

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



Fourteenth meeting of the Conference of the Parties  
The Hague (Netherlands), 3-15 June 2007

Administrative matters

Committee reports

JOINT REPORT OF THE CHAIRMEN  
OF THE ANIMALS AND PLANTS COMMITTEES

Introduction

1. This document has been prepared by the Chairmen of the Animals and Plants Committees.
2. This report covers the period from 15 October 2004 to 4 January 2007. As required by Resolution Conf. 13.1 (Financing and budgeting of the Secretariat and of meetings of the Conference of the Parties), the Animals and Plants Committees (AC and PC) met twice back-to-back during this period. On each occasion, the Committees held joint AC/PC sessions to deal with common tasks and issues (PC15/AC21, Geneva, 20 and 21 May 2005; PC16/AC22, Lima, 7 and 8 July 2006).
3. The Committees wish to thank Peru for hosting PC16/AC22.
4. The joint AC/PC sessions were very useful, allowing effective consideration of tasks assigned to both committees and establishing valuable synergies. However, being attended by a fairly large number of participants, they are also a challenge for the host country with regard to logistics, administration, organizational costs, room space, etc. At the same time, it should be recognized that the bulk of the increasing work of Animals and Plants Committees continued to be undertaken in their own, separate meetings. Under the new instructions from the Conference of the Parties, the scientific committees have now held back-to-back meetings on two occasions. Based on this experience, the AC and PC Chairmen recommend that if such meetings include a joint AC/PC session, the duration of the separate AC and PC meetings should be four days. In case no joint AC/PC session takes place, each separate AC and PC meeting should take five days. Arrangements to this effect need to be made for future meetings of the scientific committees.
5. As a consequence of the various assignments, the Chairmen of AC and PC have submitted at the present meeting of the Conference of the Parties their own individual reports (documents CoP14 Doc. 8.2 and CoP14 Doc. 8.3), other documents pertaining to their committee's work, the present joint report from the two Chairmen, and three joint AC and PC documents dealing with common issues (documents CoP14 Doc. 13, CoP14 Doc. 38 and CoP14 Doc. 66).
6. Annex 1 to this document includes the recommendations from the Animals and Plants Committees to the Conference of the Parties.

## Specific AC/PC issues

### Amendments to the Rules of Procedure for meetings of the Animals and Plants Committees

7. Resolution Conf. 11.1 (Rev. CoP13) on Establishment of committees recognizes in its preamble that "Rules of Procedure common to all committees are an essential requirement for formal meetings". In the section *Regarding the establishment of committees*, the Conference of the Parties resolves in paragraph e) that "the Rules of Procedure to be adopted by the Standing Committee shall apply to other committees as far as is practicable." The Rules of the Standing Committee should therefore be followed by the AC and PC for their meetings as far as practicable.
8. At PC15/AC21, the Secretariat presented draft Rules of Procedure for AC and PC meetings that were closely following the Rules of Procedure for meetings of the Standing Committee (see documents AC21 Doc. 2.2 and PC15 Doc. 2.2). Discussion on this matter was postponed until PC16/AC22, when the Secretariat proposed draft Rules of Procedure for meetings of the Animals and Plants Committees that were entirely based on the Rules of Procedure adopted by the Standing Committee at its 53rd meeting (SC53, Geneva, June – July 2005) (see documents AC22 Doc. 2.2 and PC16 Doc. 2.2).
9. The draft of the Secretariat was met with criticism of a general as well as of a specific nature. These concerned *inter alia* the proposed new Rules 6, 7, 9, 11, 13, 17, 18, 19, 20, 25 and 26, and the matter of credentials for observers at AC and PC meetings. The Committees agreed for instance that Rules 6 and 9, as proposed by the Secretariat, would overcomplicate the process for admitting observers to AC and PC meetings, while the system in place had worked well and should not be changed. The requirements for credentials as proposed in Rule 9 were agreed to be too burdensome. The proposal in Rule 18 to limit meeting documents to a maximum of 12 pages was considered inappropriate in cases where detailed technical or comprehensive scientific information was required. Both Committees were of the opinion that overall, the Secretariat's proposal was not an improvement of their existing Rules of Procedure, which had operated satisfactorily for the last five meetings of the Committees.
10. Consequently, AC and PC did not endorse the draft Rules of Procedure proposed by the Secretariat. They agreed however to establish a joint intersessional working group to draft common Rules of Procedure for their meetings that would take into consideration all comments and questions raised during the discussion of this item at PC16/AC22. The results of this intersessional working group were endorsed by both the Animals and Plants Committees.
11. The draft new Rules of Procedure for meetings of the Animals and Plants Committees are presented in Annex 2. The rationale for deviating here and there from the Rules of Procedures for meetings of the Standing Committee is that AC and PC have different terms of reference from those of the Standing Committee, a different composition (individuals and not Parties) and a different *modus operandi*. There is, for instance, no possibility for extraordinary AC or PC meetings (unlike the Standing Committee), while the instructions on how, where and how often AC and PC are to meet are laid down in Resolution Conf. 13.1. All members of the AC and PC have the right to vote. Because elected in their personal capacities, AC and PC members do not need credentials. Resolution Conf. 11.1 (Rev. CoP13) determines that the AC or PC Chairman may invite any person or representative of any other country or organization to participate in meetings of their Committee as an observer, and it appears logical that the invitation letter should serve as credentials for such participants. Unlike the Standing Committee Chairman, the Chairman of the AC or PC may not represent the Parties in any circumstances.
12. The Conference of the Parties is requested to take note of the Rules of Procedure in Annex 2, which could be adopted at the 23rd and 17th meetings of the AC and PC respectively. If necessary, the Conference of the Parties is asked to agree to amend Resolution Conf. 11.1 (Rev. CoP13) to allow the adoption by the scientific committees of these Rules of Procedure for their meetings, and to ensure that it reads that the Chairmen of the Animals and Plants Committees can invite any observer from non-Parties or experts of any organization to participate in meetings of the Committees as observers.

