

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



Joint sessions of the 33rd meeting of the Animals Committee and
the 27th meeting of the Plants Committee
Geneva (Switzerland), 12 - 13 July 2024

Appendices of the Convention

Nomenclature matters

Botanical and zoological nomenclature

NOMENCLATURE OF APPENDIX-III LISTINGS

1. This document has been prepared by the specialist on botanical nomenclature of the Plants Committee and the specialist on zoological nomenclature of the Animals Committee, with significant contributions from the Secretariat and incorporating the views expressed by the members of the joint intersessional working group on nomenclature.
2. At its 19th meeting (CoP19; Panama City, 2022), the Conference of the Parties revised Decision 18.313 as follows:

Directed to the Animals and Plants Committees

18.313 (Rev. CoP19) *The Animals and Plants Committees shall, taking into consideration the current guidance in Resolution Conf. 12.11 (Rev. CoP19) on Standard nomenclature, paragraph 2 g), evaluate how nomenclature changes affect Appendix-III listings and propose further guidance and recommendations as necessary, that address how such nomenclature changes are to be handled, for consideration by the Standing Committee.*

3. At its 30th meeting (AC30; Geneva, July 2018) and its 24th meeting (PC24; Geneva, July 2018) respectively, the Animals and Plants Committees considered the particular complications that progress in taxonomic science had created to the nomenclature of species included in Appendix III (see paragraph 9 of document [AC30 Doc. 31/PC24 Doc. 26](#)). At its 70th meeting (SC70; Sochi, October 2018), the Standing Committee included this report in its considerations, and among others proposed a draft decision for consideration by the 18th meeting of the Conference of the Parties (CoP18; Geneva, 2019) which was adopted as Decision 18.313.
4. The topic was further described in document [AC31 Doc. 39/PC25 Doc. 33](#) and its addendum considered by the 31st meeting of the Animals Committee (AC31; online, June 2021) and the 25th meeting of the Plants Committee (PC25; online, June 2021). The outcome of deliberations at the meeting were reported to the 74th meeting of the Standing Committee (SC74; Lyon, March 2022) in document [SC74 Doc. 6](#) (paragraphs 38–40) and to the 19th meeting of the Conference of the Parties (CoP19; Panama City, 2022) in document [CoP19 Doc. 84.1](#) (paragraphs 45–48). As noted in paragraph 2, the Conference of the Parties revised Decision 18.313 at its 19th meeting.
5. Further consideration was presented in document [PC26 Doc. 42.1 / AC32 Doc. 45.1](#) and a joint intersessional working group of the Plants and Animals Committees was established at the 26th meeting of the Plants Committee (PC26; Geneva, June 2023) and the 32nd meeting of the Animals Committee (AC32; Geneva, June 2023) with the mandate to:

- a) review the scientific implications and impacts of existing and future higher taxon listings in the Appendices, taking into consideration the aspects raised in document [PC26 Doc. 42.2 / AC32 Doc. 45.2](#) (this part of the mandate relates to higher taxon listings and is addressed in document PC27 Doc. 40.2 / AC33 Doc. 47.2);
 - b) review and revise document PC26 Doc. 42.1 / AC32 Doc. 45.1; and
 - c) develop draft recommendations and guidance for consideration at the joint session of the 27th meeting of the Plants Committee and the 33rd meeting of the Animals Committee scheduled to take place in 2024.
6. The membership of the joint intersessional working group was presented on the CITES website and can be accessed through this [link](#). The working group deliberated by electronic means on the matter from February to April 2024. Substantive responses concerning nomenclature of Appendix-III listings were received from Canada, China, France, Mexico, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Center for Biological Diversity, Humane Society International, and IWMC-World Conservation Trust.
 7. A number of submissions noted that, once a species is included in Appendix III, trade in the species is regulated by the Convention. Implementation of the Convention requires that the Parties recognize it through a standardized taxonomic reference, either to issue CITES permits (proposing country) or certificates of origin (other Parties). The submissions therefore recommended that the standard nomenclature review process already carried out for Appendices I and II integrates the species listed in Appendix III, and thus avoid a parallel review process, while acknowledging that nomenclatural amendment of Appendix III listings has to follow a different approach.
 8. Working group members explicitly noted that the inclusion and withdrawal of species in CITES Appendix III follow a specific process, as laid out in Article XVI and Resolution Conf. 9.25 (Rev. CoP18) on *Implementation of the Convention for species in Appendix III*. The inclusion and deletion of Appendix-III listings is therefore a decision by an individual Party, and a substantive or non-substantive amendment to an Appendix III listing, such as a nomenclatural change, is also the prerogative of the Party that originally listed the species in Appendix III.
 9. Trade in Appendix III-listed species is regulated under Article V, and has different implications for the Party that has included the species (export permit), for range state Parties (certificate of origin), and for non-range state Parties (re-export certificate, if applicable), alongside the applicable import checks. This is a clear contrast to species included in Appendices I and II, which are decided by the Conference of the Parties following a proposal by one or more Parties, and whose trade provisions apply equally to proponent and non-proponent Parties. Therefore, there are clearly different criteria and procedures for amendment of Appendices I and II on the one hand, and of Appendix III on the other hand.
 10. The preamble of Resolution Conf. 12.11 (Rev. CoP19) on *Standard nomenclature* notes that nomenclature changes should be adopted by the Conference of the Parties to the Convention. Paragraph 3 of the Resolution does not explicitly differentiate between a procedure for updating nomenclature in Appendices I and II versus in Appendix III. The practice has been that the nomenclature specialists of the Plants and Animals Committees submit recommendations to the Conference of the Parties for non-substantive amendments to the Appendices to reflect updated nomenclature. It should be noted that paragraph 2, sub-para g), of Resolution Conf. 12.11 (Rev. CoP19) on *Standard nomenclature*, instructs the nomenclature specialists to inform the Secretariat if proposed changes to standard nomenclature affecting species listed in Appendix III would also result in changes in distribution, and would therefore affect the determination of which countries would be required to issue certificates of origin.
 11. Parties agreed that there exist fundamental differences between the procedures to include, exclude, and by extension amend, a taxon listed in Appendix I or II, and a taxon listed in Appendix III, as well as fundamental differences in the implementation of these listings. Recalling paragraph 11 of document [AC26 Doc. 42.1 / AC32 Doc. 45.1](#), a nomenclatural change to a species included in Appendix III, if implemented analogous to the process used for Appendices I and II (i.e., a nomenclatural split leads to the split-out 'daughter' species to be included in the same Appendix as the 'parent' species), could potentially create listings of species that are not native to the Party that originally proposed inclusion of the 'parent species' in Appendix III. This could create an untenable situation where a species could end up listed in Appendix III, but with no range state Party able to withdraw or further amend such a listing. Therefore, the accepted procedure for nomenclatural amendments of listings in Appendices I and II cannot be applied to Appendix III.

Detailed proposals received from Parties

Canada

12. Canada observed that, while all updates to Appendix-III listings in the Appendices must be made in accordance with Resolution Conf. 9.25 (Rev. CoP18), there are other methods to resolve nomenclature issues related to Appendix-III listed species that could be made as part of the updates to nomenclature at a meeting of the Conference of the Parties (CoP). Canada did not think that Resolution Conf. 9.25 (Rev. CoP18) needed to be amended to address this issue. However, as such an amendment process is initiated via the normal work of the nomenclature specialists and the Animal and Plant Committees, the process to change and Appendix-III listings based on adoption of a new standard reference should be clarified in Resolution Conf. 12.11.
13. Canada noted that there is currently a reference to similar processes in Resolution Conf 12.11 (Rev. CoP19), paragraph 2 f) for Appendix I/II species and in paragraph 2 g) for Appendix III species:
 - f) *whenever a change in the name of a taxon included in the Appendices is proposed, the Secretariat, in consultation with the Animals or Plants Committee, determine whether this change would alter the scope of protection for fauna or flora under the Convention. In the case where the scope of a taxon is redefined, the Animals or Plants Committee shall evaluate whether acceptance of the taxonomic change would cause additional species to be included in the Appendices or listed species to be deleted from the Appendices and, if that is the case, the Depositary Government should be requested to submit a proposal to amend the Appendices in accordance with the recommendation of the Animals or Plants Committee, so that the original intent of the listing is retained. Such proposals should be submitted for consideration at the next regular meeting of the Conference of the Parties, at which the recommendations of the Animals and Plants Committees will be considered.*
 - g) *if the Animals or Plants Committee proposes nomenclatural changes relating to taxa included in Appendix-III, they should advise the Secretariat whether these changes would also result in changes in distribution that would affect the determination of which countries would be required to issue certificates of origin;*
14. Canada observed that, in both paragraphs, the process starts with the analysis of a proposed standard nomenclature reference to determine if adoption of the reference would change a listing in the Appendices. It is only the process for amending the Appendices for Appendix I/II and Appendix III species that is different.
 - In paragraph 2 f), the Secretariat does this review in consultation with the AC/PC and if an issue is found, then the AC/PC determines if a proposal is needed to fix the issue and the Depositary government is requested to submit a proposal in accordance with Resolution Conf. 9.24 (Rev. CoP17).
 - In paragraph 2 g), it is assumed that the AC/PC will conduct the review and advise the Secretariat if the scope of an Appendix III listing would be altered, and the process stops there.
 - Neither paragraph f) or g) include consultation with the affected range States.
15. Canada furthermore drew attention to the sometimes unforeseen effects of adoption of updated nomenclatural standard references for Appendix I/II species and observed that, in some instances, a formal proposal to the Conference of the Parties was needed to resolve the matter. Canada noted that three recent proposals (CoP16 Prop. 39, Machalilla poison dart frog; CoP17 Prop. 5, Cougar; CoP18 Prop. 47, Mindoro peacock swallowtail butterfly) were submitted by range States to align with standard nomenclature references and not the Depositary Government. Canada considered that the process for Appendix-III species would be the same, with the primary difference being the process for amending the Appendices. As such Canada recommended that paragraphs 2 f) and g) be consolidated.
16. Canada considers that the process for amending the Appendices, if adoption of a new nomenclature reference would change a listing for species included in Appendix I, II or III, is as follows:
 - a) The nomenclature specialist and AC/PC evaluate a proposed new standard nomenclature reference and identify cases where adoption of the reference would change an Appendix I, II or III listing.

