

RECALLING Resolution Conf. 9.1 (Rev.), adopted by the Conference of the Parties at its ninth meeting (Fort Lauderdale, 1994) and amended at its 10th meeting (Harare, 1997), and Resolution Conf. 11.1 (Rev. CoP17) relating to the establishment of committees;

RECALLING the Preamble of the Convention, including its recognition that international cooperation is essential for the protection of certain species of wild fauna and flora against over-exploitation through international trade;

RECOGNIZING the importance of maintaining CITES species throughout their range at a level consistent with their role in the ecosystems;

ACKNOWLEDGING the increasing role of the Convention since its entry into force in 1975, including the growth in number of species listed on the CITES Appendices, number of Parties, number of CITES trade transactions, and range of issues addressed by the Conference of the Parties;

REAFFIRMING the role of the Conference of the Parties in setting the policy direction for the Convention and reiterating the importance of its instructions;

RECOGNIZING the importance of providing guidance on steering the work and performance of the Convention between meetings of the Conference of the Parties;

STRESSING the importance of scientific advice and expertise to support the actions and policies adopted by the Conference of the Parties and aimed at fulfilling the purposes of the Convention;

RECOGNIZING the importance of providing adequate biological data and expert knowledge of animal and plant trade and management to the Conference of the Parties and individual Parties;

RECOGNIZING that aligning rules of procedure adopted by each committee established by the Conference of the Parties as far as practicable will help facilitate the operation of all CITES meetings;

### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

#### ***Regarding the establishment of committees***

1. ESTABLISHES the Standing Committee of the Conference of the Parties, which shall be the senior committee and shall report to the Conference of the Parties in accordance with its Terms of Reference as found in Annex 1 of this Resolution;
2. DIRECTS the Standing Committee to establish a Finance and Budget Subcommittee and specify its terms of reference;
3. ESTABLISHES the Animals Committee and the Plants Committee as its scientific advisory bodies, 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 in accordance with their Terms of Reference as found in Annex 2 of this Resolution;
4. DECIDES that:
  - a) the Conference of the Parties shall elect the Members of the committees established by this Resolution as set out in the annexes to this Resolution;
  - b) the terms of reference for all committees established by the Conference of the Parties shall be included in the annexes to this Resolution;
  - c) the committees established by the Conference of the Parties shall adopt their own Rules of Procedure, which shall be aligned with the Rules of Procedure of the Conference of the Parties as far as is practicable;
  - d) any Party shall be entitled to be represented at meetings of the committees as an observer;
  - e) the committees established by the Conference of the Parties may establish working groups with specific terms of reference as required to address specific problems. These working groups shall normally have a defined life span which shall not exceed the period until the next

meeting of the Conference of the Parties, at which time they may be re-established if necessary. Working groups shall report to the committee which established them and are advised to use the *Guidelines for improving species specific reporting requests by CITES working groups* and the *Template for species based reporting* as adopted and amended from time to time by the Standing Committee and distributed by the Secretariat, as appropriate. The Secretariat shall maintain and publish on the CITES website a list of active intersessional working groups, established by each committee, including Chairs and members of such groups;

- f) in addition to the Finance and Budget Subcommittee of the Standing Committee, committees established by the Conference of the Parties may establish subcommittees composed of committee Members and Parties, with specific terms of reference. Unless otherwise established by a resolution or decision of the Conference of the Parties, these subcommittees shall have a defined lifespan, which shall not exceed the period until the next meeting of the Conference of the Parties, at which time they may be re-established if necessary; and
- g) when attending events or meetings outside those called for by the Conference of the Parties, Members and alternate Members of committees established by the Conference of the Parties do not represent the relevant committee or any CITES body unless specific instructions to do so have been provided by the relevant committee Chair or by the Conference of the Parties;