### Strategic Vision (Decision 13.1)

13. In Decision 13.1, the Conference of the Parties decided:

*to establish a Strategic Plan Working Group as a subcommittee of the Standing Committee, with representation from all regions and of the Animals and Plants Committees, with the task to develop, with the cooperation of the Secretariat, a proposal for a Strategic Vision and Action Plan through 2013, in particular in order to contribute to the achievement of the World Summit on Sustainable Development (WSSD) targets of significantly reducing the rate of biodiversity loss by 2010.*

14. The AC Chairman participated as representative of the Animals Committee at a meeting in April 2006 of the Strategic Plan Working Group in Ottawa, and generally followed progress on this matter. The Chairmen of both the Animals and Plants Committees agreed to participate in a second meeting of the Strategic Plan Working Group in January 2007 in Geneva. The results of the work of the Strategic Plan Working Group, a proposal for a Strategic Vision and Action Plan from 2008 to 2013, is submitted for adoption at the 14th meeting of the Conference of the Parties under agenda item 11.

### Review of the scientific committees (Decision 13.9)

15. Decision 13.9 directs the Animals, Plants and Nomenclature Committees to "draft terms of reference for a review, with the objective of improving and facilitating the performance of their functions". At PC15/AC21, the scientific committees established a joint working group to look into this matter. At the same meeting, the Animals and Plants Committees, in collaboration with the Nomenclature Committee, adopted terms of reference for conducting the review, and identified matters requiring further consideration by the Standing Committee. These were presented and agreed to by the Standing Committee at SC53 (see document SC53 Doc. 12). The scientific committees thereby implemented Decision 13.9.

16. The Standing Committee accepted the suggestion from the AC and PC that the review be undertaken using two parallel processes. Firstly, the scientific committees should undertake a self-evaluation. Secondly, an external evaluation should be conducted by a working group established by the Standing Committee (this group could comprise Standing Committee members and a small number of Party representatives). Both evaluations should be undertaken concurrently and discussed jointly in order to produce a final report.

17. At PC16/AC22, the self-evaluation (or 'internal' review) of the scientific committees was finalized, and the AC and PC forwarded the 'external evaluation' working group established by the Standing Committee a summary of AC and PC activities presented in tabular form; a performance analysis chart; and an assessment of tasks and duties assigned to the Committees (see document CoP14 Inf. 5).

18. In addition, the following conclusions and recommendations of their joint working group (WG) were supported by AC and PC and forwarded to the Standing Committee (see documents PC16/AC22 WG1 Doc. 1 and SC54 Doc. 13.2):

- a) The Committees achieve a generally high level of performance in the high priority tasks assigned to them and often with very limited resources or a reliance on voluntary effort. To achieve increased performance, particularly in lower priority tasks, it would be necessary to increase budgetary funds and other resources in relation to those tasks.
- b) The performance of the Committees would further improve if greater consideration were given by the Conference of the Parties and the Standing Committee at the time tasks are assigned to the scientific committees as to whether the tasks are within their mandates and the Convention's Strategic Vision and Action Plan and whether the tasks are adequately resourced.
- c) The performance of the Committees would improve if funds were made available for Chairmen to carry out their tasks, participate and represent Committees at other meetings.

