

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

Forty-second meeting of the Standing Committee
Lisbon (Portugal), 28 September-1 October 1999

Decisions regarding improvement of the effectiveness of the Convention

IMPLEMENTATION OF THE ACTION PLAN

The Secretariat presents herein a report on the Decisions adopted by the Conference of the Parties at its 10th meeting in respect to the "Action Plan" to improve the effectiveness of the Convention.

At the 41st meeting of the Standing Committee, the Secretariat committed to report on all issues related to the "Action Plan" including those directed to the Conference of the Parties, the Parties, the Animals and Plants Committees, UNEP and the Secretariat.

In compliance with Decision 10.111 (*"A report on the implementation of the Action Plan adopted shall be submitted for consideration by the Standing Committee and further transmission with any comments to the 11th meeting of the Conference of the Parties."*), this report is presented for discussion by the Standing Committee. It will be updated after the meeting, for presentation at the 11th meeting of the Conference of the Parties.

Directed to the Parties

Regarding improvement of the effectiveness of the Convention

- 10.5 *The Conference of the Parties should further strengthen the Reviews of Significant Trade in Species Included in Appendix II through the Animals and Plants Committees.*

The Parties have charged the Animals and Plants Committees with responsibility for carrying out a periodic review of the appendices. Many species were included in the CITES appendices at a time when there was no requirement to provide detailed biological data to justify such inclusion. Among these are also species included in the appendices because they were, and still are, covered by national legislation. Under the process of the Ten-Year Review a number of these species were deleted from the appendices or transferred from Appendix I to II. Others were maintained because the range States opposed the deletion or the transfer. Following the adoption of Resolution Conf. 9.24, a solid set of criteria is now available against which the correct listing of any species of flora and fauna can be evaluated. However, this review can only be completed successfully when the Conference of the Parties has the courage and the political will to acknowledge and endorse the recommendations resulting from this review. If this is not the case, Parties or Committee members, as well as range States, who have spent time and energy to carry out these evaluations will be discouraged from continuing their work, in particular since, for the animals, it already appeared difficult to find volunteers to do the work.

The Plants Committee, at its ninth meeting (Darwin, Australia, June 1999), agreed on a draft Resolution to implement procedures for plants similar to those relating to animals through the provisions of Resolution Conf. 8.9. The Plants Committee also indicated that it would like to see their proposed draft combined with that Resolution. At its 15th meeting, the Animals Committee discussed the draft resolution from the Plants Committee and requested the Secretariat to prepare one draft resolution on Significant Trade in Species Included in Appendix II, for consideration by the Conference of the Parties at its 11th meeting. It also proposed new wording for Decision 10.79 regarding the implementation of Resolution Conf. 8.9, including more detail on the procedures for consulting the range States concerned.

At its 14th meeting, the Animals Committee selected a series of species for inclusion in Phase IV of the Review. At its 15th meeting, it evaluated the reports from the consultants, and it is currently in the process of formulating recommendations on the basis of this evaluation.

- 10.6 *The Parties should submit draft resolutions and adopt Resolutions that are clear.*

The Secretariat will continue to assist the Parties in the preparation of Resolutions and will provide comments on drafted resolutions to help ensure that they are clear and readily implementable. The Secretariat has already provided comments to a number of Parties on draft resolutions in preparation for the 11th meeting of the Conference of the Parties. The responsibility will rest with the Conference to ensure that this Decision is implemented.

- 10.7 *The Parties should take action to encourage additional training and capacity building at the bilateral level.*

The Parties have continued to support the work of the Secretariat by providing assistance in training and activities related to capacity building. These activities are described under

Decision 10.102 Directed to the Secretariat. Parties are encouraged to participate in these activities. Interested Parties are requested to contact the Secretariat.

- 10.8 *All Parties are urged to involve their Customs and Police Authorities with the ICPO-Interpol Subgroup on Wildlife Crime and to co-operate with the CITES Enforcement Working Group of the World Customs Organization. They are also urged to consider establishing individual memoranda of understanding between their relevant enforcement authorities and the CITES Secretariat.*

An increasing number of Parties are represented at meetings of the CITES Working Group of the World Customs Organization and the ICPO-Interpol Wildlife Crime Working Group. The latter Group has recently moved to establish regional representation at its meetings and also the holding of regional meetings of the Wildlife Crime Working Group. The Secretariat is of the opinion that this provides a better opportunity for more countries to participate in Interpol's work against wildlife crime. The Secretariat would, however, welcome greater participation in both Groups by Parties from Asia and South America.