#### ***Regarding financial arrangements***

5. RESOLVES that:

- a) the operational budget (CTL) of the Convention adopted by the Conference of the Parties should include the financial resources needed to support meetings of committees and associated eligible travel expenses;
- b) committee Members should make every effort to pay their own travel expenses;
- c) the Secretariat shall make provision for the payment of travel expenses, in accordance with the Rules and Regulations of the United Nations, of eligible committee Members from developing countries to attend meetings of their respective committees, and also for the payment of expenses for other travel undertaken by the committee Chairs at the request of the Conference of the Parties or the Standing Committee; and
- d) the Secretariat should seek extra-budgetary funding to ensure that eligible Members of the committees can attend and participate in the committees' work during meetings of the Conference of the Parties, and to support the holding of regional meetings, including, where possible, in association with regional seminars or other related meetings organized by the Secretariat;

#### ***Regarding support of the Secretariat***

6. FURTHER RESOLVES that in addition to the functions conferred upon it by the Convention, the Secretariat shall provide services to the committees within the resolutions, decisions, and the costed programme of work adopted by the Conference of the Parties;

#### ***Regarding regional sessions at meetings of the Conference of the Parties***

7. AGREES that:

- a) regional sessions should be held at each meeting of the Conference of the Parties; such sessions should have an official character and should have an agenda;
- b) the Chair of each regional session should be the representative of a regional Member of the Standing Committee;
- c) each region has specific tasks to fulfil, as follows:
  - i) selection, as appropriate, of Parties as Members and alternate Members of the Standing Committee, and experts as Members and alternate Members of the Animals and Plants Committees;
  - ii) the regions with more than one Member on a committee should review at each meeting of the Conference of the Parties the way the representation should be exercised; and

- iii) other tasks depending to a large extent on the agenda of the meeting of the Conference of the Parties.

**Regarding conflict of Interest in committees where the membership consists of individuals**

8. AGREES that a “conflict of interest” refers to any current financial interest which could significantly impair an individual’s impartiality, objectivity or independence in carrying out his or her duties as a Member of a committee. A candidate’s employment by itself does not automatically constitute a conflict of interest. For committees where individuals are elected as Members, such as the Animals Committee and Plants Committee, the following procedures apply:
  - a) Parties proposing candidates as Members or alternate Members are to request that, together with their names and *curricula vitae*, each candidate provides a Declaration of Interest which should be circulated to the Parties of the region concerned before the meeting of the Conference by the Parties at which the Members will be elected. In that declaration in the standard disclosure form agreed by the Standing Committee, the candidate should disclose any current financial interest that might call into question his or her impartiality, objectivity or independence in carrying out his or her duties as a Member or alternate Member of the committee;
  - b) Following an election, the declaration of interest and the *curriculum vitae* of each Member and alternate Member shall be made available by the Secretariat to the Chair and the Members of the committee concerned, and to the Chair of the Standing Committee; and
  - c) Each Member and acting Member shall, at the beginning of each meeting of the committee using the standard disclosure form agreed by the Standing Committee, declare whether they have any financial interests that he or she considers call into question his or her impartiality, objectivity or independence regarding any subject on the agenda for that meeting of the committee. A conflict of interest may also be identified by any credible source and brought to the attention of the Chair of the committee through the Secretariat. If a Member has such a financial interest, he or she may take part in discussions but not in the decision-making regarding the agenda item in question. If the Member is the subject of the potential conflict of interest, he or she shall not chair the meeting or sub-meeting for the agenda item in question; and
9. REPEALS Resolution Conf. 9.1 (Fort Lauderdale, 1994, as amended at Harare, 1997) – *Establishment of committees* and Resolution Conf. 11.1 (Rev. CoP17) on *Establishment of committees*.

## **Annex 1 Terms of Reference of the Standing Committee of the Conference of the Parties**

### ***Purpose***

1. As the senior committee of the Conference of the Parties, the Standing Committee plays an important role in steering the work and performance of the Convention in the periods between the meetings of the Conference of the Parties.

