



NOTIFICATION TO THE PARTIES

No. 2016/025

Geneva, 21 March 2016

CONCERNING:

Public notice to alert Parties of a Compliance matter

National legislation

1. This public notice of a compliance matter concerns the following Parties to the Convention: Afghanistan, Albania, Antigua and Barbuda, Azerbaijan, Bangladesh, Belarus, Benin, Bhutan, Botswana, Burkina Faso, Burundi, Cabo Verde, Central African Republic, Chad, Chile, Congo, Côte d'Ivoire, Dominica, Ecuador, Eritrea, Gabon, Gambia, Georgia, Ghana, Grenada, Guinea, Guyana, India, Israel, Jordan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Libya, Malawi, Mali, Mauritius, Mongolia, Montenegro, Morocco, Myanmar, Nepal, Niger, Palau, Philippines, Republic of Moldova, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Serbia, Seychelles, Sierra Leone, Solomon Islands, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, The Former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Uganda, Uzbekistan and Zambia.

Background

2. Pursuant to Resolution Conf. 8.4 (Rev. CoP15), the CITES National Legislation Project (NLP) was established in 1992 to analyse Parties' existing legislation related to the Convention and to assist Parties in strengthening the legislation where needed.
3. At its 16th meeting, the Conference of the Parties adopted Decisions 16.33 and 16.37 on *National Laws for implementation of the Convention* as follows:

Directed to Parties

16.33 *By the 66th meeting of the Standing Committee (SC66), Parties whose legislation is in Category 2 or 3 under the National Legislation Project and which have been party to the Convention for more than five years as of March 2013 should submit to the Secretariat, in one of the working languages of the Convention, appropriate measures that have been adopted for effective implementation of the Convention.*

Directed to the Standing Committee

16.37 *At its 66th meeting, the Standing Committee shall recommend a suspension of commercial trade in specimens of CITES-listed species with those Parties affected by Decision 16.33 that have failed to adopt appropriate measures for the effective implementation of the Convention. This recommendation shall take effect 60 days after the conclusion of SC66. Should exceptional circumstances prevent any Party affected by Decision 16.33 that has been party to the Convention for less than 20 years from enacting legislation by SC66, the Standing Committee shall review the situation and determine appropriate measures for addressing it. Any Party affected by Decision 16.33 that has been party to the Convention for 20 years or more and has failed to adopt appropriate measures or agree an appropriate legislative timetable with the Secretariat by SC66 will be subject to recommendations to suspend trade. The Standing Committee will not make recommendations to suspend trade*

where a Party has submitted its final draft or an appropriate legislative timetable to the Secretariat by the SC66 deadline and it is pending action from the Secretariat.

4. At SC66 (Geneva, January 2016), the Secretariat reported on Parties' progress in adopting appropriate measures for the effective implementation of the Convention in accordance with the instructions from the Conference of the Parties. It was noted that Parties are not moving fast enough in adopting appropriate measures and that there was a need to increase efforts by those Parties.

The compliance matter

5. The States listed in paragraph 1 above had all been Parties to the Convention for more than five years by March 2013. The legislation of these Parties has been placed in Category 2 or 3 under the NLP, indicating that appropriate measures to enforce the provisions of the Convention have not yet been put fully in place by that Party.
6. Pursuant to Decision 16.33, these Parties were requested to submit to the Secretariat in one of the working languages of the Convention appropriate measures that had been adopted for effective implementation of the Convention by the SC66.
7. While some progress had been reported by several Parties, this progress was not sufficient to place the legislation of these Parties in category 1 by the time of the SC66.

Compliance measure adopted by the Standing Committee

8. In accordance with the CITES compliance procedures, established by Resolution Conf. 14.3, the Standing Committee decided to send a public notice to all Parties advising that this compliance matter had been brought to the attention of the Parties listed in paragraph 1 above and that up to the sixty-sixth meeting of the Standing Committee, there had not been satisfactory response or action.

Monitoring and implementation of measures to achieve compliance

9. Concerned Parties are reminded of the need to accelerate their efforts to enact adequate legislation by the sixty-seventh meeting of the Standing Committee to be held on **23 September 2016**.
10. At this meeting, the Standing Committee is expected to review progress and to take further action if concerned Parties fail to adopt appropriate measures and submit these to the Secretariat in one of the working languages of the Convention.
11. Parties concerned by this Notification are reminded of the CITES legislative guidance materials available online at the CITES website: (<https://cites.org/legislation>).