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

Fiftieth meeting of the Standing Committee
Geneva (Switzerland), 15-19 March 2004

Interpretation and implementation of the Convention

PERIODIC REVIEW OF THE APPENDICES

1. This document has been prepared by the Secretariat.

2. At the 12th meeting of the Conference of the Parties (Santiago, 2002), Decision 12.96 directed to the Standing Committee was adopted as follows:

   The Standing Committee shall develop mechanisms to obtain greater involvement of the range States in the periodic review of the Appendices and provide guidance to reach a clear recommendation after the completion of the review.

3. The Standing Committee addressed Decision 12.96 at its 49th meeting (Geneva, April 2003; see documents SC49 Doc. 20 and SC49 Doc. 20.1). It recommended that the Animals and Plants Committees share experiences regarding the periodic reviews (including on the financing, process, format and outputs of the reviews), and proposed a procedure for the Animals and Plants Committees to select species and conduct the reviews and to follow up on their conclusions.

4. The recommendations of the Standing Committee were discussed at the 13th meeting of the Plants Committee (Geneva, August 2003; see document PC13 Doc. 13.3) and the 19th meeting of the Animals Committee (Geneva, August 2003; see documents AC19 Doc. 10 and AC19 Doc. 10.1). The Committees established a contact group on the review of the Appendices, composed of the chairmen of the Animals and Plants Committees, the representatives of Africa and Oceania (John Donaldson, Quentin Luke and Greg Leach) of the Plants Committee, Spain (Carlos Ibero), the United States of America (Javier Alvarez, Chairman of the contact group), and UNEP-WCMC (Gerardo Fragoso).

5. Both the Animals and Plants Committee adopted the approach formulated by the contact group, and presented in paragraphs 21 to 25 of the Annex to this document. Taking into consideration the recommendations of the Standing Committee, the contact group proposed to the Animals and Plants Committees that they develop and adopt practical standard guidelines for the reviews, a process to select and assess rapidly species to be reviewed, and schedules for conducting these periodic reviews between the 13th and 15th meetings of the Conference of the Parties. The contact group has made several additional suggestions to achieve greater involvement of range States in conducting the periodic reviews and in implementing their findings. The contact group has also proposed to the Animals and Plants Committees that no new periodic reviews be initiated until standard guidelines are agreed and a revised version of Resolution Conf. 9.24 (Rev. CoP12) on the criteria for amendment of Appendices I and II has been adopted by the Conference of the Parties.

6. The Animals and Plants Committees agreed that the contact group should continue working intersessionaly. It was decided that its progress would be examined at the 14th meeting of the Plants Committee (Windhoek, 16-20 February 2004) and at the 20th meeting of the Animals Committee (Johannesburg, 29 March to 2 April 2004).

7. The Standing Committee is requested to endorse the pragmatic course of action proposed by the Animals and the Plants Committees, which takes into consideration the mechanisms and guidance recommended by the Standing Committee at its 49th meeting.

8. The Standing Committee should consider asking the Chairmen of the Animals and Plants Committees for an update on progress with the development of standardized guidelines and procedures for conducting periodic reviews at its 50th meeting, and for a final report at its 53rd meeting. It should then decide on a process to take the suggestions of the Animals and Plants Committees into consideration when finalizing its recommendations regarding the periodic review of the Appendices in compliance with Decision 12.96.

Periodic review of animal and plant taxa in the Appendices
[Resolution Conf. 11.1 (Rev.), Decision 12.96 and document SC49 Doc. 20.1]

1. This document was prepared by the Chairmen of the Plants Committee and the Contact Group on Review of the Appendices.

2. The purpose of this document is to provide an overview of the most recent reviews of the Appendices carried out by the Animals and Plants Committees, and present a proposed approach for implementation of document SC49 Doc. 20.1 (see 5a below).