- b) The Secretariat provides support to the AC/PC in conducting this review and initiates / assists the nomenclature specialist in communication with the affected range States.
 - c) The nomenclature specialist and the Secretariat, in consultation with the affected range States, decide on a path forward based on the following options:
 - i) Do not propose the new standard reference for adoption by CoP, which will maintain the old standard reference for the taxa;
 - ii) Propose the new standard reference for adoption by CoP as part of the nomenclature report, but exclude the affected listing, which will maintain the species under the old standard nomenclature reference; or
 - iii) Propose the new standard reference and amend the Appendices for the affected listing to align with the new nomenclature.
 - A. For Appendix-I or -II species, by submission of a proposal in accordance with Resolution Conf. 9.24 (Rev. CoP17) by a Party or the Depositary government.
 - B. For Appendix-III species, by a request by the Party that placed the taxon in Appendix III or any other affected ranges State Parties to the Secretariat to delete or amend the affected Appendix-III listing in accordance with Resolution Conf. 9.25 (Rev. CoP18), or by submission of a proposal in accordance with Resolution Conf. 9.24 (Rev. CoP17) to transfer the listing to Appendix II by a Party or the Depositary Government.
17. Canada emphasized that in some cases, the change in scope of a nomenclatural update may not be recognized until after the new standard nomenclature reference is adopted. It may be helpful to Parties finding themselves in such a situation to have guidance on what to do, either as a new paragraph in Resolution Conf. 12.11 (Rev. CoP19), or as an addition to Resolution Conf. 12.11 (Rev. CoP19), paragraph 8. For example:
8. *AGREES that the adoption of a standard checklist or reference by the Conference of the Parties does not by itself change the status vis-à-vis CITES of any entity, whether it is listed in the Appendices or not, and the status of the entity remains as intended in the proposal adopted by the Conference unless specifically changed by the adoption of a further amendment proposal; any Party that identifies a change in the status vis-à-vis CITES of any entity as a result of the adoption of a new standard reference should consult the Secretariat or nomenclature specialist as soon as possible.*
18. Canada finally noted the excellent information on taxonomy and nomenclature that has been prepared for these discussions and suggested that they be consolidated in a guidance document that is made available on the Secretariat's website.

China

19. China noted that Resolution Conf. 12.3 (Rev. CoP19) on *Permits and certificates*, in paragraph 3 y), refers to the recommendation that “when issuing permits and certificates, the Parties follow the standard nomenclatures adopted by the Conference of the Parties to indicate the names of species [see Resolution Conf. 12.11 (Rev. CoP19)]” and suggested inclusion of the following text in Resolution Conf. 12.11 (Rev. CoP19) on *Standard nomenclature*: “*Recommends Parties that are considering the submission to amend the Appendix III, in cases where there is any doubt regarding the nomenclature to follow, to consult the nomenclature specialist of the Animals Committee or the Plants Committee as early as possible in advance of submitting the documents.*”

France

20. France recommended that updates to Appendix III should be made through the process for amendments to Appendix III as described in [Resolution Conf. 9.25 \(Rev. CoP18\)](#). France envisaged the tasks and responsibilities of the various stakeholders as follows:
- a) The Party would first consider the nomenclatural changes in its national legislation (and if necessary, redefine the specific scope of its legislation).

After that, the Party would request the Secretariat to guide the amendment of the Appendix-III listing with the new scope, and the geographic information for the new scope, if not all populations of the former species are involved.

Finally, the Party should inform the Secretariat how the updates or new interpretation should apply to previously-issued permits (especially if those permits were made for captive-breeding facilities).

- b) The Secretariat should initially inform the Parties of the request and the new scope of the proposed Appendix III amendment, and also provide interpretation for application of earlier permits.