- d) To promote and facilitate coordination and contact between the taxonomic expertise in regions, the Nomenclature Committee might best operate as a permanent working group of the Animals and Plants Committees.
  - e) The requirement of a Party/region to provide the time/resources for a regional representative to carry out his/her duties needs to be strengthened. It could be a mandatory commitment made at the time of nomination of a representative.
  - f) Regarding the challenge of the double role of being both a Chairman and a regional representative, the evaluation should note the approach taken by other environmental conventions where committee chairmen do not have regional responsibilities. The WG was of the strong opinion that the Chairmen should originate from amongst the regional representatives.
  - g) To improve the scientific procedures that sustain all activities of the committees, AC and PC Chairmen and members should be more involved in the assignment of consultants and the definition of terms of reference for specific projects.
  - h) The review of the performance of the Committees has consumed considerable resources and time and the WG does not recommend putting in place a periodic, detailed review. The WG agreed to recommend conducting internal monitoring through the regional reports and the Chairmen's reports to the Conference of the Parties, and Table 3 of document PC16/AC22 WG1 Doc. 1 can be appended to the format to prepare regional reports. External monitoring can examine and review the indicators as identified in Tables 1a and 1b of document PC16/AC22 WG1 Doc. 1.
  - i) Once the external evaluation has been completed, the delivery mechanisms will be decided.
19. At its 54th meeting (SC54, Geneva, October 2006), the Standing Committee discussed this issue and proceeded with the review of the scientific committees based on the Terms of Reference and the above mentioned outputs of the 'internal' review conducted by the scientific committees. The pertaining report can be found in document CoP14 Doc. 12.

20. The scientific committees suggest that the Conference of the Parties take all the recommendations mentioned in paragraph 17 above into account when considering the implementation of Decision 13.10, and make proposals in the form of amendments to existing resolutions and draft decisions to put them into effect. If this should become necessary, the scientific committees suggest that the Conference of the Parties establish a working group at CoP14 to address this matter.

#### Regional communication (Decisions 13.12 and 13.13)

21. Decision 13.12 instructs the Animals, Plants and Nomenclature Committees to "review at their meetings the conditions under which their members and alternate members perform their duties to ensure continuity and effective regional representation, and report their findings to the Standing Committee". At PC15/AC21, the Animals and Plants Committees established a joint working group, in collaboration with the Nomenclature Committee, to look at this issue, which also operated intersessionally and finalized its work at PC16/AC22.
22. The working group identified five major fields that could cause problems when regional representatives and their alternates try to carry out their duties. These were presented in document PC15/AC21 WG2 Doc. 1 and comprised communication, commitment (from member, Party, employer), funds (especially for Chairmen from developing countries), the double function of Chairman and regional representative, and capacity to perform duties. As far as communication is concerned, it was for instance concluded that Parties do not react or properly respond to requests from their regional AC or PC representative, while regional representatives did not consult or inform their region in a way that enables Parties to participate in or contribute to the operation of the scientific committees.
23. At PC16/AC22, it was concluded that the implementation of Decision 13.12 should not be treated separately, but that the conclusions of the working group should be incorporated into the review of the scientific committees pursuant to Decisions 13.9 and 13.10, and presented to the Standing

Committee accordingly (see document SC54 Doc. 13.2). The working group's findings should also be taken into consideration when developing a manual for regional representatives, required under Decision 13.13. The scientific committees thereby implemented Decision 13.12.

24. Through Decision 13.13, the AC and PC were tasked to form a joint email working group comprising two representatives of each Committee and an appointed chairman to develop a manual for regional representatives in 2005 that explains the roles and duties of the representatives, provides practical advice on how to accomplish the mandate, is applicable under different cultural conditions, and contains information for CITES Management and Scientific Authorities to explain the role and duties of regional representatives, and the relevant obligations of Parties towards regional representatives. External funding was to be sought for printing of the manual.
25. At PC15/AC21, the drafting of the manual was initiated and through additional intersessional efforts, the text of a manual for regional representatives was finalized at PC16/AC22. It is contained in the Annex to document PC16/AC22 WG2 Doc. 1.
26. The Animals and Plants Committees consider Decision 13.13 as fulfilled. The Committees also agreed that the usefulness of the manual and the most appropriate way to distribute it should be tested by regional representatives and their alternates in the course of the coming years, and that the manual should be revised and updated accordingly. The Secretariat was invited to edit the text of the manual for regional representatives as necessary once it had been tested. The Committees furthermore recommend that the Conference of the Parties adopt the following draft decisions regarding the manual for regional representatives:

**Directed to the Secretariat**

14.xx The Secretariat shall:

- a) organize the publication and distribution of printed and electronic versions of the manual for regional representatives as capacity-building materials for regional representatives of the scientific committees;
- b) provide versions of the publication in the three working languages of the Convention; and
- c) seek funding for the translation, publication and distribution of the manual for regional representatives.