Introduction

3. The periodic review of the Appendices is designed to review species already included in the Appendices to determine whether their listings continue to be appropriate, based on current biological and trade information, and utilizing the listing criteria adopted at the 9th meeting of the Conference of the Parties (Resolution Conf. 9.24). The reviews are conducted as part of the work of the Animals and Plants Committees (Resolution Conf. 11.1), which oversee the selection of taxa for review; establish a schedule for conducting the reviews; obtain assistance from Parties to complete the reviews; and make recommendations on further actions (i.e., preparation and submission amendment proposals for consideration at meetings of the Conference of the Parties), if warranted, based on the outcome of the reviews.

4. At the 12th meeting of the Conference of the Parties (Chile 2002), Parties adopted Decision 12.96 requesting the Standing Committee to *"develop mechanisms to obtain greater involvement of the range States in the periodic review of the Appendices and provide guidance to reach a clear recommendation after the completion of the review."*

5. At the 49th meeting of the Standing Committee (Switzerland, April 2003), the Committee adopted document SC49 Doc. 20.1 containing recommendations for the implementation of Decision 12.96, as follows:

   a) The Animals and Plants Committees should share their experience regarding the undertaking of periodic reviews of species included in the Appendices (including the financing of reviews, the process, the format and output) and establish a schedule for the periodic review of the Appendices, listing the species they propose to review during the next two intersessional periods between meetings of the Conference of the Parties.

   b) The Secretariat should send a copy of this list to all Parties requesting that range States of the species send their comments on the need to review these species to the Secretariat, to relay to the members of the Animals or Plants Committee and of the Standing Committee.

   c) Taking these comments into account, the Animals and Plants Committees should in consultation with the Standing Committee finalize the selection of the species to be reviewed.

   d) The Animals and Plants Committees should conduct or organize the reviews, seeking information from the range States. A draft of each review (in an agreed format) should be provided by the Secretariat to the range States for comment within an agreed

timeframe, and these comments should be taken into consideration before the review it is considered final.

e) Inter-governmental bodies having a function in relation to the management or conservation of, or trade in species selected for review should be provided with the relevant draft reviews for comment within an agreed timeframe, and these comments should be taken into consideration when finalizing the review.

f) The regional representatives of the Animals, Plants and Standing Committees should seek assistance from range States within their region to support the species reviews conducted by the Animals and Plants Committees.

g) In cases where a review indicates, and the technical Committee concerned agrees, that it would be appropriate to transfer a species from one Appendix to another, or to delete a species from Appendix II, the Animals or Plants Committee should, in consultation with the range States, prepare (or arrange the preparation of) a proposal to amend the Appendices and keep the Standing Committee informed.

h) The Secretariat on behalf of the Standing Committee should provide copies of the proposal to the range States and request that one or more should submit the proposal for consideration at the following meeting of the Conference of the Parties.

i) If no range State is willing to submit the proposal, the Secretariat should request the Depositary Government to submit it [as specified in Resolution Conf. 11.1 (Rev. CoP12)] and to include the comments of the range States in the supporting statement.

j) Proposals resulting from the periodic review of the Appendices must be submitted for decision by the Conference of the Parties.

Recent review of the Appendices by the Animals Committee

6. At its 14th meeting (Venezuela, 1998), rather than having a selection made by a limited group of experts, the Animals Committee decided to first seek input from the Parties to CITES on taxa to be reviewed under the periodic review of the Appendices. At the request of the Animals Committee, in November 1998 the Secretariat issued Notification 1998/62 requesting suggestions from the Parties for taxa to be reviewed under the periodic review of the Appendices. Only six responses were received.

7. At its 15th meeting (Madagascar, 1999), the Animals Committee chose 31 animal taxa from Appendices I and II (Annex 3) to be reviewed under the periodic review of the Appendices process. These species were also intended to be used for the review of the criteria for amendment of Appendices I and II contained in Resolution Conf. 9.24 (as called for in Decision 10.71), but this was never done. During the selection of the species for review, priority was given to species that:

   a) were listed in early Conferences of the Parties;

   b) had ranges that were geographically varied and had varied biological properties;

   c) had characteristics that would be useful in testing the robustness of the listing criteria; and

   d) were involved in trade to different degrees.

