

***Revised Resolutions
of the Conference of the Parties***

NOTE FROM THE SECRETARIAT

The Resolutions revised at the 10th meeting of the Conference of the Parties were prepared after the meeting on the basis of the following documents:

Resolutions	Sources
Conf. 4.6 (Rev.)	Resolution Conf. 4.6, adopted at the fourth meeting (Gaborone, 1983) and amended in accordance with document Com. 10.10
Conf. 5.16 (Rev.)	Resolution Conf. 5.16, adopted at the fifth meeting (Buenos Aires, 1985) and amended in accordance with document Doc. 10.24 Annex 2
Conf. 8.11 (Rev.)	Resolution Conf. 8.11, adopted at the eighth meeting (Kyoto, 1992) and amended following the adoption of amendments to Appendices I and II
Conf. 8.22 (Rev.)	Resolution Conf. 8.22, adopted at the eighth meeting (Kyoto, 1992) and amended in accordance with document Doc. 10.24 Annex 2
Conf. 9.1 (Rev.)	Resolution Conf. 9.1, adopted at the ninth meeting (Fort Lauderdale, 1994), as amended by document Doc. 10.7.1
Conf. 9.4 (Rev.)	Resolution Conf. 9.4, adopted at the ninth meeting (Fort Lauderdale, 1994), as amended by document Doc. 10.52 Annex 3
Conf. 9.8 (Rev.)	Resolution Conf. 9.8, adopted at the ninth meeting (Fort Lauderdale, 1994), as amended by document Doc. 10.44 Annex 3
Conf. 9.10 (Rev.)	Resolution Conf. 9.10, adopted at the ninth meeting (Fort Lauderdale, 1994), as amended by document Doc. 10.54 Annex 4
Conf. 9.13 (Rev.)	Resolution Conf. 9.13, adopted at the ninth meeting (Fort Lauderdale, 1994), as amended by document Com. 10.36
Conf. 9.18 (Rev.)	Resolution Conf. 9.18, adopted at the ninth meeting (Fort Lauderdale, 1994), as amended by documents Doc. 10.53 (Rev.) Annex and Doc. 10.70.1
Conf. 9.20 (Rev.)	Resolution Conf. 9.20, adopted at the ninth meeting (Fort Lauderdale, 1994), amended as a consequence of the adoption of document Doc. 10.24 Annex 2
Conf. 9.25 (Rev.)	Resolution Conf. 9.25, adopted at the ninth meeting (Fort Lauderdale, 1994), as amended by document Com. 10.19

**Submission of draft resolutions and other documents
for meetings of the Conference of the Parties**

CONSIDERING the volume of work involved in the preparation of documents to be submitted to the Conference of the Parties at its regular meetings;

AFFIRMING the obligation of the Parties to collaborate closely with the Secretariat in the organization of meetings of the Conference of the Parties;

RECOGNIZING the necessity that the Parties be informed in advance of the draft resolutions and other documents submitted by other Parties;

**THE CONFERENCE OF THE PARTIES TO THE
CONVENTION**

RECOMMENDS that:

- a) the text of any draft resolutions to be submitted to a meeting of the Conference of the Parties be communicated to the Secretariat at least 150 days before the meeting;
- b) the text of any documents submitted for consideration at a meeting of the Conference of the Parties be communicated to the Secretariat at least 150 days before the meeting;

- c) the Secretariat be authorized to accept draft resolutions and documents (other than proposals for amendment of Appendices I and II) after the time limit of 150 days has expired only in exceptional circumstances, when it is established, to the satisfaction of the Secretariat, that the draft resolutions or documents could not be communicated before the expiration date; and
- d) as a general rule, documents be no more than 12 pages in length; and

DECIDES that any draft resolutions or decisions submitted for consideration at a meeting of the Conference of the Parties that have budgetary and workload implications for the Secretariat must contain or be accompanied by a budget for the work involved and an indication of the source of funding.

Marking of ranched specimens in trade¹

ACKNOWLEDGING that Resolution Conf. 10.18, adopted at the 10th meeting of the Conference of the Parties (Harare, 1997), establishes that any proposal to transfer a population to Appendix II in order to conduct a ranching operation must be primarily beneficial to the conservation of the local population and that products of the operation must be adequately identified and documented to ensure that they can be readily distinguished from products of Appendix-I populations;

RECALLING that marking of parts and derivatives from a ranching operation is necessary for adequate identification and documentation in compliance with Resolution Conf. 10.18, paragraph b), sub-paragraph ii);

RECOGNIZING that if each Party establishes a different marking system for parts and derivatives from a ranching operation of the same species, confusion will result, and enforcement will be difficult;

**THE CONFERENCE OF THE PARTIES TO THE
CONVENTION**

RECOMMENDS that:

- a) each product unit and/or primary container entered into trade be indelibly marked with a unique identification number meeting the minimum requirements of the uniform marking system;

- b) any Party that re-exports products from a ranching operation that have been altered from the product unit imported into that country to the extent that it renders the mark illegible provide prior notification to the Secretariat that includes the following:
 - i) a marking system that conforms with the uniform marking system approved by the Parties for that species;
 - ii) a list of the products of the operation which specifies the product unit for each product of the operation;
 - iii) a description of the methods that will be used to mark product units and/or containers entered into trade; and
 - iv) an inventory of current stocks of specimens and products of the operation on hand; and
- c) no Party allow trade in a product unit from a ranching operation that was on hand at the time of the approval of the proposal unless such product unit is marked in conformity with the uniform marking system and is included in the inventory submitted as part of the proposal.

¹ **Note from the Secretariat:** *This revised Resolution is maintained to keep on record paragraphs that will be incorporated in a consolidated resolution on marking of CITES specimens.*

Stocks of wool and cloth of vicuña

CONSIDERING that the vicuña (*Vicugna vicugna*) is listed in Appendix I of the Convention;

CONSIDERING that populations of vicuña of Argentina (population of the Province of Jujuy and semi-captive populations of the Provinces of Jujuy, Salta, Catamarca, La Rioja and San Juan), Bolivia (populations of the Conservation Units of Mauri-Desaguadero, Ulla Ulla and Lípez-Chichas), Chile (part of the population of Parinacota Province) and Peru are included in Appendix II under certain conditions;

NOTING that stocks of cloth manufactured from vicuña wool, as well as stocks of wool, have been detected in countries such as Japan and the United Kingdom of Great Britain and Northern Ireland and in Hong Kong (China);

CONSIDERING that the eighth regular meeting of the *Comisión Técnico-Administradora del Convenio para la Conservación y Manejo de la Vicuña* (Argentina, Bolivia, Chile, Ecuador and Peru) took place in Chile in September 1987 and that it adopted Resolution No. 56/87, addressed to the CITES Secretariat, requesting it to recommend to all Parties, and especially those Parties that have stocks of vicuña cloth and wool, that they submit within a determined time limit a list of those stocks, and suggesting that the Parties with stocks manufacture cloth with the wool in stock as soon as possible;

CONSIDERING that, based on Resolution No. 56/87 adopted by the signatory States of the *Convenio para la Conservación y Manejo de la Vicuña*, the CITES Secretariat submitted Notification to the Parties No. 472 asking the Parties to respond favourably;

CONSCIOUS that Resolution No. 97/90 adopted at the 11th regular meeting of the *Comisión Técnico-Administradora del Convenio de la Vicuña* reminds the CITES Secretariat of the agreement adopted under Resolution No. 56/87;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS that:

- a) all Parties that are not members of the *Convenio para la Conservación y Manejo de la Vicuña* report to the Secretariat on their trade in vicuña cloth in their annual reports;
- b) Management Authorities authorize the import of vicuña cloth only if the reverse bears the logotype corresponding to the country of origin and the trade mark VICUÑA – COUNTRY OF ORIGIN or if it is cloth containing pre-Convention wool of vicuña;
- c) importing countries in consultation with the Secretariat verify the validity of export permits for vicuña cloth in order to ascertain their origin;
- d) any State member of the *Convenio para la Conservación y Manejo de la Vicuña* that exports vicuña cloth in accordance with this Resolution inform the Secretariat on an annual basis about the quantity of products exported, the number of animals sheared and the local populations to which they belong, and that the Secretariat submit a report at each regular meeting of the Conference of the Parties; and
- e) all Parties immediately apply stricter domestic controls on the trade in vicuña cloth.

Conf. 8.22 (Rev.)