Memoranda of Understanding between the Secretariat and the enforcement authorities of the United Kingdom and the United States Fish and Wildlife Service Office of Law Enforcement / Clark R. Bavin National Fish and Wildlife Forensic Laboratory have been signed. A memorandum of understanding between the Secretariat and the Federal Customs Service of Germany has been drafted and it is expected that it will be signed in late 1999. The Secretariat encourages more Parties to sign memoranda with the Secretariat regarding enforcement and will readily provide copies of the above memoranda to any interested Party.

- 10.9 *The Parties should increase their efforts to make contributions to CITES implementation in kind, e.g. through staff secondments.*

The Parties have continued to support the work of the Secretariat through staff secondments. Since the tenth meeting of the Conference of the Parties, the United Kingdom has continued the secondment of an officer to the Enforcement Assistance Unit in the Secretariat. Similarly, China seconded an officer to the Secretariat in 1999. Currently, the Secretariat is discussing with France the possibility of a secondment. The Secretariat encourages more Parties to follow these examples.

- 10.10 *The Parties should consider giving support to subsequent stages of the initiative to harmonize the reporting requirements of biodiversity related Conventions, subject to the results of the WCMC feasibility study.*

WCMC has co-ordinated the harmonization process in partnership with the Convention on Biodiversity, CITES, the Convention on Migratory Species, the Convention on Wetlands, UNEP and the UNESCO World Heritage Centre. Currently, an initiative to share and disseminate information is being implemented through the creation of WWW pages containing common information.

At the 41st meeting of the Standing Committee, the Secretariat presented for endorsement a document prepared by WCMC entitled "Feasibility Study for a Harmonized Information Management Infrastructure for Biodiversity-related Treaties (August 1998)". The Committee endorsed the work done by the Secretariat, recommending that it continue working in collaboration with the other biodiversity-related Conventions on this important topic.

- 10.11 *The Parties should encourage co-ordination between the CITES Secretariat and the Secretariat of the World Trade Organization (WTO).*

The CITES Secretariat obtained in 1997 the status of observer with the Trade and Environment Committee (CTE) of the World Trade Organization. The Committee holds several sessions every year in which some 200 representatives of member States participate.

In September 1997, at a regular meeting of the Committee, the CITES Secretary-General made a presentation on the Convention followed by a question-and-answer session. The Secretariat participated in a meeting of the Committee on Trade and Environment in June 1999 and presented the attached document for discussion.

The Secretariat is in very close contact with the WTO Secretariat and is consulted regularly by the latter on issues related to wildlife trade regulations as well as on relevant documents and reports issued by trade-related agencies.

- 10.12 *The CITES Management Authorities are encouraged to work with trade experts in their countries to improve mutual understanding of the objectives of both CITES and the WTO.*

Parties are encouraged to co-ordinate, at the national level, the activities of their trade and their environment agencies to ensure that consistent positions are presented in CITES and in the WTO.

This issue is also discussed in document Doc. SC.42.17.

Directed to the Standing Committee

- 10.59 *In co-operation with the other permanent Committees, a subcommittee shall be set up to develop, with the co-operation of the Secretariat, a medium/long-term (3-6 years) framework document for the structure of the work of the permanent Committees. This document shall give consideration to the development of performance indicators for the Convention.*

At the 40th meeting of the Standing Committee the Secretariat made the following recommendation: *The Standing Committee should establish a subcommittee at its 40th meeting and invite the Animals, Plants, Nomenclature and Identification Manual Committees to participate in its work. It would be desirable to have a draft document for review at the 41st meeting of the Standing Committee.* At its meeting, the Standing Committee discussed this recommendation but did not reach a conclusion. The Committee deferred taking a decision pending discussion of the Strategic Plan of the Convention but did not return to consideration of the Secretariat's recommendations. Consequently, the Secretariat's recommendation was presented again at the 41st meeting of the Standing Committee.

The Standing Committee decided to address the issue of the work of the permanent Committees in the context of the Strategic Plan of the Convention. It was decided that the Strategic Plan should itself, in the final draft, take account of the need to develop performance indicators, so that further external reviews of the effectiveness of the Convention are not necessary.

- 10.60 *The work with the Secretariat shall continue to consolidate existing Resolutions and Decisions of the Conference of the Parties, when necessary and appropriate, provided their original text and preamble are maintained to preserve their original intent.*

There is no process of consolidation of Decisions. These are updated by the Secretariat after each meeting of the Conference of the Parties. However, because of the way in which the original list of Decisions was compiled; it includes: texts that should instead be incorporated into Resolutions; and texts that may no longer be appropriate but that can not

be deleted by the Secretariat as part of the regular process of updating. The Secretariat suggests that it should, on behalf of the Standing Committee, aim to complete the work of reviewing the Decisions before the 12th meeting of the Conference of the Parties.

