale
discovered in the text of the Convention;	
<p>DIRECTS the Secretariat further:</p> <p>a) when revising its publication of current Resolutions after each meeting of the Conference of the Parties, to correct the texts of already existing Resolutions to ensure that all references to other Resolutions are accurate; and</p>	
<p>b) to update the list of Decisions after each meeting of the Conference of the Parties, to contain all the recommendations (or other forms of decision) that are not recorded in Resolutions and that remain in effect. The list Decisions shall be sorted according to subject, using the subjects of the Resolutions for guidance, and within the section for each subject they shall be divided according to the body to which they are directed. The Secretariat shall distribute to the Parties a copy of the updated list of Decisions soon after each meeting of the Conference;</p>	Deletion of the reference to the "list" of Decisions as unnecessary.
<p>DECIDES that any draft resolutions or decisions submitted for consideration at a meeting of the Conference of the Parties that have budgetary and workload implications for the Secretariat or permanent committees must contain or be accompanied by a budget for the work involved and an indication of the source of funding; and</p> <p>DECIDES further that the recommendations contained in Resolutions and Decisions adopted by the Conference of the Parties shall enter into effect 90 days after the meeting at which they are adopted, unless otherwise specified in the recommendation concerned.</p>	
<p><u>*</u> Amended at the 10th, 12th and 13th meetings of the Conference of the Parties.</p>	

Proposed revision of Resolution Conf. 4.22

Suggested amendments	Rationale
Proof of foreign law	
<p>RECALLING that, in accordance with Article XIV of the Convention, Parties may adopt stricter domestic measures with regard to species included in Appendices I, II and III;</p>	<p>Change in punctuation for clarification purposes and harmonization with editorial practice.</p>
<p>RECALLING that the provisions of Article XVI of the Convention require Parties to submit to the Secretariat updated copies of all domestic laws and regulations and interpretations thereof concerning species they include in Appendix III;</p>	
<p>RECOGNIZING that: Parties have notified the Secretariat from time to time of stricter domestic measures taken by them concerning specimens of species included in Appendices I, II and III, and that the Secretariat has circulated notifications of such measures as well as notifications containing information bearing on the validity of certain documents of trade issued by Parties, and that the Secretariat has urged the Parties to take such measures into consideration;</p>	<p>Change in punctuation for clarification purposes.</p>
<p>RECOGNIZING that some Parties may require further documentation of such measures and information in order to take appropriate action;</p>	
THE CONFERENCE OF THE PARTIES TO THE CONVENTION	
<p>RECOMMENDS that:</p> <p>a) Parties informing the Secretariat of the existence, adoption or amendment of stricter domestic measures provide the Secretariat with a copy of the laws, regulations, decrees, and other documents establishing such measures, any interpretation and other information which may be of assistance in understanding such measures, citations to such laws, regulations, decrees, and other documents, and the name, address, and telephone, and fax numbers, and email address of the government organization and official responsible for implementing such measures; and</p> <p>b) Parties informing the Secretariat of the invalidity, deficiency or special requirements of permits and certificates do so in a signed statement containing the name, address, and telephone and fax /telex numbers, and email address of the government agency and official responsible for granting the relevant permits and certificates; and</p>	<p>Change to reflect to modern means of communication.</p>

Suggested amendments	Rationale
REQUESTS that the Secretariat attach copies of the information submitted by the Parties mentioned in paragraphs a) and b) to the relevant notifications it circulates to the Parties.	