Export Quota Working Group [Decisions 12.72 (Rev. CoP13) and 13.66]

27. Decision 12.72 (Rev. CoP13) directed the Standing Committee to consider the issue of improving the management of annual export quotas for reporting at CoP14, and according to Decision 13.66, the Standing Committee was to instruct its Export Quota Working Group (EQWG) to develop guidelines for Parties to establish, implement, monitor and report national export quotas for CITES-listed taxa.
28. The AC and PC Chairmen were *ex officio* members of the EQWG and were kept well-informed about the Working Groups' activities and the development of the report for CoP14. Early in 2006, AC and PC members gave some comments on a working document produced by the EQWG, which were transferred to the Working Group through the Secretariat.
29. The result of the work of the EQWG are contained in document CoP14 Doc. 36.

Review of Significant Trade in specimens of Appendix-II species [Resolution Conf. 12.8 (Rev. CoP13)]

Progress on the first country-based Review of Significant Trade

30. At PC15/AC21 and PC16/AC22, Madagascar presented progress reports on the Review of Significant Trade in the country, which involved all its native Appendix-II species. Madagascar was congratulated for the progress that it had achieved in implementing the CITES Action Plan which it had adopted pursuant to the country-based review. Examples of Madagascar's accomplishments

included the development and adoption of new national CITES legislation; scientific studies on several important CITES-listed animal and plant species; the establishment of a permanent secretariat servicing the country's two Scientific Authorities (for fauna and flora respectively), partially funded through a levy on exports of CITES-listed wildlife; and various training and capacity-building initiatives. However, owing to lack of adequate long-term funding, not all planned activities could be undertaken. The Animals and Plants Committees noted Madagascar's appeal to the international community to support the country in implementing the country-based Review of Significant Trade, particularly for undertaking field studies and monitoring activities to underpin the making of non-detriment findings for Appendix-II listed species exported from Madagascar, evaluating the socio-economic importance of Madagascar's wildlife trade and combating illegal trade.

31. On both occasions, the Animals and Plants Committees congratulated Madagascar for the progress that it had achieved in implementing the CITES Action Plan.

#### Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity (Decision 13.6)

32. The results of the deliberations of the Animals and Plants Committees on this matter can be found in document CoP14 Doc. 13.

#### Production systems for specimens of CITES-listed species (Decision 13.68)

33. The results of the deliberations of the Animals and Plants Committees on this matter can be found in document CoP14 Doc. 38.

#### Periodic review of animal species included in the Appendices

##### Process to conduct the periodic review of species included in the CITES Appendices

34. The results of the deliberations of the Animals and Plants Committees on this matter can be found in document CoP14 Doc. 66.

#### Trade in alien invasive species (Resolution Conf. 13.10)

35. Resolution Conf 13.10 (Trade in alien invasive species) "instructs the CITES Secretariat, in conjunction with the Animals and Plants Committees, to establish cooperation with the CBD Secretariat and the IUCN/SSC Invasive Species Specialist Group in their important work in relation to alien invasive species."
36. At PC15 and AC21, the Secretariat sought ideas from the Committees as to ways to establish such cooperation. The AC felt that CITES's long experience was more likely to benefit CBD than vice-versa, and it was suggested that a watch-list of potentially invasive species that may have an impact on CITES species could be kept. However, it was also pointed out that merging lists of CITES-listed species and invasive species in the same legislation could prove counter-productive as it could lead to protecting the very species that turned out to be pests. IUCN stated that it would keep the Committee informed of development in this field. Finally, it was suggested that Parties could perhaps send information to the Secretariat on how they dealt with invasive species at the national level. The PC suggested that CBD may assist CITES in determining which CITES-listed plant species should be considered 'alien invasive species' and that the PC could decide on appropriate action on the basis of CBD's response. The PC furthermore suggested that guidelines on alien species that had been adopted at CBD could be analysed to determine whether and how CITES could contribute to their implementation. The PC requested the Secretariat to prepare a document for the next meeting of the Committee describing possibilities for CITES to contribute to the 'Guiding principles for the prevention, introduction and mitigation of impacts of alien species that threaten ecosystems, habitats and species', developed under the auspices of the CBD, and to ask the CBD Secretariat for comments on the invasive potential of plant species included in the CITES Appendices.
37. At PC16/AC22, the matter was discussed further. The Secretariat informed the Committees about the responses that it had received from the CBD Secretariat and the IUCN/SSC Invasive Species Specialist Group concerning cooperation, and which remained relatively vague and general (see documents PC16 Doc. 14 and AC22 Doc. 14). The IUCN/SSC Invasive Species Specialist Group

wanted to explore further collaboration and drew attention to the provisions of CBD Decision VIII/27. The CBD Secretariat welcomed comments from CITES on its programme on alien species that was to be reviewed in 2008. It proposed to collaborate on: the implementation by CBD and CITES Parties of its Guiding Principles; developing a common list of alien invasive species with a sub-set of those that are included in the CITES Appendices; assessing the conditions under which species become invasive; and establishing the threat for invasive aliens associated with transport of and trade in specimens of CITES-listed species.