8. The reviews were to be conducted by individual Parties whose representatives at AC15 had agreed to carry out the review using guidelines prepared by the Chairman of the Animals Committee (Annex 3).

9. Of 31 reviews to be conducted, only 9 were submitted for consideration at the 16th meeting of the Animals Committee (United States of America, 2000). At AC16, two new taxa were selected at AC16 for review at the 17th meeting of the Animals Committee (AC17). Furthermore, the working on review of the Appendices discussed the guidelines for conducting such reviews outlined in document AC.16.8 (Annex 3) and the process for future reviews, including criteria for selection of species and the standardization of the reviews and questionnaires.

10. At AC17 (Viet Nam, 2001), only four reviews were submitted for consideration. Given the large number of reviews still outstanding, the working group on review of the Appendices discussed various ways for the review process to be facilitated. The possibilities of involving students in the CITES Master's course (organized by the Chairman of the Plants Committee and the International University of Andalucía) as well as graduate students through IUCN specialist groups were suggested. The working group agreed to:

    a) constitute an intersessional contact group (comprised of observers from the United States of America, Spain, and UNEP-WCMC) to develop written guidelines for selecting species and conducting reviews, based on principles agreed to at AC16 and AC17;

    b) request the Secretariat to conduct a pilot project to develop (based on existing models used by IUCN, the Plants Committee, etc.), test, and evaluate a rapid assessment technique for screening multiple taxa (or higher-level taxa) at one time to then determine which should be the subject of more in-depth reviews; and

    c) request the Secretariat to contact the IUCN/SSC Crocodile Specialist Group regarding the possibility of developing a list of crocodile ranching operations authorized under Resolution Conf. 11.16, and evaluating those operations in the context of the review of the Appendices.

11. At the 18th meeting of the Animals Committee (Costa Rica, 2001), a working group discussed the draft guidelines for future reviews of the CITES Appendices drafted by the intersessional contact group (revised guidelines contained in Annex 1). The draft guidelines covered three areas: the objective of the periodic review process; identification of species to be reviewed; and process for future reviews. The working group also discussed document AC18 Inf. 13 (Annex 2) prepared by UNEP-WCMC on the development of a rapid assessment technique for screening multiple taxa (or higher-order taxa). Several amendments were proposed during discussions and the issue was referred to the working group for further work. The consultant from the IUCN/SSC Crocodile Specialist Group provided a verbal report on progress in reviewing crocodile ranching operations authorized under Resolution Conf. 11.16 (Ranching and trade in ranched specimens of species transferred from Appendix I to Appendix II) in the framework of the review of Appendices and noted that the finalization of the review would require funding. It was suggested that the scope of Resolution Conf. 11.16 could be expanded to include taxa other than crocodilians.

12. Of the 13 reviews of animal taxa carried out by the Animals Committee between 1999 and 2002, only one resulted in a proposal for amendment of the Appendices (i.e, proposal to remove *Cnemidophorus hyperythus* from Appendix II submitted by the United States of America and adopted at the 12th meeting of the Conference of the Parties in Chile in 2002).

Recent review of the Appendices by the Plants Committee

13. At its 8th meeting (Chile, 1997), the Plants Committee discussed and approved a programme of work for the periodic review of the Appendices, which was communicated to the Parties in December 1997 through Notification to the Parties No. 1009 (Annex 4). During the selection of species for review at PC8, priority was given to:

    a) timber species (Decision 10.87 to Plants Committee);

    b) taxa included in Appendices in 1973 and during the 1st meeting of the Conference of the Parties in 1976 (excluding large taxonomic groups such as orchids, cacti, and cycads; however some species of orchids and cacti were examined);

    c) taxa included in 1979 at the 2nd meeting of the Conference of the Parties; and

    d) taxa included in 1983 at the 3rd meeting of the Conference of the Parties.

14. It was agreed that the reviews were to be carried out by one or several persons or Parties using the protocol described in Annex 4 under the coordination of the Chairman of the Plants Committee.

