

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



Fifteenth meeting of the Conference of the Parties
Doha (Qatar), 13-25 March 2010

Interpretation and implementation of the Convention

Review of Resolutions and Decisions

REVIEW OF DECISIONS

1. This document has been prepared by the Secretariat.
2. In Resolution Conf. 4.6 (Rev. CoP13), the Secretariat is directed:

to update the Decisions after each meeting of the Conference of the Parties, to contain all the recommendations (or other forms of decision) that are not recorded in Resolutions and that remain in effect.
3. In implementing this directive, after each meeting of the Conference of the Parties the Secretariat compiles a new list of the Decisions that remain valid. It excludes all Decisions that have been implemented, or that have become redundant or obsolete.
4. The Secretariat has completed its review of the Decisions in effect after the 14th meeting of the Conference of the Parties and provides the results herewith.
 - a) Annex 1 contains a list of Decisions that may or may not have been implemented but that are not obviously out of date and for which the Conference should decide on whether to maintain or delete them. However, it excludes Decisions that are being dealt with in the context of discussions of other documents at the present meeting. The texts of the Decisions listed in Annex 1 are contained in Annex 4, for information.
 - b) Annex 2 contains draft amendments to, or replacements of, some of the Decisions listed in Annex 1.
 - c) Annex 3 contains a list of Decisions that are still being or are still to be implemented, for which the Secretariat proposes no change, and that will remain in effect without amendment unless the Conference decides otherwise.

Recommendations

5. The Secretariat requests the Conference to decide on the appropriate action to take in relation to the Decisions listed in Annex 1.
6. It should be noted that the Secretariat does not intend to include in the list of Decisions after CoP15 any of the current Decisions that is not listed in Annex 1, 2 or 3 of the present document, unless the Conference decides otherwise.

List of decisions in effect and requiring consideration

No.	Subject	
Strategic matters		
Scientific committees		
14.5 and 14.8	Review of the scientific committees	14.5: This has a long-term effect. Therefore, if maintained, it should be incorporated into Resolution Conf. 11.1 (Rev. CoP14). 14.8: Not implemented. Deletion recommended.
13.14 (Rev. CoP14) to 13.17	Improving regional communication and representation	13.14 (Rev. CoP14): This has a long-term effect. If maintained it should be transferred to Resolution Conf. 11.1 (Rev. CoP14) 13.15 (Rev.CoP14): This is the usual work of the Secretariat and need not be maintained. Deletion recommended. 13.16: (Rev. CoP14): All funds obtained were channelled through the Sponsored Delegates Project. Deletion recommended. 13.17: Funds obtained and workshops organized in developing countries. Deletion recommended.
Cooperation with other organizations		
14.18	Harmonization of nomenclature and taxonomy with other Multilateral Environmental Agreements	Implemented. However, the first sentence should be maintained and transferred to Resolution 12.11 (Rev. CoP14).
Interpretation and implementation of the Convention		
Trade control and marking		
14.61	Physical inspection of timber shipments	See proposed amendment in Annex 2
Species trade and conservation		
Fauna		
14.73 & 14.74	Bushmeat	Not implemented. Deletion recommended
10.2 (Rev. CoP11)	Elephants: Conditions for the disposal of ivory stocks and generating resources for conservation in African elephant range States	This Decision has been overtaken by a number of others and in particular the Decision to create an African Elephant Fund. Deletion recommended.

No.	Subject	
14.75, 14.76, 14.78, 14.79	Elephant conservation	<p>14.75: Deletion proposed if the African elephant range States have completed the development of an <i>African elephant action plan</i></p> <p>14.76 & 14.78: See proposed amendment in Annex 2.</p> <p>14.79: Ongoing with the exception of the last paragraph which was implemented and should be deleted</p>
14.81	Great whales	Deletion proposed. If the substance should continued in effect, it should be considered in the context of the draft resolution on the periodic review of the Appendices in document CoP15 Doc. 62.
14.82 to 14.85	Grey parrot	<p>14.82-14.84: No funds raised. Not implemented. Deletion recommended.</p> <p>14.85: Implemented. Currently long-term but deletion recommended.</p>
	Flora	
14.138 14.144	Agarwood-producing taxa	<p>14.138: Not fully implemented. Should be extended or deleted.</p> <p>14.144: Not yet implemented. Should be revised to refer to CoP16.</p>