Proposed revision of Resolution Conf. 4.25 (Rev. CoP14)*

Suggested amendments	Rationale
Reservations	
<p>RECOGNIZING that, in accordance with Article XXIII of the Convention, a State may, when it becomes a Party to CITES, enter a reservation with respect to any species included in Appendix I, II or III, or any parts or derivatives specified in relation to a species included in Appendix III, and that, in this case, it shall be treated as a State not a Party to the present Convention with respect to trade in the specified species or parts or derivatives until it withdraws such reservations;</p> <p>RECOGNIZING that, when Appendix I or II is amended in accordance with Article XV of the Convention, any Party may, within 90 days, make a reservation with respect to the amendment, and that, in this case, it shall be treated as a State not a Party to the Convention with respect to trade in the species concerned until such reservation is withdrawn;</p> <p>RECOGNIZING FURTHER that, in accordance with Article XVI of the Convention, any Party may at any time enter a reservation with respect to a species included in Appendix III or any specified parts or derivatives, and that, in this case, the State shall be treated as a State not a Party to the present Convention with respect to trade in the species or part or derivative concerned until such reservation is withdrawn;</p>	<ul style="list-style-type: none"> – Change in punctuation for clarification purposes and harmonization with editorial practice. – The word "present" before "Convention" is superfluous, given that the text does not refer to any other convention. – Word "reservations" made singular as it is used in the singular elsewhere in the Resolution.
<p>NOTING that there have been different interpretations of these provisions of the Convention by Parties;</p> <p>BELIEVING that the transfer of a species from one Appendix of the Convention to another must be viewed as a deletion from one Appendix and its simultaneous inclusion in the other;</p> <p>CONSIDERING that, if a species is deleted from the Appendices, any reservation entered in relation to that species ceases to be valid;</p> <p>CONSIDERING also that all Parties should interpret the Convention in a uniform manner;</p>	
THE CONFERENCE OF THE PARTIES TO THE CONVENTION	
<p>RECOMMENDS that any Party having entered a reservation with regard to any species included in Appendix I treat that species as if it were included in Appendix II for all purposes, including</p>	

Suggested amendments	Rationale
Reservations	
documentation and control;	
<p>AGREES that, if a species is deleted from one Appendix of the Convention and simultaneously included in another, the deletion shall render invalid any reservation that was in effect in relation to the species and, consequently, any Party that wishes to maintain a reservation in relation to the species must enter a new reservation in accordance with Article XV, paragraph 3, or Article XVI, paragraph 2;</p>	
<p>CALLS on the Parties having entered reservations nevertheless to <u>nevertheless</u> maintain and communicate statistical records on trade in the species concerned, as part of their annual reports, so that international trade in specimens of these species may be properly monitored; and</p>	<p>The adverb has been moved to clarify it applies to "to maintain and communicate statistical records" and not to "having entered reservations"</p>
<p>INSTRUCTS the Secretariat to remind affected Parties explicitly of the reservations that will be rendered invalid, in time for the Parties to renew their reservations if they so desire.</p>	
<p>* Amended at the 14th meeting of the Conference of the Parties.</p>	

Proposed revision of Resolution Conf. 4.27

Suggested amendments	Rationale
Interpretation of Article XVII, paragraph 3, of the Convention	
RECOGNIZING that the Convention can only operate and be effective if the Conference of the Parties defines the provisions of the Convention in line with the basic principles which gave birth to it;	
ACKNOWLEDGING that Article XVII, paragraph 3, of the Convention could be legally defended in both its narrow and wide interpretations;	
CONSIDERING the difficulties which might result from a wide interpretation of Article XVII, paragraph 3, of the Convention;	
<p>CONSIDERING that any amendment to the present Convention could not enter into force unless a limitation is established as to the number of Parties required for the coming into force of an amendment that need to accept it has been established;</p>	<ul style="list-style-type: none"> - The word "present" before "Convention" is superfluous, given that the text does not refer to any other convention. - The sentence has been rephrased to improve clarity. a) First of all, it is sufficient to say that the number of Parties has to be established, rather than saying that 'a limitation' of the number of Parties has to be established; b) The second reference to "coming into force" is superfluous; and c) It is not just the number of Parties, no matter when they joined CITES, that counts, but the number of Parties that were already members of the Convention at the time of the adoption of the amendment.
THE CONFERENCE OF THE PARTIES TO THE CONVENTION	
RECOMMENDS that the meaning of Article XVII, paragraph 3, of the Convention be interpreted in its narrow sense so as to mean that the acceptance of two-thirds of the Parties at the time of the adoption of an amendment is required for the coming into force of such amendment.	