### ***Functions***

2. The Standing Committee, in accordance with instructions from and authority delegated by the Conference of the Parties in its resolutions and decisions, shall:
  - a) undertake the tasks directed to it by the Conference of the Parties, including those related to the handling of general and specific compliance matters;
  - b) provide general policy and general operational direction to the Secretariat concerning the implementation of the Convention;
  - c) provide guidance and advice to the Secretariat on the preparation of agendas and other requirements of meetings, and on any other matters brought to its attention by the Secretariat in the exercise of its function;
  - d) 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 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;
  - e) implement and, as needed, review and revise the Memorandum of Understanding (MoU) between the Standing Committee and the Executive Director of the United Nations Environment Programme;
  - f) provide coordination and advice as required to the other committees established by this Resolution and provide direction to and coordination of its working groups and subcommittees;
  - g) carry out, between one meeting of the Conference of the Parties and the next, such interim activities on behalf of the Conference of the Parties as may be necessary, including advising on emerging operational or policy issues identified by Parties or the Secretariat until direction on the matter is provided by the Conference of the Parties;
  - h) draft resolutions or decisions for consideration by the Conference of the Parties;
  - i) report to the Conference of the Parties on the activities it has carried out between meetings of the Conference;
  - j) act as the Bureau at meetings of the Conference of the Parties, until such time as the Bureau of the Conference of Parties for the specific meeting has been constituted; and
  - k) perform any other functions as may be entrusted to it by the Conference of the Parties.

### ***Membership***

3. The membership of the Standing Committee shall be elected by the Conference of the Parties and consist of:
  - a) regional Members that are Parties elected from each of the six major geographic regions consisting of Africa, Asia, Central and South America and the Caribbean, Europe, North America and Oceania, according to the following criteria:
    - i) one representative for regions with up to 15 Parties;
    - ii) two representatives for regions with 16 to 30 Parties;
    - iii) three representatives for regions with 31 to 45 Parties; or
    - iv) four representatives for regions with more than 45 Parties;
  - b) the Depositary Government; and

- c) the previous host Party of a meeting of the Conference of the Parties and the next host Party of a meeting of the Conference of the Parties.
4. Each regional Member shall also have an alternate regional Member that shall be entitled to represent the region as acting regional Member only in the absence at a meeting of the regional Member for which it is the alternate.
5. When regions select their regional Members and alternate regional Members, the following is recommended:
  - a) for regions with one regional Member and one alternate regional Member, a rotation in the selection should be considered and, for regions with more than one regional Member and one alternate regional Member, the selection should try to achieve a balanced representation (geopolitical, cultural, ecological);
  - b) the regional candidatures should be officially submitted to the Secretariat by the Management Authority of the interested Parties, at least 120 days before a meeting of the Conference of the Parties at which they are proposed for election. These candidatures should be communicated to all the Parties of the region as soon as possible thereafter by the Secretariat;
  - c) if more candidatures are submitted than there are positions available for any region, a vote should take place in a session of the Parties of that region to be held during the meeting of the Conference of the Parties. To be selected, a candidate should obtain an absolute majority (i.e. more than half the votes) of votes from the duly accredited Parties within the region present at the session; and
  - d) the selection of regional Members and alternate regional Members should take place at the end of the term of office of their predecessors, in accordance with the above-mentioned procedure, through successive votes during a single process.
6. The terms of office of the regional Members and their alternate regional Members shall commence at the close of the regular meeting of the Conference of the Parties at which they are elected and shall expire at the close of the second regular meeting thereafter. For regions with one regional Member and one alternate regional Member, the selection should occur at every second meeting. For regions with more than one regional Member and one alternate regional Member, to guarantee some continuity, not all Members and alternate Members should be changed at the same meeting.
7. The Standing Committee will have a Chair and a Vice-Chair elected by, and from amongst the regional Members. The terms of office of the Chair and Vice-Chair shall commence at the supplementary meeting held immediately after the close of the regular meeting of the Conference of the Parties at which they are elected and should normally expire at the close of the second regular meeting of the Conference of the Parties thereafter.
8. The membership of the Standing Committee shall be reviewed at every regular meeting of the Conference of the Parties.