38. It was however generally commented at PC16/AC22 that the contribution of CITES to address threats posed by alien invasive species was likely to be very limited; that the practical utility of further work was questionable; and that in view of the means and resources that CBD had already mobilized to address the issue, CBD should provide the necessary information and guidance to CITES, and not the other way around.
39. The committees recognized that the CBD Secretariat could keep the Animals and Plants Committees informed about relevant issues concerning alien invasive species and that it might consult them as appropriate. The Committees concluded that the activities in regard to alien invasive species were not a priority for the Committees, and advised the Secretariat not to pursue its efforts in this regard.
40. With regard to Resolution Conf. 13.10 on Trade in alien invasive species, the Animals and Plants Committees propose to the Conference of the Parties that the instructions in the operational part to the Secretariat, in conjunction with the Animals and Plants Committees, be eliminated and that the remaining text of this Resolution be integrated in Resolution Conf. 10.4 on Cooperation and synergy with the Convention on Biological Diversity.

#### Transport of live animals (Decision 13.89)

41. The results of the deliberations of the Animals Committee on the implementation of this Decision, in consultation with the Plants Committee and the Secretariat, can be found in document CoP14 Doc. 41.

#### Amendment of the Appendices

##### Use of annotations for plants in Appendix II and animals and plants in Appendix III

42. The results of the deliberations of the Animals and Plants Committees on this matter can be found in document CoP14 Doc. 67, submitted by the United States of America at the request of the Animals and Plants Committees.

#### Other issues

##### Master's course on Management, Access and Conservation of Species in Trade (Decisions 13.104 and 13.105)

43. The observer from Spain reported at PC16/AC22 on the implementation of Decisions 13.104 and 13.105 concerning the Master's course, which were directed to Parties, the Standing Committee and the Secretariat. The Committees agreed to recommend to delete Decisions 13.104 and 13.105 (see document CoP14 Inf. 6) and to submit the following draft decisions at CoP14:

##### ***Directed to Parties***

- 14.xx Parties are requested to provide financial assistance to the University of Córdoba and the International University of Andalusia (Spain) in order to support the continuation of the Master's course on Management, Access and Conservation of Species in Trade.

##### ***Directed to the Standing Committee and the Secretariat***

- 14.xx The Standing Committee and the Secretariat shall endeavour to raise external funds to support the participation in the Master's course of students from developing countries and countries with economies in transition.

***Directed to the Secretariat***

- 14.xx The Secretariat shall continue to collaborate with the Master's course through the participation of staff members from its Scientific Support Unit, Convention Support Unit and Legal Affairs and Trade Policy Unit as lecturers on topics relevant to the correct implementation of the Convention.

Acknowledgements

44. The AC and PC Chairmen would like to express their deepest gratitude to the members of the Committees. They also thank the representatives of Parties, and representatives of IGOs and NGOs as well as to the chairmen and members of the different working groups, who, by providing their expertise at the meetings of the AC/PC and intersessionally and finally, they extend their thanks to all personnel of the Secretariat.

COMMENTS FROM THE SECRETARIAT

- A. The Secretariat recommends that the draft decision directed to it with regard to the manual for regional representatives of the Animals and Plants Committees be implemented after the manual has been tested and updated accordingly, as indicated in paragraph 26 of this document, and not before the 24th and 18th meetings of the Animals and Plants Committees respectively. It therefore proposes to amend the relevant draft decision as follows:

***Directed to the Secretariat***

14.xx When the manual for regional representatives, contained in the Annex to document PC16/AC22 WG2 Doc. 1, has been tested by members of the scientific committees and updated accordingly, and not before the 24th and 18th meetings of the Animals and Plants Committees, the Secretariat shall:

- a) seek funding for the translation, publication in the three working languages of the Convention and distribution of the manual; and
  - b) organize the publication and distribution of printed and electronic versions of the manual as capacity-building materials for regional representatives of the scientific committees.
- B. The Secretariat suggests that the recommendations of the Animals and Plants Committees regarding the Master's course on Management, Access and Conservation of Species in Trade be considered alongside similar, more encompassing recommendations contained in document CoP14 Doc. 16 on capacity building, and be discussed under agenda item 16.
- C. The Secretariat concurs with the recommendations of the Animals and Plants Committees concerning Resolution Conf. 13.10 on Trade in alien invasive species.
- D. If the Conference of the Parties agrees that the Animals and Plants Committees should be able to adopt their own Rules of Procedure, Resolution Conf. 11.1 (Rev. CoP13) will need to be amended, as suggested in paragraph 12 of the present document. The Secretariat suggests that any such amendment should also make clear that any change in the Rules must apply to both Committees. Also, if the Conference authorizes the adoption of Rules of Procedure, the Secretariat suggests that the Animals and Plants Committees adopt their new Rules by postal procedure within 90 days of the closure of CoP14 so that they may apply at their next regular meetings. However, the Secretariat has the following comments and suggestions:
- With respect to the proposed Rule 20, the Secretariat has not budgeted for the translation of documents exceeding 12 pages, and doubts that it will be possible to read out such documents as suggested in Rule 31. The Secretariat stresses the need for equity between the working languages of the Convention unless a specific derogation to this principle can be agreed to by the Parties (for example for scientific reports).

