

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



Fifty-eighth meeting of the Standing Committee
Geneva (Switzerland), 6-10 July 2009

Interpretation and implementation of the Convention

Compliance and enforcement

NATIONAL REPORTS

1. This document has been prepared by the Secretariat.

Preparation and submission of national reports

2. Under Resolution Conf. 11.17 (Rev. CoP14), the Standing Committee is instructed to:

determine, on the basis of reports presented by the Secretariat, which Parties have failed, for three consecutive years and without having provided adequate justification, to provide the annual reports required under Article VIII, paragraph 7 (a), of the Convention within the deadline (or any extended deadline) provided in the present Resolution;

3. In the same Resolution, it is recommended that Parties:

not authorize trade in specimens of CITES-listed species with any Party that the Standing Committee has determined has failed, for three consecutive years and without having provided adequate justification, to provide the annual reports required under Article VIII, paragraph 7 (a), of the Convention within the deadline (or any extended deadline) provided in the present Resolution;

Late or non-submission of annual reports – current recommendations to suspend trade

4. Mauritania remains subject to a recommendation to suspend trade for the failure to submit annual reports (see Notification to the Parties No. 2003/027 of 6 May 2003). Mauritania and the Secretariat have discussed this unresolved compliance problem but the missing reports have not yet been received.
5. Somalia has been subject to a recommendation to suspend trade since 2002 for the failure to submit annual reports (see Notification to the Parties No. 2006/074 of 14 December 2006). The Secretariat met with a representative of Somalia in the margins of the 25th session of the UNEP Governing Council (GC25, Nairobi, February 2009) and has since been in email communication with him. The new transitional government of Somalia has appointed a Minister of Environment and Disaster Management, who will soon consider the designation of official focal points for various activities, including those related to CITES. Somalia has expressed strong interest in participating in a general capacity-building workshop for Anglophone Africa that the Secretariat plans to organize in 2009, with external funds provided by the European Commission.
6. At its 57th meeting (SC57, Geneva, July 2008), the Standing Committee determined that Djibouti, Dominica, Lesotho and Nepal had failed to provide annual reports for three consecutive years without having provided adequate justification. It instructed the Secretariat to issue a Notification

recommending that Parties not authorize any trade in CITES-listed species with these Parties until they had provided the requisite number of reports.

7. Nepal transmitted the requisite number of reports to the Secretariat in July 2008. Using government contact information provided by UNEP, the Secretariat was able to establish direct contact with Lesotho and to obtain the requisite number of reports.
8. In line with historical practice, the Secretariat sent additional written reminders to the CITES authorities and permanent missions of Djibouti and Dominica in order to obtain the necessary reports and to avoid issuance of a Notification recommending a trade suspension. It also sought assistance from the regional representatives to the Standing Committee. To date, there has not been any response to the Secretariat's communications.

Late or non-submission of annual reports – potential recommendations to suspend trade

9. As of 7 May 2009, the Secretariat's records show that the following 21 countries have failed, without providing adequate justification, to provide annual reports for the years 2005, 2006 and 2007: Afghanistan; Botswana; Brunei Darussalam; Burundi; Cambodia; Chad; El Salvador; Equatorial Guinea; the Gambia; Grenada; Iceland; Jordan; the Lao People's Democratic Republic; Liberia; Mali; Myanmar; Paraguay; Republic of Moldova; Sierra Leone; the Sudan and Trinidad and Tobago.

Late or non-submission of biennial reports

10. With regard to biennial reports, the number of submission for the period 2005-2006 (68 Parties) is significantly lower than for the period 2003-2004 (91 Parties). As it has done in the past, the Secretariat will send a letter to Parties encouraging them to submit any annual or biennial reports which the Secretariat's records show are missing. The apparent downward trend in national report submissions is also something which the Working Group on Special Reporting Requirements (see paragraphs 22 – 26 below) should consider and seek to address in the recommendations that will be made under Decision 14.37 of the Conference of the Parties.

Analysis and use of national reports

11. The Secretariat has been collaborating with UNEP-WCMC on the preparation of a project proposal for a global wildlife trade analysis, based on the CITES trade database. If external funds are identified in the near future, a partial or full analysis may be available by the 15th meeting of the Conference of the Parties.
12. An analysis of the 2003-2004 biennial reports was prepared, with the assistance of UNEP-WCMC, for the 14th meeting of the Conference of the Parties (CoP14, The Hague, 2007) and is accessible through the CITES website as document CoP14 Inf. 15.
13. While conducting its work, particularly in relation to capacity-building and the undertaking of technical studies or reviews, the Secretariat has found that the Parties' biennial reports are a useful source of implementation information on a range of topics. Nevertheless, there seems to be scope for Parties and the Secretariat to do more to ensure that both biennial and annual reports are fully-utilized resources.