***Duties of the regional Members of the Standing Committee***

9. All committee Members shall endeavour to participate in meetings of the Standing Committee.
10. Regional Members shall maintain a fluid and permanent communication with the Chair, alternate regional Members, Parties of their region and the Secretariat. Before the meetings of the Standing Committee, the regional Members should communicate with the alternate regional Members and Parties of their region regarding the items on the meeting agenda and request their opinions, preferably on matters specifically relevant to the countries or the region. Regional Members should also inform the alternate regional Members and Parties in their region of the results of the meetings.
11. Regional meetings should take place between meetings of the Conference of the Parties, including one specifically to deal with proposals to be submitted to the Conference at its next meeting. The regional Members of the Standing Committee should convene these meetings, subject to the availability of funding.
12. The regional Members, assisted by the alternate regional Members, should establish the agenda of the regional sessions that take place during meetings of the Conference of the Parties. This agenda should consider selection of Members for committees established by the Conference of the Parties, as well as discussion of the main items on the agenda of the meeting of the Conference

of the Parties, in particular those of special interest to the region concerned. The regional Members and alternate regional Members should report in detail on their activities, initiatives and achievements at these regional sessions.

### ***Meeting Procedures***

13. Subject to confirmation of the necessary financial provisions by the Conference of the Parties, the Standing Committee shall normally hold two regular meetings between regular meetings of the Conference of the Parties. The duration of regular meetings of the Standing Committee should be five days. The Standing Committee shall also hold supplementary meetings immediately before and immediately after meetings of the Conference of the Parties, primarily for the purposes of making arrangements for the meeting of the Conference of the Parties and for organizing its own work, respectively.
14. Only the regional Members or acting 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.
15. Meetings of the Standing Committee will be open to observers, in accordance with its Rules of Procedure. Parties not Members of the Standing Committee shall be entitled to be represented at meetings of the Standing Committee, including at any closed session, by observers who shall have the right to participate but not to vote. The Chairs of any other committee established by the Conference of the Parties shall be invited on a regular basis to the meetings of the Standing Committee and may participate in meetings of the Standing Committee as observers without the right to vote. Other observers without the right to vote may also be admitted to participate in meetings of the Standing Committee.
16. 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 Standing Committee on matters related to the organization of the meeting.

### ***Financial support***

17. The Conference of the Parties determines the budget of the Secretariat, including the financial resources provided to support meetings of the Standing Committee and associated eligible travel expenses. One person representing each regional Member from a developing country is eligible to seek payment of travel expenses to attend each regular meeting of the Standing Committee.

## Annex 2 Terms of Reference of the Animals and Plants Committees of the Conference of the Parties

### Purpose

1. As the scientific advisory committees of the Conference of the Parties, the Animals and Plants Committees play an important role in providing scientific and technical expertise and advice for the implementation of a broad range of decisions adopted by the Conference of the Parties. This is evidenced in the adoption of Resolution Conf. 14.8 (Rev. CoP17) on the *Periodic Review of species included in Appendices I and II*, Resolution Conf. 12.8 (Rev. CoP18)<sup>1</sup> on the *Review of Significant Trade in specimens of Appendix II species* and Resolution Conf. 12.11 (Rev. CoP18)<sup>2</sup> on *Standard nomenclature*, for example. Further, Parties have recognized the importance of making available the best technical and scientific advice regarding CITES-listed species from different sources, origins and production systems, as well as the importance of assisting Parties in making non-detriment findings, and supporting their Scientific Authorities in accordance with Resolution Conf. 16.7 (Rev. CoP17) on *Non-detriment findings*. Parties have additionally recognized that nomenclature used in the Appendices or for proposals for listing new species in the Appendices will be most useful to the Parties if standardized through adoption of standard nomenclatural references, which also facilitates identification and tracking of specimens of CITES-listed species in trade and harmonises cooperation with other multilateral environmental agreements.