Proposed revision of Resolution Conf. 5.10

Suggested amendments	Rationale
Definition of 'primarily commercial purposes'	
<p>OBSERVING that, under Article III, paragraphs 3 (c) and 5 (c), of the Convention, a permit for the import or a certificate for the introduction from the sea of specimens of Appendix-I species may be issued only if certain conditions are met, including that the Management Authority of the State of import (or introduction from the sea) is satisfied that the specimens are not to be used for primarily commercial purposes;</p>	<p>Change in punctuation for clarity.</p>
<p>RECOGNIZING that, because the Convention does not define the terms 'primarily commercial purposes', 'commercial purposes' in paragraph 4 of Article VII, or 'non-commercial' in paragraph 6 of Article VII, the term 'primarily commercial purposes' (as well as the other terms mentioned above) may be interpreted by the Parties in different ways;</p>	<p>Change in punctuation for clarity.</p>
<p>ACKNOWLEDGING that the Parties' differing internal legislation and legal traditions will make it difficult to reach agreement on a simple 'objective' interpretation of the term and that the facts concerning each importation will determine whether a proposed use would be for 'primarily commercial purposes';</p>	<p>"Importation" changed to "import" to follow the text of the Convention.</p>
<p>RECOGNIZING that lack of specific definitions for terms involving 'commercial' and the importance of the facts concerning each proposed transaction create a need for consensus by the Parties regarding general principles and examples to guide the Parties in assessing the commerciality of the intended use of those specimens of Appendix-I species to be imported;</p> <p>AWARE that agreement on interpreting the term 'primarily commercial purposes' is important because of the fundamental principle in Article II, paragraph 1, of the Convention that trade in specimens of Appendix-I species must be subject to particularly strict regulation and only authorized in exceptional circumstances;</p>	
<p>THE CONFERENCE OF THE PARTIES TO THE CONVENTION</p> <p>RECOMMENDS that for the purposes of Article III, paragraphs 3 (c) and 5 (c), of the Convention, the following general principles and the examples in the Annex attached to the present Resolution be used by the Parties in assessing whether the importation</p>	<p>"Importation" changed to "import" to follow the text of the Convention.</p>

Suggested amendments	Rationale
Definition of 'primarily commercial purposes'	
<p>of a specimen of an Appendix-I species would result in its use for 'primarily commercial purposes':</p> <p>General principles</p> <p>1. Trade in Appendix-I species must be subject to particularly strict regulation and authorized only in exceptional circumstances.</p>	
<p>2. An activity can generally be described as 'commercial' if its purpose is to obtain economic benefit, including profit (whether in cash or in kind), and is directed toward resale, exchange, provision of a service or <u>any</u> other form of economic use or benefit.</p>	<ul style="list-style-type: none"> - Deletion of an unnecessary comma (suggestion yet to be confirmed by the working group). - Addition of the quantifying adjective "any" for grammatical correctness.
<p>3. The term 'commercial purposes' should be defined by the country of import as broadly as possible so that any transaction which is not wholly 'non-commercial' will be regarded as 'commercial'. In transposing this principle to the term 'primarily commercial purposes', it is agreed that all uses whose non-commercial aspects do not clearly predominate shall be considered to be primarily commercial in nature, with the result that the importation of specimens of Appendix-I species should not be permitted. The burden of proof for showing that the intended use of specimens of Appendix-I species is clearly non-commercial shall rest with the person or entity seeking to import such specimens.</p>	<ul style="list-style-type: none"> - Change in punctuation for clarity. - "Importation" changed to "import" to follow the text of the Convention.
<p>4. Article III, paragraphs 3 (c) and 5 (c), of the Convention concern the intended use of the specimen of an Appendix-I species in the country of importation, not the nature of the transaction between the owner of the specimen in the country of export and the recipient in the country of import. It can be assumed that a commercial transaction underlies many of the transfers of specimens of Appendix-I species from the country of export to the country of import. This does not automatically mean, however, that the specimen is to be used for 'primarily commercial purposes'.</p>	<p>"Importation" changed to "import" to follow the text of the Convention.</p>
(Annex) Examples	
<p>The following examples recognize categories of transactions in which the non-commercial aspects may or may not be predominant, depending upon the facts of each situation. The discussions that follow each example provide further guidance in, and criteria for, assessing the actual degree of commerciality on a case-by-case basis. The list is</p>	<p>"Importation" changed to "import" to follow the text of the Convention.</p>