Additional criteria for the establishment of captive-breeding operations for crocodilians

RECALLING that certain species of crocodilian were included in Appendix I in 1973 at the Plenipotentiary Conference;

RECOGNIZING that, since such inclusion, it has been demonstrated that certain populations of these species are more appropriately included in Appendix II, and that their transfer thereto has been subject to various conditions;

CONSCIOUS of the danger of providing greater incentives for the establishment of captive-breeding operations, which may damage efforts to conserve wild populations, than for ranching operations which, in principle, are more beneficial to crocodilian conservation;

CONSIDERING the recommendations and the general intent of Resolution Conf. 8.15 adopted at the eighth meeting of the Conference of the Parties (Kyoto, 1992);

EMPHASIZING that the overriding objective of the Convention is to conserve wild populations of the species listed in the appendices and that positive incentives must be offered to programmes designated to achieve this aim;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS that Parties allowing the establishment of commercial captive-breeding operations for Appendix-I crocodilians not allow wild-caught animals to form the breeding stock unless justified in a national management plan demonstrating conservation value;

DIRECTS the Secretariat to include a new captive-breeding operation in its Register of operations that breed specimens of species included in Appendix I in captivity for commercial purposes under the provisions of Resolution Conf. 8.15 only when it has been proved that the breeding stock has been established in a manner not detrimental to the survival of the species in the wild within its area of natural distribution; and

RECOMMENDS also that any Party wishing to establish a long-term commercial harvest of wild adults satisfy the criteria adopted under the Convention for the transfer of its population to Appendix II.

Conf. 9.1 (Rev.)

Establishment of committees

RECALLING Resolutions Conf. 6.1 and Conf. 7.1, adopted by the Conference of the Parties at its sixth and seventh meetings (Ottawa, 1987; Lausanne 1989), relating to the establishment of Committees;

RECOGNIZING that Rules of Procedure common to all Committees are an essential requirement for formal meetings;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

AGREES to formalize a system for the appointment of committees of the Conference of the Parties and to establish procedures to be followed when committees are created;

RESOLVES that:

- a) there shall be a permanent Standing Committee of the Conference of the Parties, which shall be the senior Committee, and shall report to the Conference of the Parties;
- b) there shall be an Animals Committee, a Plants Committee, an Identification Manual Committee and a Nomenclature Committee, which shall report to the Conference of the Parties at its meetings and, if so requested, to the Standing Committee between meetings of the Conference of the Parties;
- c) the Conference of the Parties may appoint additional committees as the need arises;
- d) the Conference of the Parties or the Standing Committee may appoint working groups with specific Terms of

Reference as required to address specific problems. These working groups shall have a defined lifespan which shall not exceed the period until the next meeting of the Conference of the Parties, at which time it may be renewed if necessary. They shall report to the Conference of the Parties and, if so requested, to the Standing Committee;

- e) the Rules of Procedure to be adopted by the Standing Committee shall apply to other Committees as far as is practicable;
- f) regional representatives shall be elected by the Conference of the Parties as members of the Standing Committee;
- g) to the extent possible, the Secretariat shall make provision for the payment, if requested, of reasonable and justifiable travel expenses of members of the Standing Committee;
- h) all Committees established by the Conference of the Parties shall be listed in Annexes to this Resolution; and
- i) the Secretariat shall, upon request by a Committee Chairman, provide secretarial services when such services can be met within the approved budget of the Secretariat; and

REPEALS the Resolutions listed hereunder:

- a) Resolution Conf. 6.1 (Ottawa, 1987) – Establishment of Committees; and
- b) Resolution Conf. 7.1 (Lausanne, 1989) – Membership of the Standing Committee.

Annex 1

Establishment of the Standing Committee of the Conference of the Parties

CONSIDERING the important role that the Standing Committee plays in steering the work and performance of the Convention in the periods between the meetings of the Conference of the Parties;

CONSIDERING the number of wildlife trade problems that occur between the South and the North, and the significant influence of the Standing Committee in deciding the status of the affected species listed in the appendices;

CONSIDERING the existing imbalance in the regional representation in the Standing Committee, in that four regions include between 24 and 47 Parties, while two regions include three or four Parties;

CONSIDERING that skewed representation on the Standing Committee could cause unfair assessment in deciding issues of great concern to producer States;

CONSIDERING the importance of ensuring that representation of regions in the Convention clearly reflects the participation of the Parties covered by each region;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RESOLVES to re-establish the Standing Committee of the Conference of the Parties, and to establish Terms of Reference as follows:

within the policy agreed to by the Conference of the Parties, the Standing Committee shall:

- a) provide general policy and general operational direction to the Secretariat concerning the implementation of the Convention;

- b) provide guidance and advice to the Secretariat on the preparation of agendas and other requirements of meetings, and on any other matters brought to it by the Secretariat in the exercise of its function;
- c) oversee, on behalf of the Parties, the development and execution of the Secretariat's budget as derived from the Trust Fund and other sources, and also all aspects of fund raising undertaken by the Secretariat in order to carry out specific functions authorized by the Conference of the Parties, and to oversee expenditures of such fund-raising activities;
- d) provide co-ordination and advice as required to other Committees and provide direction and co-ordination of working groups established by either itself or the Conference of the Parties;
- e) carry out, between one meeting of the Conference of the Parties and the next, such interim activities on behalf of the Conference as may be necessary;
- f) draft resolutions for consideration by the Conference of the Parties;
- g) report to the Conference of the Parties on the activities it has carried out between meetings of the Conference;
- h) act as the Bureau at meetings of the Conference of the Parties, until such time as the Rules of Procedure are adopted; and
- i) perform any other functions as may be entrusted to it by the Conference of the Parties;

DETERMINES:

- a) the following principles for the composition of the Standing Committee:
 - i) the membership of the Standing Committee shall consist of:
 - A. a Party or Parties elected from each of the six major geographic regions consisting of Africa, Asia, Europe, North America, South and Central America and the Caribbean, and Oceania, according to the following criteria:
 - a) one representative for regions with up to 15 Parties;
 - b) two representatives for regions with 16 to 30 Parties; or
 - c) three representatives for regions with more than 30 Parties;
 - B. the Depositary Government;
 - C. the past host Party and the next host Party; and
 - D. each Party elected as an alternate member for a member described in paragraph A, to be represented at meetings as a regional member only in the absence of a representative of the member for which it is the alternate; and
 - ii) the membership of the Committee shall be reviewed at every regular meeting of the Conference of the Parties. The terms of office of the regional members shall commence at the close of the regular meeting at which they are elected and shall expire at the close of the second regular meeting thereafter;
- b) that the Standing Committee shall adhere to the following procedures:
 - i) all Committee members may participate in Committee business but only the regional members or alternate regional members shall have the right to vote except in the case of a tie vote, when the Depositary Government shall have the right to vote to break the tie;

- ii) the Chairman, Vice-Chairman and any other necessary executive officers shall be elected by and from the regional members;
 - iii) if an extraordinary meeting of the Conference of the Parties is held between two regular meetings, the host Party of that meeting shall participate in the work of the Committee on matters related to the organization of the meeting;
 - iv) Parties not members of the Committee shall be entitled to be represented at meetings of the Committee by an observer who shall have the right to participate but not to vote;
 - v) the Chairman may invite any person or representative of any other country or organization to participate in meetings of the Committee as an observer without the right to vote; and
 - vi) the Secretariat shall inform all Parties of the time and venue of Standing Committee meetings; and
- c) the following principles for the payment of travel expenses to members of the Standing Committee:
 - i) the Secretariat shall make provisions in its budget for the payments, if requested, of reasonable and justifiable travel expenses of one person representing each regional member, to attend one Standing Committee meeting per calendar year;
 - ii) members should make every effort to pay their own travel expenses;
 - iii) the Chairman of the Standing Committee may be refunded for all reasonable and justifiable travel expenses for travel undertaken on behalf of the Conference of the Parties, the Standing Committee, or the Secretariat;
 - iv) claims for refunds must be supported by receipts, and be submitted to the Secretariat within thirty days from the completion of the travel; and
 - v) refunds may be provided in US dollars or Swiss francs.

