

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



Nineteenth meeting of the Conference of the Parties
Panama City (Panama), 14 – 25 November 2022

Species specific matters

Maintenance of the Appendices

Annotations

INFORMAL REVIEW MECHANISM OF EXISTING AND PROPOSED ANNOTATIONS

1. This document has been submitted by the Chair of the Standing Committee in consultation with the Secretariat.*
2. At its 18th meeting (CoP18, Geneva, 2019), the Conference of the Parties adopted Decisions 18.316, 18.318 – 18.320 relating to the development of a periodic and a *a priori* review mechanism for annotations as part of the decisions on *Annotations* as follows:

Directed to the Standing Committee

18.316 *The Standing Committee shall, in collaboration with the Animals and Plants Committees, determine requirements for development and adoption by the Conference of the Parties of:*

- a) *a mechanism for undertaking a periodic review of existing annotations; and*
- b) *a mechanism for the a priori review of annotations proposed for consideration at meetings of the Conference of the Parties, to support consistent implementation of the guidance on annotations provided in Resolution Conf. 11.21 (Rev. CoP18).*

[.....]

Directed to Parties

18.318 *Parties are invited to consult with relevant stakeholders and provide to the Secretariat information regarding the mechanisms proposed in Decision 18.316; the definitions proposed in paragraph b) of Decision 16.162 (Rev. CoP18) and the practical challenges resulting from the implementation of the annotations to the Appendices, including but not limited to those on the rosewood-tree species, agarwood-producing taxa (Aquilaria spp. and Gyrinops spp.), Aniba rosaeodora, Bulnesia sarmientoi and orchids proposed in paragraph a) of Decision 16.162 (Rev. CoP18), and provide examples of practical solutions identified when handling those challenges.*

Directed to the Standing Committee

18.319 *The Standing Committee shall, in consideration of work under Decision 16.162 (Rev. CoP18) and the report submitted by the Secretariat required under Decision 18.320, if appropriate, make recommendations for submission to the 19th meeting of the Conference of the Parties.*

* *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

Directed to the Secretariat

18.320 *The Secretariat shall issue a Notification to the Parties requesting input pursuant to Decision 18.318 and provide a summary of the responses received from Parties, and provide recommendations regarding the mechanisms and the information system proposed in Decision 18.316, the definitions to be developed under paragraph b) of Decision 16.162 (Rev. CoP18) and the challenges resulting from the implementation of the annotations to the Appendices to the Standing Committee.*

3. At its 74th meeting (SC74, Lyon, March 2022), the Standing Committee discussed the implementation of Decisions 18.316 and 18.319 on the basis of the Secretariat's report pursuant to Decision 18.320, contained in document [SC74 Doc. 82](#). In its report, the Secretariat suggested with regards to the mechanisms mentioned in paragraphs a) and b) of Decision 18.316 that the Standing Committee might consider proposing to the Conference of the Parties (CoP) the establishment of a single mechanism to review existing and proposed annotations. The Secretariat suggested that the two functions proposed in Decision 18.316 would operate as a single mechanism to undertake both a review of existing annotations and an *a priori* review of annotations to be proposed for consideration at meetings of the Conference of the Parties. The Secretariat proposed that the aim of the review mechanism would be to ensure consistency in the annotations and to harmonise their interpretation and implementation.
4. In its discussion, the Standing Committee supported the general aims of the Secretariat's document, but expressed concerns regarding several aspects of a mechanism to review annotations and suggested that the matter required further consideration during the next intersessional period (see summary record SC74 SR). The concerns expressed by the Committee included, *inter alia*, questions about the proposed review process, the status of the proposed panel within the structure of CITES, the legal implications of the proposed panel, and the proposed composition of the panel.
5. The Committee invited the Secretariat to take note of the concerns and comments expressed in the discussion about the annotations review mechanism and further invited the Standing Committee Chair, in consultation with the Secretariat, to submit to CoP19 two draft decisions: one directing the Secretariat to prepare a proposal for an informal mechanism to provide advice on annotations and another directing the Standing Committee to evaluate the proposal by the Secretariat and to make recommendations to the 20th meeting of the Conference of Parties (CoP20). In preparing the draft decisions, the Standing Committee Chair and Secretariat noted it would be beneficial for the Committee to also have the insights of the annotations working group, formed pursuant to Decision 16.162 (Rev. CoP18) and recommend this working group be invited to provide its views on the proposal prepared by the Secretariat to the Standing Committee.
6. Pursuant to the Committee's recommendation, the Standing Committee Chair and the Secretariat drafted decisions 19.AA and 19.BB contained in Annex 1 to the present document, for consideration by the Conference of the Parties. The implementation of other matters not relating to the review mechanism referred to in Decisions 18.318, 18.319 and 18.320 is discussed in document CoP19 Doc. 85.2 on *Information system for trade in specimens of CITES-listed tree species* and document CoP19 Doc. 85.1 on *Annotations: Report of the Standing Committee*.

Recommendations

7. The Conference of the Parties is invited to adopt the draft decisions on the feasibility and requirements for developing an informal review mechanism of existing and proposed annotations contained in Annex 1 to the present document.

COMMENTS OF THE SECRETARIAT

- A. The Secretariat recommends that the Conference of the Parties adopt the draft decisions in Annex 1 to the present document and delete Decisions 18.316, 18.318, 18.319 and 18.320 as they have either been implemented or carried forward in the new set of draft decisions.

DRAFT DECISIONS ON
INFORMAL REVIEW MECHANISM FOR EXISTING AND PROPOSED ANNOTATIONS

Directed to the Secretariat

19.AA Subject to external funding, the Secretariat shall prepare a proposal on the feasibility and requirements for an informal review mechanism for existing and proposed annotations, provide its findings and recommendations to the Standing Committee.

Directed to the Standing Committee

19.BB The Standing Committee shall evaluate the Secretariat's proposal for an informal review mechanism for existing and proposed annotations and submit any relevant recommendations to the 20th meeting of the Conference of the Parties.

**TENTATIVE BUDGET AND SOURCE OF FUNDING
FOR THE IMPLEMENTATION OF DRAFT RESOLUTIONS OR DECISIONS**

According to Resolution Conf. 4.6 (Rev. CoP18) on *Submission of draft resolutions, draft decisions and other documents for meetings of the Conference of the Parties*, the Conference of the Parties decided 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 or permanent committees must contain or be accompanied by a budget for the work involved and an indication of the source of funding. The Secretariat proposes the following tentative budget and source of funding.

Decision	Activity	Indicative costs (USD)	Source of funding
19.AA	In order to implement Decision 19.AA, the Secretariat would commission a study exploring the feasibility and requirements for developing an informal review mechanism for existing and proposed annotations.	<ul style="list-style-type: none"> • USD 30,000 for a study 	Extrabudgetary