With respect to the consolidation of Resolutions, the process has continued and further drafts of consolidated resolutions have been prepared by the Secretariat and are presented at the 42nd meeting of the Standing Committee. These are for consideration at the 11th meeting of the Conference of the Parties. As agreed by the Conference, a draft will be presented in which no changes are made. However, an additional version will be presented in which minimal changes are proposed to improve the grammar, correct errors, update the text where necessary, and remove anomalies, contradictions and text that is redundant or out of date.

This issue is discussed fully in document Doc. SC.42.7.1.

- 10.61 *Regional representatives shall co-ordinate and consult with other countries in their region, prior to meetings of the Standing Committee and meetings of the Conference of the Parties.*

This decision reflects the guidelines for regional representatives in the Standing Committee, in Decision 10.3. The Secretariat has suggested that it would be useful for the regional representatives to include in their reports to each meeting of the Committee an indication of the consultations that they have undertaken prior to the meeting.

The Secretariat seeks the advice of the regional representatives of the Standing Committee on the full extent of their co-ordination and consultation, so that an appropriate report can be presented at the 11th meeting of the Conference of the Parties.

- 10.62 *A mechanism shall be developed (possibly through the creation of a Finance Subcommittee) for the consideration of budgetary matters immediately before the start of each meeting of the Standing Committee.*

The Standing Committee has established a Finance Subcommittee, which meets for the first time on the day before the 42nd meeting of the Standing Committee. The Subcommittee comprises one representative of each region plus the Depositary Government.

- 10.63 *It shall be ensured that the issue of the synergy between the biodiversity-related Conventions remains on the agenda of future meetings of the Conference of the Parties.*

This issue has been included in the Provisional Agenda for the 11th meeting of the Conference of the Parties and the Decision will remain in effect, to ensure that the item continues to be included for future meetings.

Directed to the Animals Committee

- 10.71 *The review of species in connection with the criteria for amendment of Appendices I and II contained in Resolution Conf. 9.24 shall continue.*

The Animals Committee initiated the process of reviewing the appendices at its 15th meeting (Antananarivo, Madagascar, July 1999). From the six main groups (mammals, birds, reptiles, amphibians, fishes and invertebrates) 30 species were selected for this first phase of the review. Several Parties and members of the Committee volunteered to carry out the review of 23 species. For the remaining seven species the reviewer still has to be determined. The question was raised whether funds would be available for this work.

See comments under 10.5.

- 10.72 *Regional representatives shall co-ordinate and consult with other countries in their region, before meetings of the Animals Committee and meetings of the Conference of the Parties.*

This decision reflects the guidelines for regional representatives in the Animals Committee, in Decision 10.4.

The Secretariat has suggested that it would be useful for the regional representatives to include in their reports to each meeting of the Committee an indication of the consultations that they have undertaken prior to the meeting.

Directed to the Plants Committee

- 10.83 *The review of species in connection with the criteria for amendment of Appendices I and II contained in Resolution Conf. 9.24 shall continue.*

The Plants Committee initiated the process of reviewing the appendices at its eighth meeting (Pucón, Chile, November 1997). For details on the selected taxa, see Notification to the Parties No. 1009. About 350 species were reviewed, including all carnivorous plants, the genus *Ceropegia*, various succulents as well as several genera indigenous to the United States of America. The reviews were carried out by Parties and members of the Committee. At its ninth meeting (Darwin, Australia, June 1999) the Plants Committee evaluated the work of the various co-ordinators and recommended that about 250 species of nine genera either be deleted from the appendices, or transferred from Appendix I to Appendix II. The Secretariat is currently consulting the range States concerned, seeking their support for the recommendations of the Plants Committee.

See comments under 10.5.

- 10.84 *Regional representatives shall co-ordinate and consult with other countries in their region, before meetings of the Plants Committee and meetings of the Conference of the Parties.*

This decision reflects the guidelines for regional representatives in the Plants Committee, in Decision 10.4.

The Secretariat has suggested that it would be useful for the regional representatives to include in their reports to each meeting of the Committee an indication of the consultations that they have undertaken prior to the meeting.

Directed to the United Nations Environment Programme (UNEP)

- 10.92 *UNEP should produce meaningful results from the process of co-ordination of the activities of the Secretariats of environmental Conventions.*

This decision is dealt with more fully in document Doc.SC.42.17. The Secretariat suggests that this decision be withdrawn or reformulated by the Conference of the Parties at its 11th meeting.