Annex 2

Establishment of the Animals Committee of the Conference of the Parties

REALIZING the many problems faced by the Conference of the Parties and individual Parties concerning the lack of biological data and expert knowledge of animal trade and management;

RECOGNIZING that an effective method of evaluating whether a species is appropriately listed in the CITES appendices requires a periodic review of its biological and trade status;

RECOGNIZING the need to identify those Appendix-II species that are subject to levels of significant international trade and for which scientific information on the capacity of the species to withstand such levels of trade is insufficient to satisfy the requirements of Article IV, paragraph 3, of the Convention;

RECOGNIZING that the bulk of the world's biodiversity occurs in Africa, South and Central America and Asia, and also that the majority of animal and plant species listed in the appendices of the Convention are from these regions;

AWARE that there are only three Parties in the North American region, but more than 40 in Africa, more than 25 in South and Central America and the Caribbean, and more than 20 in Asia, which, in addition, stretches from Israel in the West to Japan in the East;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RESOLVES to re-establish the Animals Committee of the Conference of the Parties, and to establish Terms of Reference as follows:

within the policy agreed to by the Conference of the Parties, the Animals Committee shall:

- i) assist the Nomenclature Committee in the development and maintenance of a standardized list of animal names;
- ii) assist the Identification Manual Committee in the preparation of an identification manual on animal species;
- iii) establish a list of those animal taxa included in Appendix II which are considered as being significantly affected by trade, and review and assess all available biological and trade information including comments by the range States on these taxa to:
 - A. exclude all species for which there is adequate information to conclude that trade is not having a significant detrimental effect on their populations;
 - B. formulate recommendations for remedial measures for those species for which trade is believed to be having a detrimental effect; and

- C. establish priorities for projects to collect information for those species for which there is insufficient information available on which to base a judgement as to whether the level of trade is detrimental;
- iv) assess information on those species for which there is evidence of a change in the volume of trade or for which specific information is available to indicate the necessity for review;
- v) undertake a periodic review of animal species included in the CITES appendices by:
 - A. establishing a schedule for reviewing the biological and trade status of these species;
 - B. identifying problems or potential problems concerning the biological status of species being traded; and
 - C. informing the Parties of the need to review specific species, and assisting them in such reviews;
- vi) make available advice on management techniques and procedures for range States requesting such assistance;
- vii) draft resolutions on animal matters for consideration by the Conference of the Parties;
- viii) deal with the transport of live animals;
- ix) perform any other functions that may be entrusted to it by the Conference of the Parties or the Standing Committee; and
- x) report to the Conference of the Parties and, if so requested, to the Standing Committee, on the activities it has carried out or supervised between meetings of the Conference;

DETERMINES that:

- a) the membership of the Committee shall consist of:
 - i) a person chosen by each of the major geographic regions consisting of North America and Oceania;
 - ii) two persons chosen by each of the major geographic regions consisting of Africa, Asia, Europe and South and Central America and the Caribbean; and
 - iii) each person chosen as an alternate member for a member described in sub-paragraph i) or ii), to be represented at meetings as a regional member only in the absence of a representative of the member for which it is the alternate;
- b) Parties shall be entitled to be represented at meetings of the Committee by an observer;
- c) the Chairman may invite any person or representative of any other country or organization to participate in meetings of the Committee as an observer;
- d) a Chairman and a Vice-Chairman shall be elected by the Committee; and
- e) the provisions of paragraph a) shall not have any new financial implications to the Trust Fund in addition to those agreed prior to the ninth meeting of the Conference of the Parties; and

DIRECTS the Secretariat, to the extent possible, to provide funding from outside sources for the production costs of publications prepared by the Committee.

Annex 3

Establishment of the Plants Committee of the Conference of the Parties

REALIZING the many problems faced by the Conference of the Parties and individual Parties concerning the lack of biological data and expert knowledge of plant trade and management;

RECOGNIZING that an effective method of evaluating whether a species is appropriately listed in the CITES appendices requires a periodic review of its biological and trade status;

RECOGNIZING the need to identify those Appendix-II species that are subject to significant levels of international trade and for which scientific information on the capacity of the species to withstand such levels of trade is insufficient to satisfy the requirements of Article IV, paragraph 3, of the Convention;

RECOGNIZING that the bulk of the world's biodiversity occurs in Africa, South and Central America and Asia, and also that the majority of animal and plant species listed in the appendices of the Convention are from these regions;

AWARE that there are only three Parties in the North American region, but more than 40 in Africa, more than 25 in South and Central America and the Caribbean, and more than 20 in Asia, which, in addition, stretches from Israel in the West to Japan in the East;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RESOLVES to re-establish the Plants Committee of the Conference of the Parties, and to establish Terms of Reference as follows:

within the policy agreed to by the Conference of the Parties, the Plants Committee shall:

- i) provide advice and guidance to the Conference of the Parties, the other Committees, working groups and the Secretariat, on all aspects relevant to international trade in plant species included in the appendices, which may include proposals to amend the appendices;
- ii) assist the Nomenclature Committee in the development and maintenance of a standardized list of plant names;
- iii) assist the Identification Manual Committee in the preparation of an identification manual on plant species;
- iv) assist and advise Parties in the preparation of publicity material for plants included in the appendices to the Convention;
- v) establish a list of those plant taxa included in Appendix II which are considered as being significantly affected by trade, and review and assess all available biological and trade information including comments by the range States on these taxa to:
 - A. exclude all species for which there is adequate information to conclude that trade is not having a significant detrimental effect on their populations;
 - B. formulate recommendations for remedial measures for those species for which trade is believed to be having a detrimental effect; and
 - C. establish priorities for projects to collect information for those species for which there is insufficient information available on which to base a judgement as to whether the level of trade is detrimental;

- vi) assess information on those species for which there is evidence of a change in the volume of trade or for which specific information is available to indicate the necessity for review;
- vii) undertake a periodic review of plant species included in the CITES appendices by:
 - A. establishing a schedule for reviewing the biological and trade status of these species;
 - B. identifying problems or potential problems concerning the biological status of species being traded; and
 - C. informing the Parties of the need to review specific species, and assisting them in such reviews;
- viii) make available advice on management techniques and procedures for range States requesting such assistance;
- ix) draft resolutions on plant matters for consideration by the Conference of the Parties;
- x) serve, if so requested by the Conference of the Parties, as a plants working group;
- xi) perform any other functions that may be entrusted to it by the Conference of the Parties or the Standing Committee; and
- xii) report to the Conference of the Parties and, if so requested, to the Standing Committee, on the activities it has carried out or supervised between meetings of the Conference;

DETERMINES that:

- a) the membership of the Committee shall consist of:
 - i) a person chosen by each of the major geographic regions consisting of North America and Oceania;
 - ii) two persons chosen by each of the major geographic regions consisting of Africa, Asia, Europe and South and Central America and the Caribbean; and
 - iii) each person chosen as an alternate member for a member described in sub-paragraph i) or ii), to be represented at meetings as a regional member only in the absence of a representative of the member for which it is the alternate;
- b) Parties shall be entitled to be represented at meetings of the Committee by an observer;
- c) Chairman may invite any person or representative of any other country or organization to participate in meetings of the Committee as an observer;
- d) a Chairman and a Vice-Chairman shall be elected by the Committee; and
- e) the provisions of paragraph a) shall not have any new financial implications to the Trust Fund in addition to those agreed prior to the ninth meeting of the Conference of the Parties; and

DIRECTS the Secretariat, to the extent possible, to provide funding from outside sources for the production costs of publications prepared by the Committee.

Annex 4

Establishment of the Identification Manual Committee of the Conference of the Parties

CONSIDERING that the accurate identification of specimens of species listed in the appendices to the Convention is of critical importance in the effective enforcement of the Convention;

APPRECIATING that a standard work of reference is urgently needed for use by the Parties;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RESOLVES:

- a) to re-establish the Identification Manual Committee of the Conference of the Parties, and to establish Terms of Reference as follows:

within the policy agreed to by the Conference of the Parties, the Identification Manual Committee shall:

 - i) provide guidance and co-ordination in the preparation of identification manuals for animal and plant species;
 - ii) provide assistance to Parties in the development of national or regional identification manuals;
 - iii) upon request from a Party or the Secretariat, provide advice on the identification of specimens;
 - iv) assist in the preparation of seminars for enforcement officers concerning the identification of species and specimens;

- v) upon request from the Secretariat, review proposals to amend the appendices put forward by Parties with regard to identification problems; and

- vi) obtain, from Parties having successfully submitted proposals to include new species in the appendices, appropriate data for inclusion in the identification manuals within one year after acceptance of such additions;

- b) that the membership of the Identification Manual Committee shall be on a voluntary basis;
- c) that a Chairman and Vice-Chairman shall be elected by the Committee; and
- d) that the Committee shall report to the Conference of the Parties and, if so requested, to the Standing Committee, on the activities it has carried out or supervised between meetings of the Conference;

DIRECTS the Secretariat to publish, within its financial capacity, the identification manuals;

APPEALS to Parties and organizations to provide funds to ensure the production of the manuals; and

REQUESTS the Parties to promote the use of the identification manuals.