Proposed amendments to existing Decisions

Physical inspection of timber shipments

Recommendation

The work on this subject is continuing. Therefore Decision 14.61 should be updated as indicated below:

Directed to the Standing Committee

- 14.61 *The Standing Committee, with the support of the Secretariat, and in consultation with Parties and relevant intergovernmental organizations, shall consider ~~examine~~ the outcome of the working group on physical inspection of timber shipments at its 61st meeting, to identify best practices and capacity-building measures that may be implemented with technical and/or financial support from donors, and report at the 16th meeting of the Conference of the Parties.*

Elephant conservation

Decision 14.76 reads as follows:

Directed to Parties, intergovernmental organizations and non-governmental organizations

- 14.76 *Parties, trading countries, the ivory carving industry, intergovernmental organizations, non-governmental organizations and other donors are called upon to contribute significantly to the African Elephant Fund for the implementation of the African elephant action plan and the programme for Monitoring the Illegal Killing of Elephants (MIKE) to ensure their establishment and maintenance.*

At the 58th meeting of the Standing Committee, the Secretariat observed that the Parties had agreed to other elephant-trade-related activities requiring external funding that were not mentioned in Decision 14.76, such as the implementation of the Action plan for the control of trade in elephant ivory and the Elephant Trade Information System (ETIS), and that the Decision could be revised to take these into account. Following this suggestion, the MIKE-ETIS Subgroup of the Standing Committee agreed that, like MIKE, ETIS should be able to receive support from any of the donors mentioned in Decision 14.76 if the funding were provided and accounted for in a structured, transparent manner, and preferably channelled through the CITES Secretariat.

Recommendation

Consequently, the Secretariat recommends that Decision 14.76 be reworded to broaden its scope, as follows.

Directed to Parties, intergovernmental organizations and non-governmental organizations

Parties, trading countries, the ivory carving industry, intergovernmental organizations, non-governmental organizations and other donors are called upon to contribute significantly to the African Elephant Fund for the implementation of the ~~African elephant action plan~~ African elephant action plan, the Action plan for the control of trade in elephant ivory, ~~and the systems programme for known as Monitoring the Illegal Killing of Elephants (MIKE) and the Elephant Trade Information System (ETIS), and other decisions concerning elephant conservation agreed by the Conference of the Parties.~~ to ensure their establishment and maintenance.

Decision 14.78

At its 14th meeting (The Hague, 2007), the Conference of the Parties adopted Decision 14.78 as follows:

Directed to the Standing Committee

- 14.78 *The Standing Committee shall conduct ongoing comprehensive reviews of the status of the elephant, trade in its specimens and the impact of the legal trade, based on data from MIKE, the*

Elephant Trade Information System and the implementation of the Action plan for the control of trade in elephant ivory and the African elephant action plan referred to in Decision 14.75.

At the 57th and 58 meetings of the Standing Committee (SC57, Geneva, July 2008; SC58, Geneva, July 2009), the Secretariat noted that it was not clear how the "ongoing comprehensive reviews" should be conducted because the Decision did not specify in what form, when or by whom the data should be made available to the Committee. The Secretariat also noted that the Decision seemed to duplicate a number of tasks regarding various aspects of the trade in elephant specimens that had been assigned to the Committee for its review. It indicated that the data sources mentioned in the Decision might not be adequate if the intention was for the Standing Committee to undertake a wide-ranging examination of the conservation status of and trade in elephants. The Secretariat also reminded the Committee of the cost implications of implementing Decision 14.78 (see document SC57 Doc. 33.1).

At SC57, the Standing Committee agreed that the implementation of Decision 14.78 should not lead to duplicative reporting and reviews, and requested the Secretariat, in consultation with IUCN, TRAFFIC and UNEP-WCMC, to research and compile relevant information on the conservation status of and trade in elephants, and provide an overview thereof, pending the availability of external funding. At SC58, it agreed that the Decision had not yet been complied with and that its recommendations formulated at SC57 remained in effect.

Recommendation

Consequently, the Secretariat recommends that Decision 14.78 be replaced by the following text to better reflect the content of a comprehensive review and to specify the manner in which it could be organized:

Directed to the Standing Committee

At its 61st and 62nd meetings, the Standing Committee shall review information on the conservation status of elephants, the trade in elephant specimens and the impacts of legal and illegal trade that will be submitted by the Secretariat. It shall consider any recommendations proposed by the Secretariat and shall report at the 16th meeting of the Conference of the Parties.