Directed to the Secretariat

- 10.95 *The Secretariat shall try to improve its information materials in order to enhance the public understanding of the positive effect of listing of species in Appendix II for the sustainable use of all concerned species.*

The Secretariat has been actively working on this issue, emphasizing the importance of CITES in the armoury of measures designed to ensure that use of wildlife resources is sustainable. Discussions have been established with WTO where the CITES Secretariat has emphasized that CITES is designed to facilitate wildlife trade that is sustainable.

Through the updated training materials of the Secretariat, emphasis has been placed on the fact that the provisions relating to trade in CITES Appendix-II species support and regulate sustainable use of internationally traded wildlife species.

- 10.96 *A model explanatory memorandum shall be developed in good time for the Parties to use when preparing draft resolutions for the next meeting of the Conference of the Parties.*

The Secretariat has prepared the required explanatory memorandum. This was distributed with Notification to the Parties No. 1999/33 of 30 April 1999. At the same time, Parties were invited to comment on the document so that it could be improved in preparation for future meetings of the Conference of the Parties. At the time of writing (6 July 1999), the Secretariat has received comments from only one Party.

- 10.97 *In consultation with the Standing Committee, appropriate tools shall be developed to assist in the interpretation of existing Resolutions.*

At the 10th meeting of the Conference of the Parties, the Secretariat proposed the creation of a CITES Implementation Manual. The Secretariat informed the Standing Committee, at its 41st meeting, of the plan for the development and publication of the Manual. It will serve as the main tool to assist the Parties in the interpretation of the Convention and of the Resolutions. As the Secretariat's own capacity is limited by the number of staff available, it has sought the co-operation of TRAFFIC in producing the Implementation Manual. In addition, the Secretariat is continuing to publish for the time being the "Evolution of CITES" and is planning to improve the information available through the Internet on its Web site.

WCMC, with the financial support of the Secretariat, has prepared the "Checklist of CITES species" which is a document to assist in understanding the CITES appendices. This checklist has been used at CITES training seminars. Currently the Secretariat is exploring the possibility of producing a version of the appendices in which the notes relating to each species are presented next to the name of the species. The Secretariat is also aware that some Parties, e.g. the United States of America, have created lists of CITES species including common names. The Secretariat agrees that the use of common names is of great benefit when reading the appendices. However, the Secretariat considers that the use of common names becomes extremely complex when all common names worldwide are compiled and will refrain from using these.

- 10.98 *In co-operation with the Animals and Plants Committees, a proposal for agreement by the Standing Committee shall be prepared for a presentation of the appendices that could be incorporated into a training manual for Parties.*

WCMC, with the financial support of the Secretariat, has prepared the "Checklist of CITES species" which is a document to assist in understanding the CITES appendices. This checklist has been used at CITES training seminars. Currently the Secretariat is exploring the possibility of producing a version of the appendices in which the notes relating to each species are presented next to the name of the species.

- 10.99 *Further work to develop electronically accessible information shall be undertaken as part of the Information Management Strategy.*

As part of the Secretariat's Information Management Strategy, all documents for the 42nd meeting of the Standing Committee have been made available electronically at the CITES Internet site (<http://www.cites.org>).

An electronic training package (consisting of slides created in Microsoft Powerpoint) is now available at the Secretariat.

- 10.100 *Where studies of CITES implementation are undertaken in relation to countries and taxa, the executants shall be encouraged to draw general lessons for CITES. The material obtained in these studies should be stored with bodies such as WCMC, as a depositary for Parties, and this could be done with external funding.*

These recommendations are now included in the proposed new format for CITES species projects. Parties are now encouraged to report the data obtained from CITES projects to the Secretariat. The Secretariat is discussing with WCMC the form in which to store and manage this information on a database.

- 10.101 *The ongoing Legislation Project (National Legislation for the Implementation of the Convention) shall be continued.*

This decision is discussed more fully in document Doc. SC.42.1.

- 10.102 *Action to encourage additional training and capacity building at a bilateral level shall be taken.*

- The Secretariat has been encouraging Parties to assist each other in strengthening their own capacity to better implement the Convention. For this purpose, the Secretariat is helping establish a network of CITES capacity building centres. Some examples include:
- The CITES Management Authority of Germany is helping to strengthen capacity among Custom officers and law enforcement officers in the region of Eastern Europe. A training seminar was conducted in early March 1999 and another one is planned for August 1999.
- The CITES Management Authority of the United States of America has been assisting Parties through its Forensic Laboratory located in Oregon. The United States Fish and Wildlife Service is currently assisting the CITES Management Authority of Colombia to implement the recently approved CITES project S-99/07 "Genetic identification of *Crocodylus* in Colombia".