Establishment of the Nomenclature Committee of the Conference of the Parties

RECOGNIZING that biological nomenclature of species may differ from country to country;

NOTING that such biological nomenclature is not static;

RECOGNIZING that the nomenclature used in the appendices to the Convention will be most useful to the Parties if standardized;

RECALLING that Recommendation Conf. S.S. 1.7 adopted at the special working session of the Conference of the Parties (Geneva, 1977) recognized the need for the standardization of appendices' nomenclature;

THE CONFERENCE OF THE PARTIES TO THE
CONVENTION

RESOLVES:

a) to re-establish the Nomenclature Committee of the Conference of the Parties, and to establish Terms of Reference as follows:

within the policy agreed to by the Conference of the Parties, the Nomenclature Committee shall:

- i) cause standardized nomenclatural references for animal and plant taxa, to the level of subspecies or botanical variety and including synonyms, to be prepared, or propose for adoption existing nomenclatural references, as appropriate, for all species listed in the appendices to the Convention;
- ii) upon its acceptance of a new or updated reference (or part thereof) for a given taxon, present this to the Conference of the Parties for adoption as the standard reference for that taxon;
- iii) ensure that the highest priorities in developing the standard reference lists of plant names and synonyms be:
 - A. species names of plants listed at the species level in the appendices;

B. generic names of plants listed at the genus or family level in the appendices; and

C. family names of plants listed at the family level in the appendices;

iv) review the existing appendices with regard to the correct use of zoological and botanical nomenclature;

v) upon request from the Secretariat, review proposals to amend the appendices to ensure that correct names for the species and other taxa in question are used;

vi) ensure that changes in nomenclature recommended by a Party do not alter the scope of protection of the taxon concerned; and

vii) make recommendations on nomenclature to the Conference of the Parties, other Committees, working groups and the Secretariat;

b) that the membership of the Nomenclature Committee shall be on a voluntary basis;

c) that the Nomenclature Committee shall establish two subcommittees, one to address nomenclatural issues for animal taxa and the other for plant taxa;

d) that the Committee shall elect its own Chairman and Vice-Chairman, of which one shall be a zoologist, who shall chair the Animals Subcommittee, and the other shall be a botanist, who shall chair the Plants Subcommittee; and

e) that the Chairman and Vice-Chairman of the Nomenclature Committee shall co-ordinate and monitor the input needed from specialists in fulfilling the responsibilities assigned by the Parties and report annually on the progress of the respective Subcommittees to the Standing Committee; and

DIRECTS the Secretariat, to the extent possible, to provide funding from outside sources to cover the production costs of publications prepared by the Committee.

Annual reports and monitoring of trade

RECALLING Resolutions Conf. 1.5, paragraph 13, Conf. 2.16, Conf. 3.10, Conf. 5.4, Conf. 5.5, Conf. 5.6, Conf. 5.12, paragraph m), Conf. 5.14, paragraph g), and Conf. 8.7, adopted by the Conference of the Parties at its first, second, third, fifth and eighth meetings (Berne, 1976; San José, 1979; New Delhi, 1981; Buenos Aires, 1985; Kyoto, 1992), relating to annual reports and monitoring of trade;

CONSIDERING the obligation of Parties to submit periodic reports under the provisions of Article VIII, paragraph 7, of the Convention;

RECOGNIZING the importance of the annual reports as the only available means of monitoring the implementation of the Convention and the level of international trade in specimens of species included in the appendices;

ACKNOWLEDGING the necessity for the annual reports of the Parties to be as complete as possible and to be comparable;

CONSIDERING that the provisions of Article XII, paragraph 2(d), of the Convention require the Secretariat to study the periodic reports of Parties;

APPRECIATING the valuable assistance in meeting this responsibility provided by the Wildlife Trade Monitoring Unit of the World Conservation Monitoring Centre under contract to the Secretariat;

NOTING that the use of computers can help to ensure that trade statistics are dealt with more effectively;

CONCERNED that many Parties have not followed the recommendations of the Conference of the Parties and of the Secretariat that the annual reports be submitted by 31 October of the year following the year for which they are due and following the guidelines for the preparation of such reports;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

URGES all Parties to submit their annual reports required under the provisions of Article VIII, paragraph 7(a), of the Convention in accordance with the "Guidelines for the Preparation and Submission of CITES Annual Reports" distributed by the Secretariat with Notification to the Parties No. 788 dated 10 March 1994, as may be amended by the Secretariat from time to time with the concurrence of the Standing Committee;

RECOMMENDS that Parties:

- a) make every effort to report trade in CITES-listed plants at the species level or, if this is impossible for those taxa included in the appendices by family, at the generic level; however, artificially propagated Appendix-II orchid hybrids may be reported as such;
- b) distinguish in their annual reports between plant specimens of wild and of artificially propagated origin; and
- c) include in their annual reports complete data on imports, exports and re-exports of raw ivory including, as a minimum, the country of origin, the year that the export was authorized under a quota, the number of whole or substantially whole tusks, and their individual weights and serial numbers;

RECOMMENDS that Management Authorities:

- a) consult their national timber organizations to identify any anomalies in their annual reports and to discuss remedies if such anomalies exist; and

- b) carefully review their procedures for reporting the trade in timber species included in the appendices to ensure that reporting is based on permits used rather than permits issued;

RECOMMENDS that each Party to the Convention, if a member of a regional trade agreement within the meaning of Article XIV, paragraph 3, of the Convention, include in its annual reports information on trade in specimens of species included in Appendices I, II and III with other member States of that regional trade agreement, unless the record-keeping and reporting duties of Article VIII of the Convention are in direct and irreconcilable conflict with the provisions of the regional trade agreement;

URGES every Party to consider whether the preparation of its statistical reports could be computerized, or undertaken under a contract between the Party and the Wildlife Trade Monitoring Unit of the World Conservation Monitoring Centre;

RECOMMENDS that Parties studying or developing computer programmes for licensing and reporting trade under the Convention consult with each other, and with the Secretariat, in order to ensure optimal harmonization and compatibility of systems;

DECIDES that:

- a) failure to submit an annual report by 31 October of the year following the year for which the report was due constitutes a major problem with the implementation of the Convention, which the Secretariat shall refer to the Standing Committee for a solution in accordance with Resolution Conf. 7.5; and
- b) the Secretariat may approve a valid request from a Party for a reasonable extension of time to the 31 October deadline for the submission of annual reports provided the Party submits to the Secretariat a written request, containing adequate justification, before that deadline;

APPEALS to all Parties, and to non-governmental organizations interested in furthering the objectives of the Convention, to make financial contributions to the Secretariat to support the trade monitoring work of the Secretariat and that of the Wildlife Trade Monitoring Unit undertaken under contract to the Secretariat; and

REPEALS the Resolutions, or parts thereof, listed hereunder:

- a) Resolution Conf. 1.5 (Berne, 1976) – Recommendations Concerning the Interpretation and Implementation of Certain Provisions of the Convention – paragraph 13;
- b) Resolution Conf. 2.16 (San José, 1979) – Periodic Reports;
- c) Resolution Conf. 3.10 (New Delhi, 1981) – Review and Harmonization of Annual Reports;
- d) Resolution Conf. 5.4 (Buenos Aires, 1985) – Periodic Reports;
- e) Resolution Conf. 5.5 (Buenos Aires, 1985) – Annual Reports of Parties which Are Members of a Regional Trade Agreement;
- f) Resolution Conf. 5.6 (Buenos Aires, 1985) – Trade Monitoring;
- g) Resolution Conf. 5.12 (Buenos Aires, 1985) – Trade in Ivory from African Elephants – paragraph m);
- h) Resolution Conf. 5.14 (Buenos Aires, 1985) – Improving the Regulation of Trade in Plants – paragraph g); and



Enforcement

CONVINCED of the need to strengthen enforcement of the Convention to address serious problems caused by the illegal trafficking of wild fauna and flora, and that the available resources for enforcement are negligible when compared to the profits gained from such trafficking;

RECOGNIZING that the Preamble of the Convention states that international co-operation is essential for the protection of certain species of wild fauna and flora against over-exploitation through international trade;

RECALLING that Article VIII, paragraph 1, of the Convention provides that the Parties shall take appropriate measures to enforce the provisions of the Convention and to prohibit trade in specimens in violation thereof;

RECALLING Resolution Conf. 7.5, adopted at the seventh meeting of the Conference of the Parties (Lausanne, 1989), on Enforcement of the Convention;

WELCOMING the adoption of a resolution on law enforcement co-operation at the Asian regional meeting in Israel in March 1994;

NOTING the Lusaka Agreement on Co-operative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora;

CONSCIOUS of the Secretariat's role in promoting enforcement of the Convention, as provided by Article XIII, and of the measures which the Secretariat has taken with the International Criminal Police Organization (ICPO-Interpol) and the World Customs Organization to facilitate the exchange of information between enforcement bodies and for training purposes;

AWARE that, with the limited funding available, Parties and the Secretariat should make the maximum use of existing inter-governmental enforcement mechanisms and resources;

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AGREES on the need for additional measures to reduce further the illegal trade in species covered by the Convention;

URGES the Parties, inter-governmental and non-governmental organizations to provide additional financial support for the enforcement of the Convention, by providing funds to the Enforcement Project of the Secretariat;

DIRECTS the Secretariat to utilize such funds towards the following priorities:

- a) the appointment of additional officers to the Secretariat to work on enforcement-related matters;
- b) assistance in the development and implementation of regional law-enforcement agreements; and
- c) training and technical assistance to the Parties;

URGES the Parties to offer secondment of enforcement officers to assist the Secretariat in addressing law enforcement issues;

DIRECTS the Secretariat to pursue closer international liaison between the Convention's institutions, national enforcement agencies, and existing intergovernmental bodies, particularly the World Customs Organization and ICPO-Interpol;

RECOMMENDS that:

- a) Management Authorities co-ordinate with governmental agencies responsible for enforcement of CITES, including Customs and Police, by arranging training activities and joint meetings, and facilitating the exchange of information through, for example, the establishment of inter-agency committees at national level;
- b) the Parties provide to the Secretariat detailed information on significant cases of illegal trade; and
- c) the Parties inform the Secretariat, when possible, about convicted illegal traders and persistent offenders, and DIRECTS the Secretariat to communicate such information quickly to the Parties;

RECOMMENDS further that the Parties:

- a) promote incentives to secure the support and co-operation of local and rural communities in managing wildlife resources and thereby combatting illegal trade;
- b) where appropriate, evaluate and utilize for enforcement purposes, information from non-governmental sources while maintaining standards of confidentiality; and
- c) consider the formation, at national level, of specialized wildlife enforcement units or teams; and

ENCOURAGES States to offer rewards for information on illegal hunting and trafficking of specimens of Appendix-I species leading to the arrest and conviction of the offenders.

Disposal of illegally traded, confiscated and accumulated specimens

RECALLING Resolutions Conf. 2.15, Conf. 3.9, paragraph c) ii), Conf. 3.14, Conf. 4.17, Conf. 4.18, Conf. 5.14, paragraph f), and Conf. 7.6, adopted by the Conference of the Parties at its second, third, fourth, fifth and seventh meetings (San José, 1979; New Delhi, 1981; Gaborone, 1983; Buenos Aires, 1985; Lausanne, 1989), relating to illegally traded, confiscated and accumulated specimens, international compliance control and other aspects of enforcement;

RECOGNIZING that Parties have experienced problems with the disposal of specimens of Appendix-I species that have been obtained as a result of confiscation, accidental death or otherwise;

RECALLING that Article III, paragraph 4(a), and Article IV, paragraph 5(a), of the Convention require that as a pre-condition for the issuance of a re-export certificate the Management Authority of the State of re-export be "satisfied that the specimen was imported into that State in accordance with the provisions of the present Convention";

WHEREAS Article VIII of the Convention requires Parties to take appropriate measures to enforce the provisions of the Convention and to prohibit trade in specimens in violation thereof, including measures to provide for the confiscation or return to the State of export of illegally traded specimens;

RECOGNIZING that Article VIII, paragraph 4(b), of the Convention requires Parties to return any confiscated living specimen to the State of export, after consultation with and at the expense of that State, or to place it in a rescue centre or other appropriate place;

NOTING, however, that Article VIII does not preclude the Management Authority allowing the importer to refuse acceptance of a shipment, thus forcing the transporter to carry the shipment back to the (re-)exporter;

CONSIDERING that a Party may also provide for the internal reimbursement of expenses that result from the confiscation of a specimen traded in violation of the Convention;

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RECOMMENDS that:

Regarding the export or re-export of illegally traded specimens

- a) except in the circumstances specified in paragraphs b) and c) below, Parties not authorize any re-export of specimens for which there is evidence that they were imported in violation of the Convention;
- b) when applying Article III, paragraph 4(a), and Article IV, paragraph 5(a), of the Convention to specimens imported not in accordance with the provisions of the Convention that are being re-exported by a Management Authority for purposes of implementing the provisions of Article VIII or of this Resolution, or for investigatory or judicial purposes, the specimens be deemed to have been imported in accordance with the provisions of the Convention;
- c) when applying Article IV, paragraphs 2(b) and 5(a), of the Convention to specimens of species in Appendix II that have been confiscated as a result of attempts to import or export them illegally and that have subsequently been sold by the Management Authority,

having satisfied itself that this would not be detrimental to the survival of the species, the specimens be deemed to have been obtained in accordance with the provisions of the Convention and with the laws of the State for the protection of fauna and flora for the purposes of issuing export permits or re-export certificates; and

- d) permits and certificates granted in accordance with paragraph b) or c) above clearly indicate that the specimens are confiscated specimens;

Regarding the disposal of illegally traded specimens of species in Appendix II

- e) as a general rule, confiscated parts and derivatives of Appendix-II species be disposed of in the best manner possible to benefit enforcement and administration of the Convention, and that steps be taken to ensure that the person responsible for the offence does not receive financial or other gain from the disposal;
- f) in the case of live specimens, Parties having not done so endeavour to make legislative provision to require the guilty importer and/or the carrier to meet the costs of confiscation, custody and returning specimens to the country of origin or re-export (as appropriate), where the Scientific Authority of the confiscating State deems it in the interest of the specimens to do so, and the country of origin or re-export so wishes; and
- g) where such legislation does not exist and the country of origin or re-export wishes the live specimens to be returned, the financial assistance of non-governmental organizations be sought to facilitate the return;

Regarding the disposal of seized or confiscated plants

- h) priority be given to the care of seized or confiscated wild-collected specimens of Appendix-I species and of Appendix-II species that may be at risk; and

In general

- i) Parties publicize information on seizures and confiscations when appropriate as a deterrent to illegal trade, and inform the public about their procedures for dealing with seized and confiscated specimens and about rescue centres; and

REPEALS the Resolutions, or parts thereof, listed hereunder:

- a) Resolution Conf. 2.15 (San José, 1979) – Exchange of Confiscated Appendix-I Specimens;
- b) Resolution Conf. 3.9 (New Delhi, 1981) – International Compliance Control – paragraph c) ii);
- c) Resolution Conf. 3.14 (New Delhi, 1981) – Disposal of Confiscated or Accumulated Specimens of Appendix-I Species;
- d) Resolution Conf. 4.17 (Gaborone, 1983) – Re-export of Confiscated Specimens;
- e) Resolution Conf. 4.18 (Gaborone, 1983) – Disposal and Return of Illegally Traded Appendix-II Specimens;
- f) Resolution Conf. 5.14 (Buenos Aires, 1985) – Improving the Regulation of Trade in Plants – paragraph f); and
- g) Resolution Conf. 7.6 (Lausanne, 1989) – Return of Live Animals of Appendix-II or -III Species.

Conservation of and trade in tigers

AWARE that three subspecies of tiger, *Panthera tigris*, have become extinct within the last 50 years and that many of the surviving populations of the species have declined sharply within the last five years;

NOTING that wild populations of tigers are threatened by the combined effects of poaching and of habitat loss caused by disturbance, fragmentation and destruction;

AWARE also that the tiger is listed in Appendix I and international commerce in the species is prohibited;

NOTING that, despite inclusion of the species in Appendix I, illegal trade in tiger specimens has escalated, and could lead to extinction in the wild;

NOTING with alarm that the use of medicines and products containing tiger parts and derivatives exists in many countries of the world;

NOTING further that the Standing Committee has called upon all Parties and non-Parties to the Convention to take such measures as are required to halt the illegal trade in tigers and tiger parts and derivatives;

RECOGNIZING that strengthened technical co-operation between range and non-range States, and financial support, would contribute to more effective tiger conservation;

RECOGNIZING also that long-term solutions to the protection, conservation and management of the tiger and its habitat require the adoption of bold and unprecedented actions;

ACKNOWLEDGING that increased political commitment, financial resources and expertise in some range and consumer States will significantly improve the control of the illegal killing of tigers, trade in their parts and derivatives, and protection of their habitat;

APPRECIATING the positive actions taken by some consumer States to address the illegal trade in tiger parts and derivatives;

COMMENDING the initiatives by some range Parties to facilitate co-operation in tiger conservation, including:

- a) India, which, with co-sponsorship from the United Nations Environment Programme (UNEP), convened the first meeting of tiger range States, in March 1994, to establish a Global Tiger Forum, and also facilitated, with governmental and non-governmental support, the Global Tiger Forum in organizing a meeting of 11 tiger range States, three non-tiger range States and two donor agencies in March 1997 for the promotion of technical co-operation, inter-State tiger conservation strategies, training and capacity building programmes and developing information-sharing systems for conservation of the tiger and control of trade in tiger parts and derivatives through international co-operative efforts;
- b) Thailand, which convened a workshop in October 1994 to map distribution of tigers and the status of their forest habitat in a Geographic Information System and to initiate regional co-operative action in this regard;
- c) Nepal, which convened a workshop in March 1996 of 11 tiger range States to prepare a manual on systematic census techniques for tigers;
- d) the Russian Federation, which, with the co-operation of other governments and NGOs, has established effective anti-poaching patrols, officially expanded protected areas for tigers, adopted a national strategy for the conservation of the Amur tiger and completed a national tiger census;