- It appears that the part with 'Final Provisions' (i.e. two Rules which are identical in the current Rules of Procedure of the Animals, Plants and Standing Committees) has been omitted by mistake from the proposed new Rules of Procedure. The two relevant Rules are proposed to be retained as follows:

#### **Final provisions**

##### Rule 35

In matters not covered by the present Rules, the Rules of Procedure as adopted at the last regular meeting of the Conference of the Parties shall be applied *mutatis mutandis*.

##### Rule 36

These Rules shall come into force on adoption by the Committee, and may be amended by the Committee as required.

- Because members of the technical committees are individuals, the Secretariat suggests to develop rules for preventing and dealing with conflicts of interest relating to the activities of the Animals and Plants Committees, similar to certain other Multilateral Environmental Agreements. It proposes to include the following in the Rules of Procedure (for example as a new Rule 29):

##### Rule xx

In cases where a member or alternate member of the Animals and Plants Committee has a financial or personal interest that could call into question his or her impartiality, objectivity or independence regarding a subject to be discussed by the Committee, he or she must disclose the interest to the Committee in advance of the discussions. Following any such disclosure and where appropriate after consultations with the Secretariat, the member or alternate member may participate in the discussion but not in the making of any decision with regard to the subject.

The Committees could incorporate practical examples and guidance on this matter in their manual for regional representatives of the Animals and Plants Committees.

Summary of recommendations outlined in the report of  
the Chairmen of the Animals and Plants Committees

DRAFT DECISIONS OF THE CONFERENCE OF THE PARTIES

Manual for regional representatives of the Animals and Plants Committees

***Directed to the Secretariat***

14.xx The Secretariat shall:

- a) organize the publication and distribution of printed and electronic versions of the manual for regional representatives as capacity-building materials for regional representatives of the scientific committees;
- b) provide versions of the publication in the three working languages of the Convention; and
- c) seek funding for the translation, publication and distribution of the manual for regional representatives.

Master's course on Management, Access and Conservation of Species in Trade

***Directed to Parties***

14.xx Parties are requested to provide financial assistance to the University of Córdoba and the International University of Andalusia (Spain) in order to support the continuation of the Master's course on Management, Access and Conservation of Species in Trade.

***Directed to the Standing Committee and the Secretariat***

14.xx The Standing Committee and the Secretariat shall endeavour to raise external funds to support the participation in the Master's course of students from developing countries and countries with economies in transition.

***Directed to the Secretariat***

14.xx The Secretariat shall continue to collaborate with the Master's course through the participation of staff members from its Scientific Support Unit, Convention Support Unit and Legal Affairs and Trade Policy Unit as lecturers on topics relevant to the correct implementation of the Convention.

RECOMMENDATIONS FOR CONSIDERATION AT COP14

Resolution Conf. 13.10 on Trade in alien invasive species

With regard to Resolution Conf. 13.10 on Trade in alien invasive species, the Animals and Plants Committees propose to the Conference of the Parties that the instructions in the operational part to the Secretariat, in conjunction with the Animals and Plants Committees, be eliminated and that the remaining text of this Resolution be integrated in Resolution Conf. 10.4 on Cooperation and synergy with the Convention on Biological Diversity.

## DRAFT RULES OF PROCEDURE FOR MEETINGS OF THE ANIMALS AND PLANTS COMMITTEES

### **Representation and attendance**

#### Rule 1

The membership of the Committee shall consist of the regional representatives elected at each meeting of the Conference of the Parties. Each member of the Committee shall be entitled to represent his/her region at meetings of the Committee.

#### Rule 2

If a member is not present at a meeting or session, his/her alternate member shall be entitled to represent the region.

#### Rule 3

Members or alternate members replacing a member shall have the right to vote.

#### Rule 4

Representatives of Parties and alternate members not replacing a member shall be entitled to be present at meetings of the Committee as observers who shall have the right to participate but not to vote.

#### Rule 5

The United Nations, its Specialized Agencies, the International Atomic Energy Agency, as well as any State not a Party to the Convention may also be represented at meetings by observers who shall have the right to participate but not to vote.

#### Rule 6

All members and all observers according to Rules 4 and 5 should inform the Secretariat of their intention to participate at the latest 30 days before the meeting.