Suggested amendments	Rationale
Definition of 'primarily commercial purposes'	
<p>not intended to be exhaustive of situations where an importation of specimens of Appendix-I species could be found to be not "for primarily commercial purposes":</p>	
<p>a) <u>Purely private use</u>: Article VII, paragraph 3, of the Convention contains special rules for specimens "that are personal or household effects". The exceptions mentioned <u>does</u> not apply when specimens of Appendix-I species are acquired by the new owner outside of his or her country of usual residence and are imported into that country. It can, however, be deduced from <u>these is</u> provisions that specimens imported for purely private use should not be considered to be for 'primarily commercial purposes'.</p>	<ul style="list-style-type: none"> - Word "exceptions" made singular as Article VII, paragraph 3, only refers to one type of exemption. - As there is only one exception, "these provisions" has also been made singular.
<p>b) <u>Scientific purposes</u>: Article VII, paragraph 6, of the Convention uses the term "non-commercial loan, donation or exchange between scientists or scientific institutions". Thus, the Convention acknowledges that scientific purposes may justify a special departure from the Convention's general procedure. The import of specimens of an Appendix-I species may be permitted in those situations where the scientific purpose for such importation is clearly predominant, the importer is a scientist or a scientific institution registered or otherwise acknowledged by the Management Authority of the country of import, and the resale <u>or</u> commercial exchange <u>of the specimens</u>, or <u>their</u> exhibit for economic benefit <u>of the specimens</u> is not the primary intended use.</p>	<ul style="list-style-type: none"> - Rewording to: <ul style="list-style-type: none"> a) avoid misreading "for economic benefit of the specimens" as one semantic unit; and b) clarify that "economic benefit" only makes sense in reference to "exhibit". Indeed, it would be redundant to speak of a "resale for economic benefit" or of a "commercial exchange for economic benefit". - "Importation" changed to "import" to follow the text of the Convention.
<p>c) <u>Education or training</u>: Specimens of Appendix-I species may also be imported by government agencies or non-profit institutions acknowledged by the Management Authority of the country of import for purposes of conservation, education or training. For example, a specimen could be imported primarily to train Customs staff in effective CITES control. Imports of this type would thus be considered permissible.</p>	
<p>d) <u>Biomedical industry</u>: Close scrutiny must be applied to imports of specimens of Appendix-I species in connection with the biomedical industry, with an initial presumption that such importation <u>is</u> commercial. The purpose of the import here would be twofold: to develop products to promote public health and to sell such products, i.e. to make a profit. The latter aspect in this case would usually be considered to be predominant. <u>and a</u> As a result, imports of this type will most often not be acceptable. However, where the importer makes a</p>	<ul style="list-style-type: none"> - Splitting of a sentence to improve clarity as the two parts of the original sentence are quite separate. - "Importation" changed to "imports" (and the following verb to plural) to follow the previous occurrence of this term in the same sentence (suggestion yet to be confirmed by the working group).

