

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



Sixteenth meeting of the Conference of the Parties
Bangkok (Thailand), 3-14 March 2013

Interpretation and implementation of the Convention

Amendment of the Appendices

CRITERIA RELATED TO RANCHED POPULATIONS

1. This document has been submitted by the Chair of the Animals Committee on behalf of the Animals Committee, having been prepared by Marcel Calvar Agrelo, regional representative for Central and South America and the Caribbean .
2. At its 15th meeting (CoP15, Doha, 2010), the Conference of the Parties adopted Decision 15.51, which reads as follows:

Directed to the Animals Committee

- a) *Evaluate the merit of reinstating the ability to transfer suitably qualified populations that continue to meet the criteria in Resolution Conf. 9.24 (Rev. CoP15), Annex 1, for transfer from Appendix I to Appendix II pursuant to Resolution Conf. 11.16 (Rev. CoP15) or Resolution Conf. 9.20 (Rev.); and*
 - b) *If merit is found, draft a revision of paragraph A. 2 in Annex 4 of Resolution Conf. 9.24 (Rev. CoP15) to eliminate the requirement that downlisting proposals pursuant to Resolution Conf. 11.16 (Rev. CoP15) or Resolution Conf. 9.20 (Rev.) must also meet the criteria in Annex 1 of Resolution Conf. 9.24 (Rev. CoP15).*
3. The Animals Committee dealt with this matter at its 25th meeting (AC25, Geneva, July 2011), at which the Secretariat presented document AC25 Doc. 12. Information document AC25 Inf. 9 was also submitted at that meeting. After some discussion, in which it was recognized that complying with the present criteria of the ranching proposals relating to transferring species from Appendix I to Appendix II was burdensome, the Committee established a working group (WG2), with the following mandate:
 4. Taking into consideration the Annex to document AC25 Doc. 12 and, if appropriate, document AC25 Inf. 9:
 - a) Evaluate the merit of reinstating the ability to transfer suitably qualified populations that continue to meet the criteria in Resolution Conf. 9.24 (Rev. CoP15), Annex 1, for transfer from Appendix I to Appendix II pursuant to Resolution Conf. 11.16 (Rev. CoP15) or Resolution Conf. 9.20 (Rev.); and
 - b) If merit is found, draft a revision of paragraph A. 2 in Annex 4 of Resolution Conf. 9.24 (Rev. CoP15) to eliminate the requirement that downlisting proposals pursuant to Resolution Conf. 11.16 (Rev. CoP15) or Resolution Conf. 9.20 (Rev.) must also meet the criteria in Annex 1 of Resolution Conf. 9.24 (Rev. CoP15).

* *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat or the United Nations Environment Programme concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

5. The working group submitted document AC25 WG2 Doc. 1, on the basis of which the Committee reached the following conclusion:

The Committee agreed with paragraph a) of the mandate. With respect to paragraph b) of the mandate, the following revision of the wording of paragraph A. 2 in Annex 4 of Resolution Conf. 9.24 (Rev. CoP15) was agreed:

Annex 4 – Precautionary measures

By virtue of the precautionary approach and in case of uncertainty regarding the status of a species or the impact of trade on the conservation of a species, the Parties shall act in the best interest of the conservation of the species concerned and, when considering proposals to amend Appendix I or II, adopt measures that are proportionate to the anticipated risks to the species.

1. *No species listed in Appendix I shall be removed from the Appendices unless it has been first transferred to Appendix II, with monitoring of any impact of trade on the species for at least two intervals between meetings of the Conference of the Parties.*
2. *Species included in Appendix I should only be transferred to Appendix II:*
 - a) *If they do not satisfy the relevant criteria in Annex 1 and when one of the following precautionary safeguards is met:*
 - i) *the species is not in demand for international trade, nor is its transfer to Appendix II likely to stimulate trade in, or cause enforcement problems for, any other species included in Appendix I; or*
 - ii) *the species is likely to be in demand for trade, but its management is such that the Conference of the Parties is satisfied with:*
 - A) *implementation by the range States of the requirements of the Convention, in particular Article IV; and*
 - B) *appropriate enforcement controls and compliance with the requirements of the Convention; or*
 - iii) *an integral part of the amendment proposal is an export quota or other special measure approved by the Conference of the Parties, based on management measures described in the supporting statement of the amendment proposal, provided that effective enforcement controls are in place;*
 - b) *Or when a ranching proposal is submitted in accordance with an applicable resolution and is adopted by the Conference of the Parties.*
3. *No proposal for transfer of a species from Appendix I to Appendix II shall be considered from a Party that has entered a reservation for the species in question, unless that Party agrees to remove the reservation within 90 days of the adoption of the amendment.*
4. *No species should be deleted from Appendix II if such deletion would be likely to result in it qualifying for inclusion in the Appendices in the near future.*
5. *No species should be deleted from Appendix II if, within the last two intervals between meetings of the Conference of the Parties, it has been subject to a recommendation under the provisions of the Review of Significant Trade to improve its conservation status.*
6. The Committee recommends that the Conference of the Parties consider the merits of identifying the relevant parts of Resolution Conf. 11.16 (Rev. CoP15) and Resolution Conf. 9.20 (Rev.) and addressing them in a separate resolution submitted to the Conference of the Parties.
7. Consequently, the Animals Committee recommends to the Conference of the Parties that it approve the proposals contained in paragraphs 5 and 6 above.