Directed to the Secretariat

In preparation for the 61st and 62nd meetings of the Standing Committee, the Secretariat shall:

- a) produce an updated analysis of MIKE data, pending the availability of adequate new MIKE data and the necessary external funding ;
- b) invite TRAFFIC to submit an updated analysis of ETIS data and UNEP-WCMC to provide an overview of the latest elephant trade data; and
- c) invite the IUCN/SSC African and Asian Elephant Specialist Groups to submit any new and relevant information on the conservation status of elephants, and on pertinent conservation actions and management strategies.

On the basis of the information specified above, the Secretariat shall recommend actions for consideration by the Standing Committee.

**List of decisions in effect and to be maintained without amendment
unless the Conference decides otherwise**

No.	Subject	
Strategic matters:		
Scientific committees		
14.9	Manual for regional representatives of the scientific committees	
Capacity building		
12.79	Non-commercial loan, donation or exchange of museum and herbarium specimens	
12.90 to 12.93	Capacity-building programme for science-based establishment and implementation of voluntary national export quotas for Appendix-II species	
14.10	Support to Master's programmes	
14.11	Regional cooperation and coordination	
14.12 & 14.13	Virtual college	
Interpretation and implementation of the Convention:		
Review of Resolutions		
14.19	Review of Resolutions	
Review of Significant Trade		
13.67 (Rev. CoP14)	Review of Significant Trade	
Species trade and conservation		
13.26 (Rev. CoP14), 14.77	Elephant conservation	
14.137, 14.140, 14.141	Agarwood-producing taxa	
14.149	Tree species: annotations for species included in Appendices II and III	

**Texts of Decisions listed in Annex 1
for information only**

No.	Decision
14.5	<p>Directed to Parties</p> <p>Parties and regions should utilize or develop long-term sustainable funding mechanisms to support their representatives.</p>
14.8	<p>Directed to the Animals and Plants Committees</p> <p>The Animals and Plants Committees shall carry out internal monitoring through the regional reports and the reports of the chairmen of the scientific committees to the Conference of the Parties, and Table 3 of document SC54 Inf. 5 can be appended to the format for the preparation of regional members regional reports.</p>
13.14 (Rev. CoP14)	<p>Directed to the Secretariat</p> <p>The Secretariat shall ensure that any vacancies in the Animals and Plants Committees are brought immediately to the attention of the Standing Committee, in order to fill the vacancies as soon as possible.</p>
13.15 (Rev. CoP14)	<p>The Secretariat shall publish on the CITES website forthcoming deadlines relevant to the work of the Animals and Plants Committees.</p>
13.16 (Rev. CoP14)	<p>The Secretariat shall explore funding options to ensure that the regional representatives and the nomenclature specialists of the Animals and Plants Committees from developing countries and countries with economies in transition can attend the meetings of the Conference of the Parties and fully participate in the committee work.</p>
13.17	<p>The Secretariat shall look for funding to support the holding of regional meetings in association with regional seminars or other related meetings organized by the Secretariat. The regional representatives should prepare the agenda and chair the meeting.</p>
14.18	<p>Directed to the Secretariat</p> <p>In close cooperation with the nomenclature specialists of the Animals and Plants Committees, the Secretariat shall, in the implementation of its memoranda of understanding or cooperation, or programmes of work with other biodiversity-related multilateral environmental agreements, continue to consider ways of harmonizing the taxonomy and nomenclature of species included in their respective provisions. The Secretariat shall report and make recommendations on this matter at the 15th meeting of the Conference of the Parties.</p>
14.61	<p>Directed to the Standing Committee</p> <p>The Standing Committee, with the support of the Secretariat, and in consultation with Parties and relevant intergovernmental organizations, shall examine the outcome of the working group, to identify best practices and capacity-building measures that may be implemented with technical and/or financial support from donors.</p>
14.73	<p>Directed to the Central Africa Bushmeat Working Group</p> <p>The Central Africa Bushmeat Working Group is encouraged to collaborate with the Convention on Biological Diversity and the Food and Agriculture Organization of the United Nations in its work and is invited to draw to the attention of the Standing Committee and/or the Conference of the Parties to any matters relating to the implementation of Resolution Conf. 13.11.</p>
14.74	<p>The Central Africa Bushmeat Working Group is encouraged to continue its work, also by collaborating with the Convention on Biological Diversity Liaison Group on non-timber forest resources, and to report to the Standing Committee on progress made in implementing national action plans relating to the trade in bushmeat and other initiatives it takes regarding this subject. A report on the subject of bushmeat should be submitted at the 15th meeting of the Conference of the Parties.</p>