### Functions

2. The Animals and Plants Committee shall, in accordance with instructions from and authority delegated by the Conference of the Parties in its resolutions and decisions:
  - a) provide scientific advice and guidance to the Conference of the Parties, the other committees, the Secretariat and Parties on matters relevant to international trade in animal and plant species included in the Appendices;
  - b) undertake the tasks which are directed to them by the Conference of the Parties through relevant resolutions or decisions including:
    - i) review the biological, trade and other relevant information on Appendix-II species, subject to significant levels of trade in accordance with Resolution Conf. 12.8 (Rev. CoP18) on *Review of Significant Trade in specimens of Appendix II species*;
    - ii) conduct periodic reviews of species included in Appendix I and II in accordance with Resolution Conf. 14.8 (Rev. CoP17) on *Periodic Reviews of species included in Appendix I and II*;
    - iii) identify and address nomenclatural issues in accordance with Resolution Conf. 12.11 (Rev. CoP18) on *Standard nomenclature*; and
    - iv) for the Animals Committee review biological, trade and other relevant information regarding animal species subject to significant levels of trade using source codes C, D, F or R in accordance with Resolution Conf. 17.7 (Rev. CoP18) on *Review of trade in animal specimens reported as produced in captivity*;
  - c) upon request by Parties or the Secretariat, provide advice on the making of non-detriment findings in the context of Resolution Conf. 16.7 (Rev. CoP17) on *Non-detriment findings*, and on the management of quotas in the context of Resolution Conf. 14.7 (Rev. CoP15) on *Management of nationally established export quotas*;
  - d) provide scientific advice on identification issues, and on training and other capacity-building materials, tools and guides to promote their accuracy and availability;
  - e) upon request by Parties, provide advice related to scientific, technical and nomenclatural aspects of proposals to amend the Appendices;

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<sup>1</sup> Corrected by the Secretariat following the 18th meeting of the Conference of the Parties.

<sup>2</sup> Corrected by the Secretariat following the 18th meeting of the Conference of the Parties.

- f) upon request by Parties, provide technical, scientific and nomenclatural advice to Parties concerning the management of trade in specimens of CITES-listed species from different sources, origins and production systems, including captive breeding and artificial propagation;
  - g) draft resolutions or decisions on scientific matters related to animals or plants, for consideration by the Standing Committee and the Conference of the Parties, with a budget for the work involved and an indication of the source of funding;
  - h) perform any other functions that may be entrusted to them by the Conference of the Parties or the Standing Committee; and
  - i) report to the Conference of the Parties and, if so requested, to the Standing Committee, on the activities they have carried out or supervised between meetings of the Conference.
3. In giving instructions to the Animals and Plants Committees, the Conference of the Parties and the Standing Committee agree to pay due attention to whether the nature of the work is within their mandate as set out in paragraph 2, and whether the committees have the resources, time and expertise to undertake such work.
  4. When making requests in the context of paragraph 2 c), e) and f) above, Parties should be mindful of the limited resources of the committees.

### **Membership**

5. The membership of the Animals and Plants Committee shall be elected by the Conference of the Parties and consist of:
  - a) one person selected by each of the major geographic regions consisting of North America and Oceania based on candidates nominated by Parties from these regions;
  - b) two persons selected by each of the major geographic regions consisting of Africa, Asia, Central and South America and the Caribbean, and Europe based on candidates nominated by Parties from these regions; and
  - c) a specialist on zoological nomenclature (Animals Committee) and a specialist on botanical nomenclature (Plants Committee) selected by their respective Committees based on candidates nominated by Parties, and who are *ex-officio* and non-voting.
6. One person shall also be selected and elected as an alternate Member for each of the Members listed in paragraph 5 above to serve as an acting Member at meetings only in the absence of the Member for whom he/she is the alternate.
7. The membership of the Committees shall be reviewed at every regular meeting of the Conference of the Parties. The terms of office of the 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.
8. A Chair and a Vice-Chair shall be elected by the Committee from amongst the regional Members and shall normally serve until the close of the second regular meeting after being elected. In the absence of the Chair at a meeting, the Vice-Chair shall be acting as the Chair.
9. The Chair should be replaced in his/her role of regional Member by his/her alternate. In the absence at a meeting of the alternate in question, the Chair shall serve also as regional Member for his/her region on an *ad hoc* basis.
10. Regarding nomination of candidates, the following guidelines should be implemented:
  - a) Parties proposing candidates as Members or alternate Members should confirm, at the time of nomination, that the candidate will be supported and that they will obtain the necessary means to undertake their activities;
  - b) the names of the proposed candidates, and their *curricula vitae*, should be officially submitted to the Secretariat at least 120 days before the meeting of the Conference of the Parties at which the representatives will be elected. These candidatures should be communicated to all the Parties of the region concerned as soon as possible thereafter by the Secretariat. In case of the nomenclature specialists, the names and their *curricula vitae* of the proposed candidates shall be circulated to the relevant committee;