COMMENTS FROM THE SECRETARIAT

- A. The Secretariat recommends the adoption of the proposal to revise paragraph A. 2. of Annex 4 to Resolution Conf. 9.24 (Rev. CoP15), proposed by the Animals Committee, as it believes that this will encourage the making of ranching proposals primarily beneficial to the conservation of the local population of the species in question. For clarity, in the revised text, the Secretariat would suggest moving the word “or” at the beginning of paragraph 2. b) to the end of paragraph 2. a) iii). In order to assist understanding of the proposal, the Secretariat presents below a comparison of the existing and proposed new texts.

Existing text from Annex 4 of Resolution Conf. 9.24 (Rev. CoP15)	Proposed new version of text in Annex 4 of Resolution Conf. 9.24 (Rev. CoP15)
<p>A. 1. No species listed in Appendix I shall be removed from the Appendices unless it has been first transferred to Appendix II, with monitoring of any impact of trade on the species for at least two intervals between meetings of the Conference of the Parties.</p> <p>2. Species included in Appendix I should only be transferred to Appendix II if they do not satisfy the relevant criteria in Annex 1 and only when one of the following precautionary safeguards is met:</p> <p>a) the species is not in demand for international trade, nor is its transfer to Appendix II likely to stimulate trade in, or cause enforcement problems for, any other species included in Appendix I; or</p> <p>b) the species is likely to be in demand for trade, but its management is such that the Conference of the Parties is satisfied with:</p> <p>i) implementation by the range States of the requirements of the Convention, in particular Article IV; and</p> <p>ii) appropriate enforcement controls and compliance with the requirements of the Convention; or</p> <p>c) an integral part of the amendment proposal is an export quota or other special measure approved by the Conference of the Parties, based on management measures described in the supporting statement of the amendment proposal, provided that effective enforcement controls are in place; or</p> <p>d) a ranching proposal is submitted consistent with the applicable Resolutions of the Conference of the</p>	<p>A. 1. No species listed in Appendix I shall be removed from the Appendices unless it has been first transferred to Appendix II, with monitoring of any impact of trade on the species for at least two intervals between meetings of the Conference of the Parties.</p> <p>2. Species included in Appendix I should only be transferred to Appendix II:</p> <p>a) If they do not satisfy the relevant criteria in Annex 1 and when one of the following precautionary safeguards is met:</p> <p>i) the species is not in demand for international trade, nor is its transfer to Appendix II likely to stimulate trade in, or cause enforcement problems for, any other species included in Appendix I; or</p> <p>ii) the species is likely to be in demand for trade, but its management is such that the Conference of the Parties is satisfied with:</p> <p>A) implementation by the range States of the requirements of the Convention, in particular Article IV; and</p> <p>B) appropriate enforcement controls and compliance with the requirements of the Convention; or</p> <p>iii) an integral part of the amendment proposal is an export quota or other special measure approved by the Conference of the Parties, based on management measures described in the supporting statement of the amendment proposal, provided that effective enforcement</p>

Parties and is approved.	controls are in place; b) Or when a ranching proposal is submitted in accordance with an applicable resolution and is adopted by the Conference of the Parties.
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- C. Concerning the suggestion in paragraph 6 of the present document, the Secretariat sees some merit in merging Resolution Conf. 11.16 (Rev. CoP15) and Resolution Conf. 9.20 (Rev.) but does not believe that this is a pressing issue and suggests that the Conference of Parties waits to see whether the change above recommended by the Animals Committee leads to a renewed interest in ranching proposals before embarking on such an exercise.
- D. The present document fulfils the requirements of Decision 15.51 and the Secretariat recommends that this Decision therefore be deleted.