No.	Decision
10.2 (Rev. CoP11)	<p>a) The African elephant range States recognize:</p> <ul style="list-style-type: none"> i) the threats that stockpiles pose to sustainable legal trade; ii) that stockpiles are a vital economic resource for them; iii) that various funding commitments were made by donor countries and agencies to offset the loss of assets in the interest of unifying these States regarding the inclusion of African elephant populations in Appendix I; iv) the significance of channelling such assets from ivory into improving conservation and community-based conservation and development programmes; v) the failure of donors to fund elephant conservation action plans drawn up by the range States at the urging of donor countries and conservation organizations; and vi) that, at its ninth meeting, the Conference of the Parties directed the Standing Committee to review the issue of stockpiles and to report back at the 10th meeting. <p>b) Accordingly, the African elephant range States agree that all revenues from any purchase of stockpiles by donor countries and organizations will be deposited in and managed through conservation trust funds, and that:</p> <ul style="list-style-type: none"> i) such funds shall be managed by Boards of Trustees (such as representatives of governments, donors, the CITES Secretariat, etc.) set up, as appropriate, in each range State, which would direct the proceeds into enhanced conservation, monitoring, capacity building and local community-based programmes; and ii) these funds must have a positive rather than harmful influence on elephant conservation. <p>c) It is understood that this decision provides for a one-off purchase for non-commercial purposes of government stocks declared by African elephant range States to the CITES Secretariat within the 90-day period before the transfer to Appendix II of certain populations of the African elephant takes effect. The ivory stocks declared should be marked in accordance with the ivory marking system approved by the Conference of the Parties in Resolution Conf. 10.10 (Rev. CoP14)¹. In addition, the source of ivory stocks should be given. The stocks of ivory should be consolidated in a pre-determined number of locations. An independent audit of any declared stocks shall be undertaken under the auspices of TRAFFIC International, in cooperation with the CITES Secretariat.</p> <p>d) The African elephant range States that have not yet been able to register their ivory stocks and develop adequate controls over ivory stocks require priority assistance from donor countries to establish a level of conservation management conducive to the long-term survival of the African elephant.</p> <p>e) The African elephant range States therefore urge that this matter be acted upon urgently since any delays will result in illegal trade and the premature opening of ivory trade in non-proponent range States.</p> <p>f) This mechanism only applies to those range States wishing to dispose of ivory stocks and agreeing to and participating in:</p> <ul style="list-style-type: none"> i) an international system for reporting and monitoring legal and illegal international trade, through an international database in the CITES Secretariat and TRAFFIC International; and ii) an international system for reporting and monitoring illegal trade and illegal hunting within or between elephant range States, through an international database in the CITES Secretariat, with support from TRAFFIC International and institutions such as the African Elephant Specialist Group of the IUCN Species Survival Commission and the Lusaka Agreement.

¹ Corrected by the Secretariat: originally referred to Resolution Conf. 10.10 (Rev.), later corrected to Resolution Conf. 10.10 (Rev. CoP12).