#### Rule 7

1. The Chairman may invite on a personal basis any person or representative of any organization (NGO) verifiably technically qualified in protection, conservation or management of wild fauna and flora to participate in meetings of the Committee including those carried out in working groups as an observer without the right to vote. Bodies or agencies (NGOs) should be represented by one delegate only.
2. Such invitations will only be possible up to 30 days before the meeting. The list of invited NGO observers will be published after this deadline. The right of any such observer to participate shall be withdrawn if so agreed by the Committee in the time period between the publication of this list and the beginning of the meeting.
3. Any person or organization (NGO) wishing to participate in a meeting of the Committee in accordance with paragraph 1 shall submit a request to the Chairman at the latest 30 days before the meeting. This request shall be accompanied by relevant information with regard to the technical qualifications of the person or body and proof of the approval of the State in which the body is located.

### **Credentials**

#### Rule 8

Any observer representing a State or an organization in a meeting according to Rules 4 and 5, shall have been granted credentials by or on behalf of a proper authority enabling him or her to represent the State or organization before making any intervention in a meeting.

#### Rule 9

The credentials required under Rule 8 shall be presented to the Secretariat of the Convention, together with a translation into one of the working languages if they are not in one of those languages. The Secretariat shall review the credentials and report to the Committee at the earliest opportunity, indicating

whether credentials have been presented for each participant according to Rules 4 and 5 and the form of the credentials received, drawing attention to any potential problems.

#### Rule 10

On the basis of the report of the Secretariat, the Committee shall decide whether to accept the credentials presented and whether any of them requires further review by members of the Committee. In the latter case, a Credentials Committee of not more than two members or alternate members from the Committee shall examine the credentials requiring further review and shall report thereon at the meeting. Credentials in the form of a letter from the Ministry for Foreign Affairs or the Ministry responsible or the Director of the Management Authority, or a note verbale from a permanent mission may be accepted. Verifiable copies of credentials may also be accepted. Credentials shall however not be accepted if they have been signed by the person whom they accredit. Credentials may be valid for more than one meeting if this is specified in the text thereof.

#### Rule 11

Pending a decision on their credentials, observers representing a State or an organization according to Rules 4 and 5 may participate provisionally in the meeting.

#### Rule 12

For observers, according to Rule 7 the original of their personal invitation letter by the Chairman serves as credentials.

### **Officers**

#### Rule 13

Following each regular meeting of the Conference of the Parties, the regional members of the Committee shall elect its Chairman and Vice-Chairman from among them.

#### Rule 14

The Chairman shall preside at meetings of the Committee, approve the provisional agenda prepared by the Secretariat and maintain liaison with other CITES committees between meetings of the Committee.

He/she shall represent the Committee as required within the limits of the Committee's mandate, and shall carry out such other functions as may be entrusted to him/her by the Committee.

#### Rule 15

The Vice-Chairman shall assist the Chairman in his/her functions, and shall act on his/her behalf at meetings in the absence of the Chairman.

#### Rule 16

The Secretariat of the Convention shall service and act as secretary for meetings of the Committee.

However, in the event of a closed session, the meeting shall provide for its own rapporteur, if needed.

### **Meetings**

#### Rule 17

Meetings of the Committee shall be called at the request of the Chairman or of a simple majority of the members.

#### Rule 18

The time and place of meetings shall be determined by the Chairman, in accordance with Resolution Conf. 13.1, second AGREES, paragraph b).

#### Rule 19

Notice of meetings shall normally be given by the Secretariat at least 90 days in advance of the meeting.

#### Rule 20

Documents to be considered at a meeting shall be provided to the Secretariat by Parties, or by members of the Committee, at the latest 75 days before the meeting where they are to be discussed. Whenever possible, they should be limited to 12 pages (not including annexed graphics, maps, illustrations and

figures). Documents submitted by Parties should also be submitted to the Chairman and to the member(s) representing the region.

#### Rule 21

Non-governmental organizations may provide documents through the CITES Management Authority of the Party where they are located. However, international non-governmental organizations, recognized under the provisions applied at meetings of the Conference of the Parties, may send documents to the CITES Secretariat. In both cases the decision to distribute these documents shall be taken by the Secretariat in consultation with the Chairman.

These documents should also be submitted to the Chairman and to the member(s) representing the region.

#### Rule 22

All documents submitted to the Secretariat by a member, an alternate member or a Party, or submitted by an observer at the request of the Chairman, shall be placed on the Secretariat's website as soon as possible after they are received, in the original language (which shall be a CITES working language) in which they have been submitted. The Secretariat shall distribute printed and translated documents for any meeting to the members and alternate members of the Committee at least 45 days before the proposed date of the meeting where they are to be discussed. The documents shall also be provided to all Parties that may be directly affected by any discussion of the documents and to all Parties that request them. Documents shall be placed on the Secretariat's website in the three working languages at least two weeks before the meeting in order to be considered for discussion.