Suggested amendments	Rationale
Definition of 'primarily commercial purposes'	
<p>clear showing to the Management Authority of the country of import that the sale of products is only incidental to public health research and not for the primary purpose of economic benefit or profit, then such imports could fall within group b) above.</p>	
<p>e) <u>Imports</u> of specimens of Appendix-I species for captive-breeding purposes raises special problems. Any <u>importation</u> of such specimens for captive-breeding purposes must be aimed as a priority at the long-term protection of the affected species, as required in Resolution Conf. 2.12^{10.16 (Rev.)}¹. Some captive-breeding operations sell surplus specimens to underwrite the cost of the captive-breeding programme. <u>Importations</u> under these circumstances could be allowed if any profit made would not inure to the personal economic benefit of a private individual or share-holder. Rather, any profit gained would be used to support the continuation of the captive-breeding programme to the benefit of the Appendix-I species. It should not, therefore, be assumed that <u>importations</u> under such circumstances <u>is-are</u> inappropriate. As for imports of captive-bred specimens for captive-breeding programmes for commercial purposes, Article VII, paragraphs 4 and 5, eliminate the need to address the 'primarily commercial purposes' <u>standard-requirement</u> in Article III, paragraph 3 (c). In connection with captive-breeding purposes, it should be noted that, as a general rule, <u>importations</u> must be part of general programmes aimed at the recovery of species and be undertaken with the help of the Parties in whose territory the species originate. The profit <u>gained</u> that might result should be used to support the continuation of the programme aimed at the recovery of the Appendix-I species.</p> <p>¹ <u>Amended at the ninth meeting of the Conference of the Parties and replaced by Resolution Conf. 10.16 (Rev.) adopted at the 10th meeting and amended at the 11th meeting. Corrected by the Secretariat following the 10th and 11th meetings of the Conference of the Parties: formerly referred to Resolution Conf. 2.12.</u></p>	<ul style="list-style-type: none"> - "Importation" changed to "imports" to follow the text of the Convention, and verbs changed to plural where necessary. - Addition of a missing hyphen. - Correction of the Resolution number and rephrasing of the associated footnote to bring it in line with standard text used in more recent Resolutions. - Changes in punctuation to improve clarity. - The word "standard" has been replaced by "requirement" as the latter term is the one usually used when speaking of provisions of the Convention (suggestion yet to be confirmed by the working group). - Deletion of the word "gained", as redundant with the words "profit that might result".
<p>f) <u>Imports</u> via professional dealers: A problem occurs with examples b) through e) above if the import is via a professional dealer. In such situations, the import initially serves a commercial purpose and in principle, therefore, should be prohibited under Article III, paragraph 3 (c), of the Convention. The fact that the dealer states an <u>general</u> intention to eventually sell the imported</p>	<ul style="list-style-type: none"> - "Importation" changed to "imports" to follow the text of the Convention. - Correction to the punctuation in line with UN editorial practice. - The adjective "general" seems superfluous (suggestion yet to be confirmed by the

Suggested amendments	Rationale
Definition of 'primarily commercial purposes'	
<p>specimen to an undetermined zoo or scientific institution should not change this overall conclusion. In practice, living specimens are generally imported commercially with just this aim in mind. However, importations through a professional dealer by a qualified scientific, educational, zoological or other non-profit organization may be considered acceptable if the ultimate intended use would be for one of the purposes set out in examples b), c) and e) above, and where a binding contract (including a contract conditioned on the granting of permits) for the importation and sale of a particular specimen of an Appendix-I species has already been concluded between the professional dealer and the purchasing institution and is presented to the Management Authority of the country of import with the import permit application. The same should apply to example d) if sale is incidental to public health and not for the primary purpose of economic benefit or profit.</p>	<p>working group).</p>
<p>If a proposed importation of a specimen of an Appendix-I species fits within one of the above examples, all other applicable provisions of the Convention must still be satisfied in order for the importation to be acceptable. For example, where the primary purpose for importation is scientific study or zoological exhibition, the remaining conditions under Article III, paragraph 3 or 5, as applicable, must still be met. Thus, it is possible for an importation for scientific or zoological exhibition purposes to be inappropriate where such importation is found to be detrimental to the survival of the species or where, in the case of live specimens, it is found that the ultimate recipient of the specimens lacks facilities suitably equipped to house and properly care for the specimens.</p> <p>Moreover, in keeping with the provisions of Article II, paragraph 1, the importation of specimens of Appendix-I species removed from the wild for one of the purposes set forth above should, as a general rule, not be allowed unless the importer has first demonstrated that:</p> <p>a) he has been unable to obtain suitable captive-bred specimens of the same species;</p> <p>b) another species not listed in Appendix I could not be utilized for the proposed purpose; and</p> <p>c) the proposed purpose could not be achieved through alternative means.</p>	<p>"Importation" changed to "import" to follow the text of the Convention.</p>

