

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



Fifty-fifth meeting of the Standing Committee
The Hague (Netherlands), 2 June 2007

Interpretation and implementation of the Convention

General compliance issues

NATIONAL LAWS FOR IMPLEMENTATION OF THE CONVENTION

1. This document has been prepared by the Secretariat. Additional relevant information is contained in document CoP14 Doc. 24 on National legislation.

Legislative progress

2. An updated legislative status chart is provided in Annex 2 of document CoP14 Doc. 24. A further updated legislative status chart will be provided during this meeting.
3. Parties whose legislation has been placed in Category 1 since the 54th meeting of the Standing Committee (SC54, Geneva, October 2007) are listed below. On the basis of the Secretariat's report for SC54, the Standing Committee recommended appropriate measures for those countries which had not provided written indications of their legislative progress. An update regarding those countries is provided below. Mention is also made of those countries where the Secretariat has recently provided or will soon provide on-site legislative assistance. Should it receive additional information from any of these countries before SC55, the Secretariat will include such information in its oral report.
4. Based on a review of its legislative records, the Secretariat has identified several additional countries requiring attention as a priority under the National Legislation Project (see paragraph 20 below). The Secretariat will be holding legislative discussions with and obtaining written indications of legislative progress from many Parties on the margins of the 14th meeting of the Conference of the Parties (CoP14, The Hague, 3-15 June 2007). It therefore thinks that it would be more practical for a general review of legislative progress, by Parties and dependent territories without adequate legislation, to be postponed until the 57th meeting of the Standing Committee (SC57, Geneva, 2008).

Legislative progress of Parties with a deadline of 31 March 2003 decided at CoP11 (April 2000)

5. The Secretariat is writing to both Mozambique and South Africa to urge them to provide a CITES Legislation Plan and revised draft legislation, respectively, by the time of this meeting. The Secretariat is also proposing in paragraph 20 below that they be given priority attention under the National Legislation Project in order to help them increase their legislative momentum.

Legislative progress of Parties with a deadline of 31 December 2003 decided at CoP12 (November 2002)

6. Legislation enacted by the Bahamas has been found adequate for implementation of the Convention and placed in Category 1.

7. Peru's legislation was discussed with CITES authorities during a Secretariat mission at the end of March 2007. Draft legislation and revised draft legislation are still awaited from Belize and Pakistan, respectively.
8. Benin, El Salvador and Sri Lanka provided written indications of their legislative progress after SC54, averting the need to issue a recommendation to suspend trade with these Parties.
9. Later in 2007 additional legislative advice and assistance will be provided to Uganda in connection with its national wildlife trade policy review (see document CoP14 Doc. 15).

Legislative progress of Parties with a deadline of 30 June 2004 decided at CoP12

10. Legislation enacted by Cambodia, Latvia and Saudi Arabia has been found adequate for implementation of the Convention and placed in Category 1.
11. Swaziland provided a copy of its draft legislation after SC54, averting the need to issue a recommendation to suspend trade.

Legislative progress of Parties and territories with a deadline of 30 September 2006 decided at CoP13 (October 2004)

12. Legislation enacted by Croatia, Lithuania, Qatar and Ukraine has been found adequate for implementation of the Convention and placed in Category 1.
13. The Libyan Arab Jamahiriya, Palau, the Syrian Arab Republic and The former Yugoslav Republic of Macedonia provided legislative information and CITES legislation plans after SC54, averting the need to issue cautions to them. Sao Tome and Principe did not provide any response and a caution has therefore been sent to it.

Nigeria, Paraguay and Thailand

14. Information on the legislative progress made by Nigeria and Paraguay is contained in document CoP14 Doc. 24.
15. Thailand is expected to report to the Standing Committee at this meeting on the status of prosecution of CITES-related offences, which should enable the Committee to verify whether its legislation is adequate for implementation of the Convention (i.e. whether it adequately covers parts and derivatives of CITES specimens).

Identification of priority countries

16. To date, the following 10 countries have been identified as requiring attention as a priority under the National Legislation Project:
 - Priority countries affected by enforcement problems: Nigeria and Paraguay.
 - Priority countries established at SC50 (Geneva, March 2004): China, Madagascar, Malaysia and Peru.
 - Priority countries established at SC53 (Geneva, June-July 2005): Belize, the Comoros, Kazakhstan and Pakistan.
17. China and Madagascar thereafter enacted legislation which was found adequate for implementation of the Convention and placed in Category 1. As there is no longer any need for them to receive priority attention under the National Legislation Project, the Secretariat has removed them from the list of priority countries.

18. The Secretariat believes that the following countries should also be identified as requiring attention as a priority under the National Legislation Project.
- Countries with a deadline of 31 March 2003 established at CoP11: Mozambique and South Africa.
 - Countries currently under a recommendation to suspend trade for the failure to provide written indication of legislative progress: Djibouti, Guinea-Bissau, Liberia, Mauritania, Rwanda and Somalia.
 - Countries with a deadline of 31 December 2003 established at CoP12: Algeria, Kenya, Suriname and Venezuela (Bolivarian Republic of).
19. The addition of the above countries would result in a total list of 20 priority countries under the National Legislation Project and would provide the Secretariat with a specific focus for its legislative assistance efforts both during and after CoP14.

Recommendation

20. The Secretariat recommends that the Standing Committee identify Algeria, Djibouti, Guinea Bissau, Kenya, Liberia, Mauritania, Mozambique, Rwanda, Somalia, South Africa, Suriname and Venezuela (Bolivarian Republic of) as countries requiring attention as a priority under the National Legislation Project.
21. The Secretariat recommends that the Standing Committee review at its 57th meeting the legislative progress of all Parties and dependent territories that have not enacted adequate legislation by that time.