The CITES Management Authority of Spain organized a successful Master's Course on CITES in May 1998. Employees of various CITES Management Authorities of Latin America were able to travel to Spain and participate in the course. The CITES Secretariat assisted with staff and funding for the course. The second CITES Master's Course will take place in October 1999.

The Secretariat will continue to promote these collaborations and more Parties are encouraged to participate in the programme. Interested Parties are requested to contact the Secretariat.

- 10.103 *A survey of stricter domestic measures already adopted by the Parties shall be carried out and a report shall be submitted to the Standing Committee, which shall consider a second stage of review.*

Action relating to this decision is described in document Doc. SC.42.12.3.

- 10.104 *A twice-yearly desk-top-published newsletter shall be produced.*

The first issue of 'CITES World' was distributed during August 1998 and the second issue in December 1998. At the 42nd meeting of the Standing Committee, the Secretariat requests that a new budget be established totalling CHF23,000 to facilitate the production of the newsletter in 1999.

- 10.105 *Within the work plan of the Information Management Strategy, a feasibility study shall be commissioned to identify specific requirements for improving electronic communications between the Parties.*

Currently, the Secretariat's Information Management Strategy is focusing mainly on a study of Internet connectivity in Africa, as a pilot phase of the Strategy. The Secretariat has developed a project proposal which details the different tasks to be implemented. External funding is being sought in order to support these activities.

- 10.106 *Co-operation with the World Customs Organization and ICPO-Interpol shall continue.*

Action relating to this decision is described in Document SC.42.12.4. The Secretariat is of the opinion that co-operation with the World Customs Organization and ICPO-Interpol is already addressed in Resolution Conf. 9.8 (Rev.) and suggests this decision be repealed at the 11th meeting of the Conference of the Parties.

- 10.107 *Consideration shall be given to the structuring of the working programme at meetings of the Conference of the Parties to give ample time for regional meetings, with interpretation where needed.*

The Secretariat has taken this need into account and has proposed to the Standing Committee a working programme for the 11th meeting of the Conference of the Parties that will provide additional opportunities for regional meetings.

- 10.108 *Efforts shall continue, in co-operation with the Standing Committee, to develop a plan for the numbering of documents, in particular documents relating to the work of Committees I and II, for introduction for the 11th meeting of the Conference of the Parties.*

The Secretariat has already introduced changes to the numbering of certain documents (cf Decisions of the Conference of the Parties). At the 42nd meeting of the Standing Committee, the Secretariat will present its plans for numbering of documents at future meetings of the Conference of the Parties.

- 10.109 *Efforts shall continue to identify priorities for work and for funding and to pursue efficiency savings, subject to decisions of the Parties.*

The Secretariat's work programme, established in accordance with UN procedures, reflects its work priorities.

Priorities for the work of the Secretariat are established by the Convention, by the Conference of the Parties and by the Standing Committee. Moreover, since its resources are limited, the Secretariat decides on its priorities on a daily basis, within the framework established by this trinity.

Resolution Conf. 10.1 directs the Secretariat, in association with the Standing Committee, to treat certain areas of work as a priority (capacity building, legislation to implement the Convention, significant trade studies) and also to establish priorities for agreed items of work (Annex 4 of the Resolution) for which funds were not provided in the base operating budget, but for which funds were to be provided from savings, budget adjustments or a draw-down from the Trust Fund. The Secretariat made recommendations regarding such

priorities at the 40th and 41st meetings of the Standing Committee and, following discussions, the Committee decided to draw down funds for the following purposes:

At SC40: each of the following was assigned a level of priority:

- Documentation officer
- Permit confirmation officer
- Elephant Decisions
- Regional co-ordination
- Evaluation of captive-breeding/ranching operations
- Permit confirmation assistant
- CITES Web site
- CITES Listserver
- Counterpart contributions for projects
- Development of standardized indicators of success of rhinoceros conservation
- Training courses and materials (including the Master's course in Spain)
- Logistics for regional seminars

(In addition, significant increases were agreed for nine existing budget lines.)

At SC41:

- Meetings on assistance to Scientific Authorities
- CITES World (newsletter)
- Tiger missions
- Verification of compliance with Decision 10.1 (Botswana)
and monitoring of ivory sales/shipments
- MIKE (start-up phase)
- IUCN Analysis of proposals for CoP11

10.110 *Continued co-operation between CITES and the Convention on Biological Diversity shall be fostered and this should be extended to include other relevant Conventions.*

This issue is discussed more fully in document Doc. SC.42.17.