Proposed revision of Resolution Conf. 5.20

Suggested amendments	Rationale
Guidelines for the Secretariat when making recommendations in accordance with Article XV	
<p>NOTING Article XV, paragraph 2 (b) and (c), of the Convention requiring the Secretariat to make recommendations to the Parties for regarding amendments proposed for Appendices I and II;</p> <p>RECOGNIZING problems encountered by the Secretariat in always obtaining sufficient data on which to base its recommendations;</p> <p>RECOGNIZING also that data and information may be obtained from a wide variety of publications and sources;</p>	<p>The word "for" implies that the Secretariat is recommending amendments to the Parties, whilst it only makes recommendations on the amendments proposed. The word "regarding" clarifies the nature of the input from the Secretariat.</p>
<p>THE CONFERENCE OF THE PARTIES TO THE CONVENTION</p>	
<p>ESTABLISHES the following guidelines to be followed by the Secretariat when making recommendations in accordance with Article XV, paragraph 2 (b) and (c), of the Convention:</p> <p>a) where appropriate, references shall be cited in the text of recommendations so that specific data can be traced to a source;</p> <p>b) citations shall be given in accordance with a recognized scientific standard for such citations;</p>	
<p>c) data in unpublished form may be used and referred to, provided <u>that</u> the source is indicated. If the information is classified as confidential, <u>thise</u> fact must be stated;</p>	<p>– Addition of a comma before "provided" and of "that" after it to improve clarity.</p> <p>– Replacement of "the" with "this" to clarify that the word "fact" points back to the preceding clause.</p>
<p>d) if the species has been listed previously or proposed for listing or delisting, a brief history of such listing or proposals and their treatment under CITES may be included in the recommendations;</p> <p>e) if applicable, reference should be made to any existing Resolutions affecting the proposal or to any draft resolutions that have been tabled and await consideration by the Parties;</p>	
<p>f) additional biological and/or trade data may be requested from the proposing and/or range States, or from any other source to confirm or dispute other available data; and</p>	<p>– Deletion of "and/" as superfluous.</p> <p>– Change in punctuation to improve clarity</p>

Suggested amendments	Rationale
Guidelines for the Secretariat when making recommendations in accordance with Article XV	
<p>g) as far as possible, the Secretariat's recommendations should be based on as wide a range of information as it can obtain recognizing that such information should not be limited to scientific data; and</p>	<p>Addition of the missing possessive.</p>
<p>URGES the Secretariat to continue to endeavour to provide recommendations with the main objective of furthering the principles and effective implementation of the Convention.</p>	

Proposed revision of Resolution Conf. 7.12 (Rev.)

Suggested amendments	Rationale
Marking requirements for trade in specimens of taxa with populations in both Appendix I and Appendix II	
<p>RECOGNIZING that Article VII, paragraph 4, of the Convention specifically provides for regulated international trade in specimens of species included in Appendix I that have been bred in captivity for commercial purposes;</p> <p>RECOGNIZING also that the Conference of the Parties has established the right of a Party to permit commercial trade in specimens derived from an approved ranching operation – Resolution Conf. 11.16 (Rev. CoP14)¹ adopted by the Conference of the Parties at its 11th meeting (Gigiri, 2000) and amended at its 14th meeting (The Hague, 2007);</p>	
<p>AWARE that specimens of taxa included in Appendix I subject to ranching, captive breeding or export by<u>under</u> annual quotas must be deemed to be specimens of look-alike species and must be tagged or otherwise marked to facilitate the application of differential regulatory controls;</p>	<p>Correction of the preposition.</p>
<p>CONSCIOUS that, in order to achieve the desired objectives, any system of marking specimens derived from ranching or captive breeding or taken under an annual export quota must be practical and able to be readily <u>readily</u> implementable<u>ed</u> readily by all Parties;</p>	<p>– Change in punctuation to improve clarity and to identify the clause of purpose properly.</p> <p>– Rewording to simplify and clarify the text.</p>
<p>NOTING that previous meetings of the Conference of the Parties have addressed separately the issues of regulating trade derived from ranching, captive breeding or wild harvesting under annual export quotas;</p>	
<p>THE CONFERENCE OF THE PARTIES TO THE CONVENTION</p>	
<p>RECOMMENDS that:</p> <p>a) with respect to the identification of live specimens, any marking system that requires the attachment of a tag, band or other uniquely marked label, or the marking of a part of the animal's anatomy be undertaken only with due regard for the humane care, well-being and natural behaviour of the specimen concerned; and</p>	
<p>b) with regard to parts and derivatives of ranched or captive-bred animals, where requested by individual Parties, the Secretariat purchase and disseminate appropriately coded tags or stamps, and that the costs be recovered from participating</p>	<p>Change in punctuation to improve clarity.</p>