Harmonization of knowledge management and reporting

14. In March 2009, the Secretariat provided comprehensive written comments on a draft consolidated reporting template that had been developed by countries in the Oceania region with technical and financial support provided by Australia. The draft template has been tested by four Pacific Island countries and there are plans to revise it in the future on the basis of comments received from the secretariats of biodiversity-related conventions and other reviewers.
15. In its comments, the Secretariat expressed appreciation for the effort made to incorporate a number of questions from the CITES biennial report into the core template as well as supplemental report on CITES implementation. It suggested that there might be scope for including the CITES annual report as well, even though it is quite unique in its objective and format. The Secretariat noted that the

template was quite long in comparison with CITES reporting formats and that some of the questions could probably be simplified. In this connection, the Secretariat described its efforts to link reporting more closely to implementation data that countries regularly maintain and could easily provide. It mentioned that the proposed involvement of other sectors in national reporting was not entirely clear and needed to be carefully considered as reporting is essentially a government obligation and is often required under legislation. The Secretariat pointed out that a proposed three-year reporting cycle would be difficult for CITES Parties to implement because of the annual and biennial reports required under Article VIII of the Convention.

16. The Secretariat advised Australia that it would use this discussion document to bring Oceania's draft consolidated reporting template to the attention of CITES Parties. The draft template, an accompanying report prepared by Australia and the Secretariat's comments on the template might be considered by the Working Group on Special Reporting Requirements as it implements its terms of reference.
17. A paper on preconditions for the harmonization of reporting, prepared by UNEP-WCMC in consultation with the secretariats of biodiversity-related conventions, was reviewed at the seventh meeting of the Liaison Group of the Biodiversity-related Conventions (BLG, Paris, 9 April 2009). The BLG agreed that the document would be finalized by UNEP-WCMC, in consultation with the Ramsar Secretariat, for presentation to the governing bodies of BLG members. A copy of the final paper will be provided as an information document for the present meeting.
18. An initial online version of the biennial report was developed during Phase 1 of a joint project on Knowledge Management, involving the secretariats of biodiversity-related conventions and UNEP. Funding has not yet been secured for Phase 2 of the project, which will permit not only the finalization of an online reporting format but also the development of a supportive search mechanism for the data provided through online reporting.
19. At its seventh meeting, the BLG regretted the lack of progress in identifying funds for Phase 2 of the Knowledge Management project. Phase 2 originally seemed likely to receive technical and financial support from UNEP but recent information suggested that funding had not yet been secured by UNEP and now had to be found elsewhere. The BLG agreed that it was important to identify other sources of funding. CITES, which represents the BLG for purposes of the Knowledge Management project, undertook to work with UNEP-WCMC in following this up. BLG members also agreed to each nominate a focal point for a technical group on national reporting.
20. The Secretariat was invited by the ASEAN Centre for Biodiversity to participate in an ASEAN Workshop on Harmonization of Reporting to Biodiversity-Related Conventions (Hanoi, April 2009) but had to decline because of work priorities associated with the 24th meeting of the CITES Animals Committee (Geneva, April 2009). It put workshop organizers in contact with the CITES Management Authority of Viet Nam, which agreed to serve as a CITES resource person. The Secretariat understands that the workshop was quite successful, due in significant part to the participation of the Vietnamese CITES authorities, and would like to thank Viet Nam for helping to strengthen cooperation between ASEAN, CITES, other biodiversity-related conventions and UNEP-WCMC in the area of harmonized reporting. An initial summary report of the workshop has been circulated to participants for comment and a draft workshop output document should be circulated for comment on or about 15 May 2009. More information should be available in the future at www.aseanbiodiversity.org.

Reduction of the reporting burden – special reports

21. A Working Group on Special Reporting Requirements was established at SC57 to assist the Standing Committee in implementing Decision 14.37 of the Conference of the Parties. Some nominations for membership in the Working Group were received during the postal procedure initiated in October 2008. These include volunteers and nominations from Africa (Kenya), Central and South America and the Caribbean (Costa Rica), Europe (United Kingdom of Great Britain and Northern Ireland) and Oceania (Australia).