No.	Decision
14.75	<p>Directed to African elephant range States</p> <p>The African elephant range States shall continue their constructive elephant dialogue aiming to develop joint conservation policies and exchange of management experience in order to improve the management of elephant populations.</p> <p>The African elephant range States through the African elephant dialogue process shall develop an overall <i>African elephant action plan</i> for improved elephant management aiming at:</p> <ul style="list-style-type: none"> a) accessing and directing resources, towards strengthening enforcement capacity in African elephant range States to combat poaching and illegal trade in ivory; b) the implementation of the <i>Action plan for the control of trade in elephant ivory</i>; and c) enhancing capacity building, managing translocations, reducing human-elephant conflicts and enhancing community-conservation programmes and development programmes within or adjacent to the elephant range. <p>The elephant range States will report to the Standing Committee on progress made under this decision with a view to providing the information necessary for the reviews referred to in Decision 14.78.</p>
14.76	<p>Directed to Parties, intergovernmental organizations and non-governmental organizations</p> <p>Parties, trading countries, the ivory carving industry, intergovernmental organizations, non-governmental organizations and other donors are called upon to contribute significantly to the African Elephant Fund for the implementation of the <i>African elephant action plan</i> and the programme for Monitoring the Illegal Killing of Elephants (MIKE) to ensure their establishment and maintenance.</p>
14.78	<p>Directed to the Standing Committee</p> <p>The Standing Committee shall conduct ongoing comprehensive reviews of the status of the elephant, trade in its specimens and the impact of the legal trade, based on data from MIKE, the Elephant Trade Information System and the implementation of the <i>Action plan for the control of trade in elephant ivory</i> and the <i>African elephant action plan</i> referred to in Decision 14.75.</p>
14.79	<p>Directed to the Secretariat</p> <p>The Secretariat shall establish an African Elephant Fund that will be applied to the implementation of the African elephant action plan.</p> <p>The Secretariat shall establish a steering committee consisting of representatives of the range States and donors to govern the African Elephant Fund and to support and advise African elephant range States on the implementation of the <i>Action Plan</i>.</p> <p>The Steering Committee shall decide on the organization of the administration of the fund.</p> <p>The Secretariat shall, as far as possible through MIKE funding, convene an African elephant meeting before 31 July 2008 and at later dates as necessary.</p>
14.81	<p>Directed to the Animals Committee</p> <p>No periodic review of any great whale, including the fin whale, should occur while the moratorium by the International Whaling Commission is in place.</p>
14.82	<p>Directed to the range States of <i>Psittacus erithacus</i></p> <p>The range States of <i>Psittacus erithacus</i> should participate in the development and implementation of regional management plans for the conservation of and trade in <i>P. erithacus erithacus</i> and <i>P. erithacus timneh</i>.</p>

No.	Decision
14.83	<p>Directed to the Secretariat</p> <p>Subject to external funding, the Secretariat shall develop regional management plans for the conservation of and trade in <i>P. erithacus erithacus</i> and <i>P. erithacus timneh</i>, in collaboration with the range States, relevant experts, non-governmental organizations and other stakeholders. Issues to be addressed in these plans should include:</p> <ul style="list-style-type: none"> a) development of biologically sustainable national export quotas in cooperation with neighbouring range States; b) development of standards for making non-detriment findings; c) providing details of the control measures in place or to be implemented to verify the origin of the specimens; d) cooperation on studies on the population status and demography of the species and the status of its habitat; e) cooperation on long-term monitoring efforts; f) actions to implement law enforcement programmes to combat poaching and illegal trade (both national and international) and report on the results of the programmes in terms of enforcement efforts, seizures and prosecutions; g) agreements on reliable methodologies for assessing population status and population monitoring; h) investigations of the possibility of establishing in situ captive-breeding facilities for the species; i) encouragement of the participation of all range States, enforcement authorities, importing countries, experts, the NGO community and the private sector in implementing these plans; and j) considering expanding the management plans to include other psittacine species in the region.
14.84	<p>The Secretariat shall seek funding for and organize workshops in West and Central Africa to assist range States in the development and implementation of regional management plans for the conservation of and trade in <i>P. erithacus erithacus</i> and <i>P. erithacus timneh</i>.</p>
14.85	<p>The Secretariat should identify cases where there has been a history of exports in excess of quotas and, as long as necessary, verify export permits issued to ensure that quotas are not exceeded.</p>
14.138	<p>Directed to Parties involved in agarwood trade and to the Secretariat</p> <p>Parties concerned should identify and agree on which agarwood products and quantities should be exempted from CITES controls. Once agreed, Parties concerned should agree which range State will prepare and submit a proposal for amendment of the current annotation for agarwood-producing species to be considered at the 15th meeting of the Conference of the Parties.</p>
14.144	<p>Directed to the Secretariat</p> <p>The Secretariat shall assist in obtaining funding from Parties, intergovernmental and non-governmental organizations, exporters, importers and other stakeholders to support a workshop aimed at strengthening the capacity of Parties to implement agarwood-related Decisions before the 15th meeting of the Conference of the Parties.</p>