Suggested amendments	Rationale
Marking requirements for trade in specimens of taxa with populations in both Appendix I and Appendix II	
Parties.	
<p><i>* Amended at the ninth meeting of the Conference of the Parties and corrected by the Secretariat following the 14th meeting.</i></p> <p><i>¹ Corrected by the Secretariat following the 11th and 14th meetings of the Conference of the Parties: originally referred to Resolution Conf. 3.15, later corrected to Resolution Conf. 11.16.</i></p>	

Review of Resolution Conf. 8.13 (Rev.)

Suggested amendments	Rationale
Use of coded-microchip implants for marking live animals in trade	
<p>RECOGNIZING the increasingly wide use of coded-microchip implants for the individual identification of animals;</p> <p>RECOGNIZING also the potential of this method of marking for the regulation of trade in live animals of species included in the Appendices to the Convention;</p>	
<p>CONCERNED BELIEVING that any such method employed to identify live animals <u>should</u> be standardized in its application;</p>	<p>Replacement of "concerned" with "believing" because the verb "concerned" could be misunderstood as meaning "troubled", which is exactly the opposite of what is meant here.</p>
<p>BELIEVING that there is no reason to limit the use of coded-microchip implants to only live animals of species included in Appendix I or high-value species;</p> <p>NOTING that Management Authorities may permit the movement of travelling exhibitions or circuses without permits or certificates pursuant to Article VII, paragraph 7, of the Convention;</p> <p>CONSIDERING that the International Organization for Standardization (ISO) has adopted the standards ISO 11784 and ISO 11785;</p>	
<p>MINDFUL that the provisions of Article VI, paragraph 7, allow a Management Authority to determine appropriate methods of marking specimens for the purposes of assisting in identification;</p> <p>AWARE that the IUCN/SSC Conservation Breeding Specialist Group has already undertaken an extensive review of the application of coded-microchip implants, and that effective implementation of Article VI, paragraph 7, will result in increasingly wider use of coded-microchip implants for the identification of animals;</p>	
<p>THE CONFERENCE OF THE PARTIES TO THE CONVENTION</p>	
<p>RECOMMENDS that:</p> <p>a) Parties, where possible and appropriate, without excluding the use of other methods, adopt the use of implantable transponders bearing permanent, non-programmable, unalterable and permanently</p>	

Suggested amendments	Rationale
Use of coded-microchip implants for marking live animals in trade	
unique codes for the identification of live animals;	
b) Parties take into account the findings of the IUCN/SSC Conservation Breeding Specialist Group regarding frequency, size and sterility of transponders;	Word "transponder" made plural for grammatical correctness.
c) microchip transponders be implanted where consistent with the well-being of the specimens concerned ¹ ; and d) the location of implanted transponders in each animal be standardized according to the advice from the IUCN/SSC Conservation Breeding Specialist Group; and	
DIRECTS: a) the Secretariat to consult regularly with the ISO Central Secretariat on this subject, and to urge it to resolve current problems with standards ISO 11784 and ISO 11785;	
b) the Management Authority of each Party to inform make contact with all known manufacturers of microchip-implants and associated equipment on its territory and inform them about the present Resolution, urge them to strive towards the production of compatible equipment that can be applied universally and ask them for information about their products compatible with CITES needs; and to advise the Secretariat about the results, for the information of the Parties; and	"To inform all known manufacturers" already implies that the Management Authorities will make contact with them, therefore "Make contact with" is unnecessary. This change allows to simplify and shorten the sentence. As for the semi-colon inserted after "needs", it has been added to separate clearly communication with the manufacturers from that with the Secretariat.
c) the Animals Committee to monitor developments in microchip-implant technology and application techniques and to advise the Secretariat about such developments, for the information of the Parties.	
¹ See Resolution Conf. 12.3 (Rev. CoP14) for information on microchip transponders, to be included in permits.	