- c) ideally the candidates should be associated with a Scientific Authority, have adequate knowledge of CITES and receive sufficient institutional support to carry out their duties. This information should also be included in the *curricula vitae*; and
  - d) proposed candidates should be persons; a Party should not be accepted as a proposed candidate even if it plans to identify a person at a later time.
11. Regarding the timing of replacement of regional Members and alternate Members, the procedure should be the same as that described above for the Standing Committee and:
- a) as alternate Members are alternates of specified Members, they should be elected at the same time as the Members;
  - b) if a region wishes to re-elect a Member or alternate Member, there is nothing to prevent it from doing so; and
  - c) in the event that no nominations have been received before the deadline the incumbent shall remain, if so willing and able, as a representative until a replacement is elected.
12. In the event of a vacancy arising amongst the Members or alternate Members of a committee between regular meetings of the Conference of the Parties, the following procedure shall apply:
- a) the Secretariat shall notify the vacancy to the committee concerned, the Chair of the Standing Committee and the regional Member(s) of the Standing Committee from the region concerned (which may be all regions in the case of a nomenclature specialist);
  - b) the Secretariat shall immediately issue a Notification to the Parties calling for nominations from Parties in the region or regions concerned for a person to fill the vacancy on an interim basis;
  - c) the Secretariat shall provide the names and *curricula vitae* of the candidates received to the Chair of the Standing Committee and to the Standing Committee's Regional Member(s) from the region concerned or, in the case of a vacancy for a nomenclature specialist, to the committee concerned. They will decide on the person to fill the vacancy on an interim basis until the next regular meeting of the Conference of the Parties;
  - d) until a decision is reached in the case of a vacancy of a Member, the provisions of paragraph 6 above apply; and
  - e) At the next regular meeting of the Conference of the Parties, the vacancy shall be filled in accordance with paragraph 5 of the present Annex. Nothing shall prevent the person appointed on an interim basis from being later proposed to fill the position.

***Duties of the Members of the Animals and Plants Committees***

13. The duties of the Members elected to the Animals and Plants Committees and their alternates are as follows:
- a) each Member should, to the best of his/her abilities, act as impartially as possible and endeavour to base his/her judgements and opinions upon an objective, scientific assessment of the available evidence;
  - b) each Member should collaborate with his/her alternate regarding the work to be done between the meetings of the committee;
  - c) each Member should maintain regular communication with the Parties in his/her region;
  - d) when a region has more than one representative, the representatives should also agree which Parties each represents. Contact should also be established with non-Parties in the region;
  - e) each Member should increase the awareness of the role and function of the committee, its mandate and the issues of concern to his/her region through mechanisms such as participation in seminars or in related meetings organized by the Secretariat and by other organizations at regional or sub-regional level;
  - f) before the meetings of the committee, the Members should inform and consult the Parties in their regions about the agenda and in particular on matters specifically relevant to the countries of the region;

- g) the Members should submit a written report, covering the preceding period, to each meeting of the committee;
  - h) the Members should inform the Parties in their regions of the results of each meeting of the committee in particular on matters specifically relevant to the countries of the region;
  - i) the Members must inform the alternates well in advance if they will not attend a forthcoming committee meeting; and
  - j) the Members should provide to their successors all relevant information on the activities in the region.
14. The zoological and botanical nomenclature specialists of the Animals and Plants Committees shall coordinate, monitor and analyse the input needed from specialists in fulfilling their responsibilities as assigned by the Parties.

### ***Meeting Procedures***

15. When back-to-back meetings of the Animals and Plants Committees include a joint session, the duration of the separate committee meetings should be four days, but when not back-to-back, the length of each meeting should be five days, unless the Chair and the Secretariat consider that a shorter meeting may be sufficient.

### ***Financial Support***

16. The Conference of the Parties determines the budget of the Secretariat, including the financial resources provided to support meetings of the Animals and Plants Committees and associated eligible travel expenses. Each Member from a developing country and the nomenclature specialists are eligible to seek payment of travel expenses to attend each regular meeting of the Animals or Plants Committee.
17. Parties and regions are urged to utilize or develop long-term sustainable funding mechanisms to support their representatives in the Committees, including the nomenclature specialists.