22. In April 2009, the Secretariat advised the Standing Committee that it was still waiting for volunteers and nominations for membership in the Working Group for Asia and North America. The Secretariat further advised that it would be in touch with the members who had already been nominated.
23. The terms of reference for the Working Group can be derived from Decision 14.37, which directs the Standing Committee to *"undertake a review of the recommendations to Parties to provide special reports under the Convention, assess whether they have been or might be effectively incorporated into the annual and biennial reports and consider how the biennial report format might be revised to facilitate such incorporation"*.
24. During 2008, the European Community, with the assistance of TRAFFIC Europe, undertook a review of the CITES biennial report format. In January 2009, it provided the Secretariat with a set of suggested changes to the questions and the format of the current biennial report. These suggestions can be taken into account by the Working Group as it assists the Standing Committee in implementing Decision 14.37.
25. An annex to the CITES biennial report, which is sent out by the European Commission to Member States each biennial reporting period, was also reviewed and changes were suggested. An updated version of these supplementary questions will be used by Member States for the next reporting period (2007-2008).

Reduction of the reporting burden – trade in artificially propagated plants

26. The issue of reporting on trade in artificially propagated plants was addressed during the 18th meeting of the Plants Committee (PC18, Buenos Aires, March 2009). At that meeting the Secretariat gave an oral report on the implementation of Decisions 14.39 to 14.41 on reporting on trade in artificially propagated plants, explaining that the preparation of the report requested under Decision 14.39 required funding which was currently unavailable. Participants commented on the difficulties of analysing trade in artificially propagated plants which is often reported in an inconsistent way. Most speakers, however, considered that monitoring trade in artificially propagated plants was important. With respect to Decision 14.40, the Plants Committee agreed that reporting on trade in artificially propagated plants of taxa included in Appendix II was useful to its programme of work but, in view of the difficulties in analysing the reporting practices of Parties for such specimens, it may be necessary to reformulate Decisions 14.39 to 14.41 at the 15th meeting of the Conference of the Parties (CoP15) and agree an appropriate budget for such an analysis.
27. The Chair of the Plants Committee may wish to provide additional information on this issue during the present meeting.

Future developments

28. With the aim of facilitating the preparation and submission of national report data, the Secretariat plans in the near future to seek external funds for a project to explore the feasibility of CITES Parties directly entering their trade data into a version of the CITES trade database placed on a 'development server'. Once verification of the trade data was completed by UNEP-WCMC, the data would be moved to the CITES trade database on the public server.
29. The Secretariat is interested in doing something similar with biennial report information, so that reporting is linked as closely as possible with implementation data that countries might regularly maintain and could easily provide. Enabling countries to enter their implementation data directly into a database could help to make reporting more timely. Such a practice might also require CITES Parties to consider the way in which they interpret Article VIII of the Convention, as they shift from preparation of a stand-alone report (whether printed or electronic) to entering relevant data into a web-based template.
30. Ongoing activities of the Working Group on Information Technologies and Electronic Systems, including the development of a CD-ROM and Web-based toolkit on electronic permitting systems, have implications for national reporting and work in both areas should be coherent and mutually supportive.

Recommendations

31. The Secretariat recommends that the Standing Committee, pursuant to Resolution Conf. 11.17 (Rev. CoP14) on *National reports* determine whether the following Parties have failed to provide annual reports for three consecutive years and without having provided adequate justification: Afghanistan; Botswana; Brunei Darussalam; Burundi; Cambodia; Chad; El Salvador; Equatorial Guinea; the Gambia; Grenada; Iceland; Jordan; the Lao People's Democratic Republic; Liberia; Mali; Myanmar; Paraguay; the Republic of Moldova; Sierra Leone; the Sudan; and Trinidad and Tobago. If so determined, the Secretariat will issue a Notification recommending that Parties not authorize any trade in CITES-listed species with these Parties until they have provided the requisite number of reports.
32. The Standing Committee may wish to encourage nominations from Asia and North America for membership in the Working Group on Special Reporting Requirements, if none has been submitted by 5 July 2009. Members of the Working Group may wish to meet in the margins of the present meeting to select a Chair, agree on a work plan and identify a mechanism which would allow them to consult with the Standing Committee on the preparation of conclusions and recommendations for consideration at CoP15.
33. The Standing Committee may wish to establish an informal group comprising interested Committee members, observer Parties, the Secretariat and other stakeholders which could meet in the margins of the present meeting to discuss possible revisions to Decisions 14.39 to 14.41. The group's recommendations for such revisions could then be considered by the Standing Committee and approved, with or without amendment, for inclusion in the Secretariat's discussion document for CoP15 on national reports.
34. The Standing Committee is invited to take note of other information contained in the present document.