Review of Resolution Conf. 8.21

Suggested amendments	Rationale
Consultation with range States on proposals to amend Appendices I and II	
<p>NOTING that the provisions of the Convention do not require the prior support of range States for proposals to amend Appendices I and II;</p> <p>RECALLING that the format for proposals laid down in Resolution Conf. 9.24 (Rev. CoP14)¹, adopted by the Conference of the Parties at its ninth meeting (Fort Lauderdale, 1994) and revised at its 12th, 13th and 14th meetings (Santiago, 2002; Bangkok, 2004; The Hague, 2007), provides for comments to be sought from the range States;</p> <p>OBSERVING that many proposals have been submitted without such comments being sought;</p>	
<p>RECOGNIZING, however, that for certain taxa with extensive distributions such consultation may be difficult <u>for certain taxa with extensive distributions</u>;</p>	<p>The two parts of the subordinate clause have been swapped to improve clarity.</p>
<p>CONSCIOUS that amendments to Appendices I and II may affect the interests of range States;</p>	
<p>REMARKING that <u>the successful implementation of</u> international treaties relyies for their successful implementation upon cooperation and mutual respect;</p>	<p>Sentence reworded to improve clarity.</p>
<p>MINDFUL that an additional period of time may be required to consult with range States;</p>	
<p>THE CONFERENCE OF THE PARTIES TO THE CONVENTION</p>	
<p>RECOMMENDS that, for any submission of a proposal to amend Appendix I or II of the Convention, one of the following two procedures be applied:</p>	<p>Change in punctuation to improve clarity.</p>
<p>a) where the proposing Party intends to consult the range States, it <u>should</u>:</p> <p>i) advises the Management Authorities of the range States within which the species occurs of its intention to submit a proposal;</p> <p>ii) consults with the Management and Scientific Authorities of these States on the substance of the proposal; and</p> <p>iii) includes the opinions of these Authorities in section 10² of the proposal submitted in</p>	<p>Insertion of "should" for two reasons:</p> <p>a) The verb "to recommend" requires the subjunctive in the subordinate clause; and</p> <p>b) The sentence states what Parties "should" do, and not what they do.</p>

Suggested amendments	Rationale
Consultation with range States on proposals to amend Appendices I and II	
<p>accordance with Resolution Conf. 9.24 (Rev. CoP14)¹ except that, where no response has been received from a range State within a reasonable period of time, the proposing Party may instead simply document its attempts to obtain these opinions; or</p> <p>b) where prior consultation with range States will not take place:</p> <p>i) the Party <u>should</u> submit the proposal at least 330 days in advance of the next scheduled meeting of the Conference of the Parties;</p> <p>ii) the Secretariat <u>should</u> circulate the proposal as soon as possible to all Parties; and</p> <p>iii) interested Parties <u>should</u> send their comments to the proposing Party in order to allow it to submit a revised proposal at least 150 days prior to the meeting. The revised proposal should incorporate the comments received, in compliance with Resolution Conf. 9.24 (Rev. CoP14)¹, separating them into two categories, reflecting the opinions of range States and non-range States</p>	
<p>¹ <i>Corrected by the Secretariat following the 12th, 13th and 14th meetings of the Conference of the Parties: originally referred to Resolution Conf. 2.17, later corrected to Resolution Conf. 9.24 (Rev. CoP12), then to Conf. 9.24 (Rev. CoP13).</i></p> <p>² <i>Corrected by the Secretariat following the 14th meeting of the Conference of the Parties: originally referred to section 6.</i></p>	