- e) China, which convened a meeting of Asian countries, including tiger range and consumer States, to discuss means of strengthening co-operation on wildlife trade matters, which resulted in the adoption of the Beijing Statement (1995); and
- f) Viet Nam, which hosted as workshop in March 1995 to promote co-operation between the Lao People's Democratic Republic, Cambodia and Viet Nam to conserve tigers;

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URGES:

- a) all Parties and non-Parties, especially tiger range and consumer States, to adopt comprehensive legislation and enforcement controls as a matter of urgency, with the aim of eliminating trade in tiger parts and derivatives, in order to demonstrably reduce the illegal trade in tiger parts and derivatives by the 11th meeting of the Conference of the Parties;
- b) the Secretariat, where possible, to assist those Parties seeking to improve their legislation, by providing to them technical advice and relevant information;
- c) all Parties seeking to improve their legislation controlling the trade in tigers and tiger parts and derivatives, or to adopt such legislation, to include penalties adequate to deter illegal trade and to consider introducing national measures to facilitate implementation of CITES, such as voluntarily prohibiting internal trade in tigers and tiger parts and derivatives, as well as in products labelled as containing parts and derivatives of tiger;
- d) all Parties to treat any product claiming to contain tiger specimens as a readily recognizable tiger derivative and therefore subject to the provisions relating to Appendix-I species, as provided for in Resolution Conf. 9.6, and to enact legislation where it does not exist, to fully implement these provisions for such products;
- e) those Parties and non-Parties in whose countries stocks of tiger parts and derivatives exist to consolidate and ensure adequate control of such stocks;
- f) all range States and consumer States that are not party to CITES to accede to it at the earliest possible date; and
- g) tiger range and non-range States to support and participate in international tiger conservation programmes and consider joining the Global Tiger Forum;

RECOMMENDS:

- a) that the governments of tiger range States and, where appropriate, non-range States, establish co-operative bilateral and multilateral arrangements for the management of shared wildlife species and protected habitats with common boundaries in order to achieve more effective control of illegal cross-border movement of tigers and tiger parts and derivatives;
- b) that Parties and non-Parties convene regional workshops on law enforcement needs associated with cross-border movement of tiger parts and derivatives, with technical assistance from the CITES Secretariat and, where available, financial support from interested governments and NGOs;
- c) that all range and consumer States strengthen communication and sharing of information by designating at least one contact person in order to

establish a regional network to assist in the control of the illegal trade in tiger parts and derivatives; and

- d) all Parties and non-Parties to use fully the ECO-MESSAGE of ICPO-Interpol, which relates to standard procedures for exchange of intelligence data, for improved collaborative enforcement in the control of tiger trade;

REQUESTS:

- a) countries with the relevant expertise to encourage and support range and consumer States, as a matter of urgency, in the development of a forensic protocol for identifying tiger-bone derivatives in medicines and the establishment of forensic facilities, and to provide technical assistance to aid the detection and accurate identification of tiger parts and derived manufactured products; and
- b) that, since biological and distribution data are essential for the implementation of the Convention, donor nations assist in funding the infrastructure and the provision of expertise to develop computer databases and mapping, as well as any other necessary conservation management and enforcement techniques;

RECOMMENDS that the governments of tiger-consumer States:

- a) work with traditional-medicine communities and industries to develop strategies for eliminating the use and consumption of tiger parts and derivatives;
- b) carry out appropriate education and awareness campaigns, making use of indigenous knowledge and traditional wisdom, directed at appropriate rural urban communities and other targeted groups in range States, on the ecological importance of the tiger, its prey and its habitat; and
- c) where necessary and appropriate, remove tiger parts and derivatives from the official pharmacopeia and include acceptable substitute products that do not endanger other wild species, and introduce programmes to educate industry and user groups in consumer States in order to eliminate the use of tiger-derived substances and promote the adoption of alternatives; and

CALLS UPON all governments and intergovernmental organizations, international aid agencies, and non-governmental organizations to provide, as a matter of urgency, funds and other assistance to stop the illegal trade in tigers and tiger parts and derivatives and to ensure the survival of the tiger in the wild.

Regulation of trade in plants

RECALLING Resolutions Conf. 5.14, Conf. 5.15 and Conf. 8.17, adopted by the Conference of the Parties at its fifth and eighth meetings (Buenos Aires, 1985; Kyoto, 1992), relating to the implementation of CITES for plants;

AWARE that the Convention provides measures for international co-operation for the protection of certain species of wild plants against over-exploitation through international trade;

AWARE that the text of the Convention and several of the Resolutions of the Conference of the Parties on plants may not or could not have been drafted in the light of modern developments in plant propagation and of the trade in artificially propagated plants;

RECALLING the many specific problems the Parties to the Convention have faced and still face in implementing the Convention for plants;

RECOGNIZING that there are unique aspects of the plant trade and plant biology, such as those related to flaked orchid seedlings, that are not considered analogous to those for animals and that a different approach for plants is sometimes necessary;

RECOGNIZING that the control of the trade in flaked seedlings of orchids is not considered to be relevant to the protection of the natural populations of orchid species;

RECOGNIZING that many of the problems associated with regulating international trade in plants under the Convention involve artificially propagated specimens;

OBSERVING that certain Parties that export large quantities of artificially propagated plants need to find ways of reducing paperwork while maintaining protection for wild plants, and helping exporters of artificially propagated plants to understand and to comply with the requirements of the Convention;

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Regarding the definition of 'artificially propagated'

DETERMINES that:

- a) the term 'artificially propagated' shall be interpreted to refer only to live plants grown from seeds, cuttings, divisions, callus tissues or other plant tissues, spores or other propagules under controlled conditions; and
that 'under controlled conditions' means in a non-natural environment that is intensively manipulated by human intervention for the purpose of producing selected species or hybrids. General characteristics of controlled conditions may include but are not limited to tillage, fertilization, weed control, irrigation, or nursery operations such as potting, bedding or protection from weather;
- b) the cultivated parental stock used for artificial propagation must be, to the satisfaction of the competent government authorities of the exporting country:
 - i) established in accordance with the provisions of CITES and relevant national laws and in a manner not detrimental to the survival of the species in the wild; and
 - ii) managed in such a way that long-term maintenance of this cultivated stock is guaranteed;
- c) seeds shall be regarded as artificially propagated only if they are taken from specimens acquired in accordance

with the provisions of paragraph b) above and grown under controlled conditions, or from parental stock artificially propagated in accordance with paragraph a) above;

- d) all other parts and derivatives shall be regarded as being artificially propagated only if they are taken from specimens that have been artificially propagated in accordance with the provisions of paragraph a) above; and
- e) grafted plants shall be recognized as artificially propagated only when both the root-stock and the graft have been artificially propagated;

Regarding higher-taxon listings of plants

RECOMMENDS that:

- a) current higher-taxon listings of plants in the appendices, including the families of Orchidaceae and Cactaceae, be maintained as they are essential for effective control of trade in the many species within those taxa that are threatened or potentially at risk; and
- b) Parties contemplating preparing a proposal to transfer an individual plant species from a higher-taxon listing in Appendix II to a separate listing in Appendix I consider:
 - i) whether the increased protection possible by a transfer to Appendix I would compensate for the increased risk created by attracting the attention of traders to the species;
 - ii) the ease with which it can be propagated artificially;
 - iii) the extent to which it is currently available in cultivation from artificially propagated specimens; and
 - iv) any practical problems in identifying the species, particularly in the form in which it may be traded;

Regarding hybrids

DETERMINES that:

- a) hybrids shall be subject to the provisions of the Convention even though not specifically included in the appendices if one or both of their parents are of taxa included in the appendices, unless the hybrids are excluded from CITES controls by a specific annotation in Appendix II or III (see annotation 608 in the Interpretation of Appendices I and II); and
- b) regarding artificially propagated hybrids:
 - i) plant species or other taxa listed in Appendix I shall be annotated (in accordance with Article XV) if the provisions relevant to the most restrictive appendix are to apply;
 - ii) if a plant species or other taxon listed in Appendix I is annotated, an export permit or re-export certificate shall be required for trade in specimens of all artificially propagated hybrids derived from it; but
 - iii) artificially propagated hybrids derived from one or more unannotated Appendix-I species or other taxa shall be regarded as being included in Appendix II and entitled therefore to all exemptions applicable to artificially propagated specimens of species listed in Appendix II;

Regarding flaked seedlings

RECOMMENDS that flaked seedlings of orchid species listed in Appendix I be interpreted as being exempt from