#### Rule 23

Documents may also be submitted for information purposes only (Inf. documents). These will not be translated and can not be discussed at the meeting.

#### Rule 24

A quorum for a meeting shall consist of six regional members or alternate members (when replacing a member) from at least four regions. No decision shall be taken at a meeting in the absence of a quorum.

#### Rule 25

1. The right to speak shall extend to all members and alternate members and to observers whose credentials are under consideration or have been accepted, and to observers who have been admitted to the meeting in accordance with Rules 4, 5 or 7, as well as to the Secretariat.
2. The Chairman shall, as a general rule, call upon speakers in the order in which they signify their desire to speak and shall give precedence to the members and alternate members of the Committee. Amongst observers, precedence shall be given to representatives of Parties, non-Party States, intergovernmental organizations and non-governmental organizations, in this order. However the Chairman may depart from this general rule and call on speakers in the order that he/she judges appropriate to ensure the timely progress of the debate.
3. Participants shall speak only if called upon by the Chairman, who may call a speaker to order if his/her remarks are not relevant to the subject under discussion.
4. A speaker shall not be interrupted except on a point of order. He/she may, however, with the permission of the Chairman, give way during his/her intervention to allow any other participant to request elucidation on a particular point.
5. The Chairman of another committee or a working group may be accorded precedence for the purpose of explaining the conclusion arrived at by that committee or working group.
6. The Committee may, on a proposal by the Chairman or by a member, limit the time to be allowed to each speaker and the number of times the members, alternate members or observers may speak on any question. When the debate is subject to such limits, and a speaker has spoken for his/her allotted time, the Chairman shall call him/her to order without delay.
7. During the course of a debate the Chairman may announce the list of speakers and, with the consent of the Committee, declare the list closed. He/she may, however, accord the right of reply to any participant if an intervention delivered after he/she has declared the list closed makes this desirable.

#### Rule 26

Decisions of the Committee shall be taken by consensus unless a vote is requested by the Chairman or by members or alternate members (when replacing a member) from two regions.

#### Rule 27

In the case of a vote, the decision of the Committee shall be taken by a simple majority of the regional members or alternate regional members voting. In the case of a tie, the motion shall be considered as rejected.

#### Rule 28

At the request of the Chairman or of any member the Committee shall decide by a vote whether the discussion of any particular subject shall be held in closed session; any such vote shall be decided by a simple majority. Parties represented at the meeting by observers shall be entitled to be represented at closed sessions.

#### Rule 29

A concise executive summary of the decisions of the Committee shall be prepared by the Secretary for endorsement by the Committee before the closure of the meeting. However the executive summary of the last day of each meeting shall be sent by email to the members and alternate members (when replacing a member) for endorsement after the meeting.

#### Rule 30

A summary record of each meeting shall be prepared in the three working languages by the Secretary and sent to the members, alternate members and Parties represented at the meeting within 40 days. This shall be presented in the order of the agenda and comprise three parts for each agenda item: a short statement indicating the main points of the discussion; the text indicating the decision that was made, as it appears in the executive summary; and the text of any statement provided by any member, alternate member or the observer from any Party that was read into the record during the meeting. The names of the members, alternate members, and observers participating in the debate shall be also included at the end of each topic. The Secretary shall take into account the comments received within 20 days of the circulation and shall communicate the final summary record to members, alternate members and all Parties after it is approved by the Chairman. The Committee's recommendations contained in the summary record will come into effect when it is approved by the Chairman of the Committee.

#### Rule 31

1. The working languages of the meetings of the Committee shall be English, French and Spanish and no working document shall be discussed at a meeting unless it has been made available in accordance with Rules 21, 22 and 23 in these languages, or has been verbally presented at the meeting in the three working languages of the Committee.
2. Documents arising out of the discussion of the foregoing may be discussed provided that copies have been circulated no later than during the session preceding the session at which they are to be discussed.

#### **Communication procedure**

#### Rule 32

Any member may submit a proposal to the Chairman for a decision by postal procedure. The Chairman shall send the proposal to the Secretariat for communication to the members, who shall comment within 40 days of the communication of the proposal; any comments received by the Secretariat within this time limit shall also be so communicated to the members.

#### Rule 33

If no objection from a member to a proposal is received by the Secretariat within 25 days of the date when the results of the consultation on the proposal were communicated to the members, the proposal shall be considered as adopted, and notice of the adoption shall be given to all members.

#### Rule 34

If any member objects to a proposal within the applicable time limit, the proposal shall be put to a vote. The proposal shall be considered as decided by a simple majority of the regional members. If no majority is achieved, the proposal shall be referred to the next meeting of the Committee.