15. In 1998, the Management Authority of the Netherlands (which volunteered to conduct the review of timber species) published the *Contribution to an evaluation of tree species using the new CITES Listing Criteri*a, a comprehensive study reviewing the conservation and trade status of tree species, and the potential role of CITES.

16. At the 9th (Australia, 1999) meeting of the Plants Committee, the results of the reviews of some 300 taxa were discussed and recommendations made. At its 9th meeting, the Plants Committee also established two working groups on review of the Appendices: one to recommend which species should be submitted to the Conference of the Parties, and a second group to carry out a self analysis of difficulties met in carrying out the review.

17. The results of the reviews conducted within the Plants Committee between 1997 and 2000 resulted in the submission of 11 species proposals involving around 300 taxa at the 11th meeting of the Conference of the Parties (Kenya, 2000). However, some proposals were opposed by some range countries which argued that they had not been consulted during the review conducted by the Plants Committee or the countries that had prepared the proposals. In spite of the problems, the proposals from the PC were adopted almost totally by the CoP.

18. Nevertheless, the Plants Committee agreed to send to the 12th meeting of the Conference of the Parties (Chile, 2002) a proposal to strength and facilitate the involvement of the range States, subsequently adopted by the Parties as Decision 12.96.

19. The Plants Committee included in the Report of the Chairman to the CoP the taxa agreed to be reviewed in the following period until the next Conference (CoP12 Doc.10.2).

Proposed approach for implementation of document SC49 Doc. 20.1

20. As described above, the implementation of the periodic review of the Appendices by the Animals and Plants Committees has not been uniform (particularly the selection of species for review) and sometimes has been problematic. Due to lack of funds, in both Committees the reviews were conducted on a voluntary basis, with a significantly greater number of reviews completed by the Plants Committee compared to the Animals Committee. The reviews can take a long time to complete, and vary considerably in scope and level of detail

depending on the reviewers. Some range states may not be able to volunteer to conduct the reviews or respond to questionnaires from the reviewers.

21. To ensure that the Animals and Plants Committees conduct the periodic review of the Appendices in a consistent manner, we suggest that the Animals and Plants Committees first adopt standard guidelines for the reviews (including selection of species, types of information contained in the reviews, and questionnaires and other methods used to gather information from range states) as well as a rapid assessment technique prior to the preparation of a new list of species and schedule for the next phase of periodic review of the Appendices as recommended by the Secretariat in paragraphs a), b), and c) of document SC49 Doc. 20.1. The Secretariat's recommendations in paragraphs b) through j) could be incorporated, if appropriate, as part of the guidelines for the periodic review of the Appendices.

22. We also propose that no reviews be conducted until a new resolution for amendment of Appendices I and II is adopted at the 13th meeting of the Conference to the Parties in October 2003 (see agenda items 9 and 9.4 of the PC13 and AC19 working programs, respectively). In the meantime, the Animals and Plants Committee could work on the development of guidelines for the review of the Appendices, selection of species for review, and the preparation of a schedule for the review of the Appendices.

23. The Plants Committee should share with the Animals Committee the findings made by its working group evaluating the review of the Appendices described in paragraph 12 above.

24. With regards to the establishment of a schedule for conducting future reviews, the Animals and Plants Committees should clarify at their next meetings what the phrase "the next two intersessional periods between meetings of the Conference of the Parties" in paragraph 2.a) of document SC49 Doc. 20.1 means. It is unclear whether it means between the 12th and 14th meetings of the Conference of the Parties or between the 13th and 15th meetings.

25. To achieve greater involvement by range States, the following may be considered:

    a) For species under review, contact should be made with both the relevant Management Authority and Scientific Authority of the country, both for seeking assistance with reviews and for reacting to results from a review.

    b) Except for proposals actually developed for a meeting of the Conference of the Parties, range countries should be provided with a summary and full report of the species review for comment.

    c) In addition to being involved in seeking assistance with reviews from countries within their regions, the regional representatives on the Plants, Animals, and Standing Committees should also be requested to follow up with countries affected by a review to encourage their response.

    d) The review of the Appendices and Parties' responsibilities associated with this activity should be emphasized during CITES training workshops.