CITES control, taking into account the provisions of Article VII, paragraph 4, and Article I, paragraph (b) (iii), and agreeing to a derogation from Resolution Conf. 9.6 for this exemption;

Regarding enforcement for plants

RECOMMENDS that Parties ensure that:

- a) enforcement officers are adequately informed of CITES requirements, procedures governing inspection and clearance of CITES plant specimens, and procedures necessary for the detection of illegal trade;
- b) enforcing agencies obtain access to materials and expertise enabling identification of plant specimens in trade, including whether the specimen is of wild or artificially propagated origin;
- c) enforcing agencies utilize annual reports, plant health documents, nursery catalogues and other sources of information to detect possible illegal trade; and
- d) enforcing agencies maintain close liaison with the Management and Scientific Authorities for the purpose of setting and implementing enforcement priorities;

Regarding trade in salvaged plant specimens

RECOMMENDS that:

- a) whenever possible, Parties ensure programmes of environmental modification do not threaten the survival of plant species included in the CITES appendices, and that protection of Appendix-I species *in situ* be considered as a national and international obligation;
- b) Parties establish salvaged specimens in cultivation where concerted attempts have failed to ensure that such programmes do not put at risk wild populations of species included in the CITES appendices; and
- c) international trade in salvaged specimens of Appendix-I plants, and of Appendix-II plants whose entry into trade might be detrimental to the survival of the species in the wild, be permitted where all of the following conditions are met:
 - i) such trade would clearly enhance the survival of the species, albeit not in the wild;
 - ii) import is for the purposes of care and propagation of the species; and

- iii) import is by a bona fide botanic garden or scientific institution or a registered nursery; and

Regarding education about plant conservation through CITES

RECOMMENDS that:

- a) Parties routinely provide updates of information on all aspects of CITES implementation for plants for publication in scientific, horticultural or plant trade journals and in the publications of plant associations;
- b) Parties regularly provide updates of information on all aspects of CITES implementation to botanic gardens, tourist organizations and relevant non-governmental organizations for further dissemination to the general public;
- c) Parties develop and maintain a good liaison with national plant-trade organizations, to inform them about all aspects of the implementation of CITES for plants, and to communicate to the Secretariat specific implementation problems presented by these national organizations, for consideration by the Plants Committee;
- d) the Secretariat develop and maintain a good liaison with international plant-trade organizations and botanic garden associations (in particular with the International Association of Botanic Gardens and Botanic Gardens Conservation International); and
- e) the Secretariat distribute information on the beneficial aspects of artificial propagation for the survival of natural populations and, where possible, promote such artificial propagation; and

REPEALS the Resolutions, or parts thereof, listed hereunder:

- a) Resolution Conf. 5.14 (Buenos Aires, 1985) – Improving the Regulation of Trade in Plants – recommendations a), b), d), e), h) and i);
- b) Resolution Conf. 5.15 (Buenos Aires, 1985) – Improving and Simplifying the Regulation of Trade in Artificially Propagated Plants; and
- c) Resolution Conf. 8.17 (Kyoto, 1992) – Improving the Regulation of Trade in Plants.

**Guidelines for evaluating marine turtle ranching proposals
submitted pursuant to Resolution Conf. 10.18**

RECOGNIZING that, as a general rule, use of sea turtles has not been conducted in a sustainable manner and has led to the decline of sea turtle populations;

RECOGNIZING also that other factors such as habitat loss, pollution and incidental catch are seriously impacting sea turtle populations;

RECALLING that Resolution Conf. 10.18 adopted at the 10th meeting of the Conference of the Parties (Harare, 1997), recommends that, for a proposal to transfer a species from Appendix I to Appendix II for the purpose of ranching, the operation "must be primarily beneficial to the conservation of the local population";

NOTING that the unique biology of sea turtles makes their sustainable use difficult and imposes special restraints on their exploitation, which require the application of rigorous controls;

RECOGNIZING that the demand for marine turtle products in some States stimulates illegal trade both nationally and internationally;

NOTING that the co-operation of range States greatly enhances the conservation of marine turtle populations;

UNDERSTANDING that, because of the behaviour of marine turtles of returning to specific beaches to nest, range States have a special responsibility to protect marine-turtle nesting habitat and nesting females during the breeding season;

RECOGNIZING that sustainable use may have potential benefits for the conservation of marine turtles and their habitats;

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RECOMMENDS that:

- a) any Party seeking to allow international trade in products of sea turtle ranches satisfy all the requirements of the Convention and Resolutions Conf. 5.16 (Rev.), adopted at the fifth meeting of the Conference of the Parties (Buenos Aires, 1985) and amended at the 10th meeting and Conf. 10.18;
- b) any Party seeking to transfer a marine turtle population from Appendix I to Appendix II pursuant to Resolution Conf. 10.18 provide information in accordance with the guidelines contained in the Annex to this Resolution; and
- c) any Party whose population of marine turtles is transferred to Appendix II pursuant to this Resolution and Resolution Conf. 10.18 ensure that procedures for regular adequate reporting to the Secretariat exist and are implemented. Failure to satisfy this requirement and to demonstrate conservation benefit to the population or compliance with other requirement of Resolution Conf. 10.18 may result in the application of paragraph c) of that Resolution under the last RECOMMENDS.

Annex

Guidelines for evaluating marine turtle ranching proposals
submitted pursuant to Resolution Conf. 10.18

1. Resource management

A. Biological information

The proposal should provide information on the biology, management and geographic extent of each population that will be affected throughout its range. Geographic extent should be described using sound scientific techniques. Range is defined as all the range States and waters in which the population occurs.

The following characteristics of the population of marine turtles that is the subject of the ranching proposal should be detailed:

- a) Population distribution. Describe the current (and, if possible, the historical) nesting grounds, feeding areas and migratory range of the population. Nesting areas from which eggs and/or hatchlings are to be taken should be described in detail.
- b) Population status and trend. Describe the population and its trend using indices of abundance for the different life stages with particular attention to the age/size structure of the population.
- c) Reproduction. Provide an estimate or calculation of the annual reproductive rate or size of the annual production (e.g. numbers of eggs and/or hatchlings).
- d) Population mortality. Provide an estimate of hatching success and estimates of human-induced mortalities of the population.

B. National management

A prerequisite for approval of a ranching proposal will be the effective implementation of a national management plan for marine turtles. The plan should include:

- a) Monitoring. A description of the annual programme to monitor population trends and mortality rates.
- b) Habitat protection. All important nesting beaches, feeding grounds and other significant habitats should be protected from disruption including development, urbanization and pollution.
- c) Harvest regulation. Harvesting for ranches should normally be restricted to eggs and/or hatchlings. The annual numbers (and percentage) of eggs and/or hatchlings proposed for removal to the ranch must be specified. The proposed harvest rate should also be presented as a proportion of the natural production of the population being harvested for ranches.
- d) Protection of the population. Human induced mortality of marine turtles, such as uncontrolled harvests, incidental catch in fisheries and pollution of habitat should be identified and mechanisms be in place to control such mortalities.
- e) Rules for stopping harvests. Predetermined threshold values of population trends and changes in status, mortality or habitat should be proposed, the passing of which would automatically trigger the suspension of harvests, and the initiation of additional conservation measures.

C. Regional management

Because of the migratory behaviour of marine turtles, that segment of the population occurring within the jurisdiction of any one State can not be considered in isolation. Any management of the population should involve the range States sharing the majority of the population.

A Party submitting a ranching proposal shall take the lead in the development and effective implementation of a regional management protocol designed to enhance the conservation of the population.

- a) Activities undertaken by the proponent to develop co-operative regional management among the range States sharing the majority of the population should be described. Regional management should entail co-operative mechanisms for:
 - i) assessment of the conservation status of the population throughout its range and identification of key recruitment areas (e.g. breeding and nesting sites);
 - ii) regular monitoring of population trends, involving an assessment of sources of annual mortality including an assessment of the impact of the ranching operation;
 - iii) effective protection of important nesting beaches and other essential habitats (e.g. feeding areas);
 - iv) regulating where necessary harvests and domestic sale of marine turtle specimens; and
 - v) effective controls, sufficient to prevent the stimulation of illegal trade in products from wild populations.
- b) The regional management protocol designed to enhance conservation of the marine turtles in the wild should also document existing conservation legislation and trade controls by range States and provide a forum through which more effective or complementary trade controls, enforcement activities and other conservation measures may be developed.

2. Trade controls

Proponents must take every reasonable measure to ensure that the trade in products from approved ranches does not stimulate an increase in trade from other sources in a manner detrimental to the survival of the population, other populations or other species of marine turtle, or serve as a cause for such trade. Therefore, the proponent Party should ensure that both it and any country to which the products of the ranching operation are destined have adequate legal frameworks and administrative measures for monitoring and reporting, and adequate local and national enforcement capabilities before international trade is authorized. In particular each proponent Party must:

- a) Agree that exports of marine turtle products derived from the population covered by its proposal will be restricted to those from the ranching operation, in specified amounts (i.e. a quota may be set) that can be met by proposed ranch production. Importing States shall undertake to provide documentation of their domestic laws to regulate the import, re-export, possession, sale, purchase and transport of marine turtles and their parts and derivatives, and the measures taken to control existing stockpiles of such specimens.
- b) Document its domestic laws and enforcement mechanisms (including those in any territories and overseas political units) that regulate the taking of marine turtles from the wild and the possession, sale,

purchase, transport, import and export of marine turtles, their parts and derivatives.

- c) Undertake registration of any existing stockpiles of marine turtle parts and derivatives held within its territorial jurisdiction and instigate marking and control systems to ensure that such items are readily distinguishable from similar items deriving from approved ranches.
- d) Describe marking and tracking procedures for all parts and derivatives from approved ranches that will allow the unambiguous identification of ranch products, including methods for marking products and packages, packaging types, transport methods, shipping routes, product documentation, secure storage of products, inventory control up to the point of export and specification of the maximum quantities of products (quotas) to be exported annually.

3. The ranching operation

To satisfy recommendation e) ii) under the first RECOMMENDS of Resolution Conf. 10.18, the proponent should provide information on:

- a) Financial operation. Identity of the owners and a business and financial plan taking account of market demand and production goals and objectives.
- b) Physical plant. In accordance with technical and professional standards, descriptions of:
 - i) site, including geographical location, lay out, size and technical specifications;
 - ii) facilities for maintaining stock, food storage, quarantine, slaughter and processing, refrigeration and freezing;
 - iii) seawater source, including circulation, filtration, waste disposal and quality control systems; and
 - iv) staff, including numbers and qualifications of technical and management personnel and numbers of support staff.
- c) Operating procedures, taking account of:
 - i) stock collection, including location of source sites, methods used in collection and removal of specimens, age- and size-classes of specimens (e.g. eggs, hatchlings), collecting seasons, number of specimens to be collected each year and the proportion of natural annual production that the harvest represents, methods of handling and transport to the ranching operation, and injury levels and mortality during collection and transport;
 - ii) stocking rates, including the number or weight of turtles per 1,000 litres of sea water and square metres of surface area;
 - iii) production schedules, including production profiles by age- and size-class, growth rates, methods used to identify ranch stocks, culling procedures exclusive of harvesting, reports of non-harvest mortality, methods of disposal of carcasses from non-harvest mortality and number of specimens by age- and size-class that will be harvested each year;
 - iv) feeding, including sources of feed, general nutritional composition, evaluation of additives and contaminants, and feeding regimen (amount, frequency and method of distribution);
 - v) health care, including monitoring methods, veterinary care and treatment procedures; and

vi) slaughter procedures, including specimen selection, methods used to collect and transport specimens to the processing site, humane slaughter technique, processing techniques, waste disposal.

d) Record keeping, indicating procedures followed in inspecting and monitoring records maintained by the ranching operation.

e) Benefits, indicating how local people would benefit from the operation.

4. Summary statement describing benefit to the population

Proponents should summarize the legal and enforcement mechanisms that will prevent detrimental impact of the renewal of legal trade and summarize the

benefits resulting or expected to result from the management actions implemented for the population to be harvested for ranches including regional management protocols.

5. Reporting

Proponents that achieve a transfer of their national population of marine turtles from Appendix I to Appendix II subject to this Resolution should include in their annual reports updated information on: population status and trends; any change in the area of beaches that provide suitable nesting habitat; any change in enforcement effort; and amendments to co-operative agreements to preserve and manage the marine turtle resource. Reports should also detail the nature of and progress in developing and implementing effective regional management protocols.

Inclusion of species in Appendix III

RECOGNIZING that Article XVI, paragraph 1, provides Parties with the right to list species in Appendix III;

RECALLING that Article II, paragraph 3, provides for the inclusion of species in Appendix III by a Party only if it needs the co-operation of other Parties in the control of trade;

RECOGNIZING that, for a species with a natural distribution that goes beyond the territory of the Party requesting its inclusion in Appendix III and its immediate neighbours, such inclusion may not necessarily need to cover all range States;

NOTING that Resolution Conf. 1.5, adopted at the first meeting of the Conference of the Parties (Berne, 1976), recommends that all readily recognizable parts and derivatives of species included in Appendix III be covered;

NOTING that Resolution Conf. 5.22, adopted at the fifth meeting of the Conference of the Parties (Buenos Aires, 1985), recommends criteria for the inclusion of species in Appendix III;

NOTING that Resolution Conf. 7.15, adopted at the seventh meeting of the Conference of the Parties (Lausanne, 1989), encourages Parties to declare inclusion of species in Appendix III or withdrawals therefrom at meetings of the Conference of the Parties;

NOTING that Resolution Conf. 8.23, adopted at the eighth meeting of the Conference of the Parties (Kyoto, 1992), recommends *inter alia* that, before submitting a species for inclusion in Appendix III, Parties request the advice of the Animals Committee or the Plants Committee regarding the trade status and biological status of that species;

AWARE that, at the moment, Appendix III contains species that occur rarely or not at all in international trade and for which the Convention is therefore not effective;

OBSERVING that many Parties are unwilling to take on the administrative burden of implementing the provisions of the Convention with regard to Appendix III;

BELIEVING that this unsatisfactory implementation arises because the Parties are not fully convinced of the effectiveness of Appendix III;

RECOGNIZING that Resolution Conf. 1.5, paragraph 5, is deficient in not addressing the need for adequate implementation of domestic legislation;

RECALLING the wish of the Conference of the Parties, expressed at its eighth meeting (Kyoto, 1992), to reduce the number of its Resolutions;

CONSIDERING that for the effective implementation of the Convention with regard to Appendix III it is desirable to give clear guidelines for including species in Appendix III that reflect the aims of the Convention expressed in its Preamble;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS that, when considering the inclusion of a species in Appendix III, a Party:

- a) ensure that:
 - i) the species is native to its country;
 - ii) its national regulations are adequate to prevent or restrict exploitation and to control trade, for the conservation of the species, and include penalties for illegal taking, trade or possession and provisions for confiscation;

- iii) its national enforcement measures are adequate to implement these regulations; and

- iv) for species that are traded for their timber, consideration is given to including only that geographically separate population of the species for which the inclusion would best achieve the aims of the Convention and its effective implementation, particularly with regard to the conservation of the species in the country requesting its inclusion in Appendix III;

- b) determine that, notwithstanding these regulations and measures, there are indications that the co-operation of the Parties is needed to control illegal trade;

- c) inform the Management Authorities of other range States, the known major importing countries, the Secretariat and the Animals Committee or the Plants Committee that it is considering the inclusion of the species in Appendix III and seek their opinion on the potential effects of such inclusion; and

- d) after due consultation, and having satisfied itself that the biological status and trade status of the species justify the action, submit to the Secretariat the name of the species it wishes to include in Appendix III;

RECOMMENDS further that, unless there is an urgent need for inclusion, a Party intending to include a species in or delete a species from Appendix III inform the Secretariat of its intention at least three months before a meeting of the Conference of the Parties, in order that the Parties are informed of the amendment in time to ensure that it enters into force on the same date as amendments to Appendices I and II adopted at the meeting;

DIRECTS the Secretariat:

- a) to publish the changed Appendices I, II and III together after each meeting of the Conference of the Parties, or at other times when warranted; and

- b) before communicating to Parties the inclusion of a species in Appendix III, to ensure that copies of all relevant national laws and regulations have been received from the Party concerned in accordance with paragraph 4 of Article XVI;

REQUESTS the Animals Committee and the Plants Committee to assist Parties if necessary in reviewing the status of species in Appendix III, subject to available funding;

URGES Parties having included species in Appendix III to periodically review the status of these species and, taking into account these guidelines and any recommendations of the Animals and Plants Committees, to consider the necessity to maintain them in that appendix; and

REPEALS the Resolutions, or parts thereof, listed hereunder:

- a) Resolution Conf. 1.5 (Berne, 1976) – Recommendations Concerning the Interpretation and Implementation of Certain Provisions of the Convention – paragraphs 3, 4 and 5;

- b) Resolution Conf. 5.22 (Buenos Aires, 1985) – Criteria for the Inclusion of Species in Appendix III – paragraphs a) and b) under RECOMMENDS and the paragraph under REQUESTS;

- c) Resolution Conf. 7.15 (Lausanne, 1989) – Amendments to Appendix III; and

- d) Resolution Conf. 8.23 (Kyoto, 1992) – Review of Appendix III.