The Secretariat would then engage the AC or PC and nomenclature specialists regarding the interpretation to be made in the Appendices and concerning the synonymy (Checklist of CITES Species and Species+).

- c) The AC and/or PC set the clear synonymy and footnotes for the Appendices and Species+ (Checklist of CITES Species).

Mexico

- 21. Mexico observed that Resolution Conf. 9.25 (Rev. CoP18) on *Implementation of the Convention for species in Appendix III* does not include a recommendation that the proposing Party indicate a nomenclatural standard reference for a species proposed for inclusion in Appendix III. Such a recommendation is implicit in paragraph 2 d) of Resolution Conf. 12.11 (Rev. CoP19) on *Standard nomenclature*, which recommends that “when submitting a proposal to amend the Appendices to the Convention, the proponent identify the reference used to describe the entity being proposed”. Mexico therefore suggested considering a revision to Resolution Conf. 9.25 (Rev. CoP18) by adding a paragraph inviting proposing Parties to review “*If the species concerned is included in one of the standard lists of names or taxonomic references adopted by the Conference of the Parties, the name provided by that reference should be entered here. If the species concerned is not included in one of the adopted standard references, the proponent should provide references as to the source of the name used*” (as in Annex 6 to Resolution Conf. 9.24 Rev. CoP17). Likewise, Mexico suggested to include that, if there are no references adopted by the CoP, the proposing Party consults with the appropriate nomenclature specialist for guidance on the matter.

United Kingdom of Great Britain and Northern Ireland

- 22. The United Kingdom of Great Britain and Northern Ireland suggested that taxonomic amendments to taxa listed in Appendix III should be dealt with in the same manner as with taxa listed in Appendices I and II.
 - a) If the taxonomic update is substantive (e.g. in the case of species being split or lumped, or having their rank changed etc.) then a taxonomic update recommended by the nomenclature specialists should be submitted at the next meeting of the CoP. Such review and recommendation of taxonomic updates should be made in consultation with the Party that placed the taxon in Appendix III and any other range States to ensure the intent and reasons for the Appendix-III listing remain the same.
 - b) If the taxonomic change is considered non-substantive, then the procedures under Resolution Conf. 9.25 (Rev. CoP18) might be more appropriate, although they are not clearly described in the Resolution, as there is not a specific section on the process to update the nomenclature for Appendix-III species.

United States of America

- 23. The United States of America noted that, with regard to the matter of taxa included in Appendix III, in accordance with Article XVI, requests for inclusion of a species by its scientific name in Appendix III are made unilaterally by Parties. A Party may submit or remove a species it includes in Appendix III at any time. It is the United States' view then that any nomenclature updates to Appendix III taxa should be made by Parties through the process for amendments to Appendix III as described in Resolution Conf. 9.25 (Rev. CoP18) and not as part of the updates to nomenclature used in Appendices I and II at the meeting of the Conference of the Parties. Resolution Conf. 9.25 (Rev. CoP18) does not, however, currently address taxonomic references for Appendix III submissions. Accordingly, the United States recommend an amendment to Resolution Conf. 9.25 (Rev. CoP18) under paragraph 1 e) (additions underlined, deletions ~~strikethrough~~). The amendment text requests Parties to use current standard nomenclature references or include a taxonomic reference for the species that it is submitting for inclusion in Appendix III.

e) *after due consultation, and having satisfied itself that the biological and trade status of the species justify the action, submit to the Secretariat its considerations under paragraph 1 a) to d) above, specifying the following, in accordance with paragraph 1 of Article XVI of the Convention:*

i) *the scientific name of the species it is submitting for inclusion in Appendix III – if the species concerned is included in one of the standard lists of names or taxonomic references adopted by the Conference of the Parties, the reference citation and the name provided by that reference should be submitted; and,*

ii) *if the species concerned is not included in one of the adopted standard references, the Party(ies) should provide reference(s) as to the source of the name used, either at the time of the request or within the 90 days before the listing takes effect; and*

iii) *any readily recognizable parts and derivatives to be included, unless it intends to include all readily recognizable parts and derivatives derived from the species;*

24. The United States further recommended that Parties that included the species should request nomenclatural changes to Appendix III taxa as needed, and Parties should, at every opportunity, stay up-to-date on taxonomic and nomenclatural changes. The United States suggested that this could be clarified in Resolution Conf. 9.25 (Rev. CoP18) with the following amendment to paragraph 6 (additions underlined):

6. *URGES Parties having included species in Appendix III to review periodically the status of these species, including any taxonomic or nomenclatural changes impacting these species, seek assistance of the Animals or Plants Committee in undertaking the review mentioned in paragraph 5 of this Resolution, if necessary, and taking into account these guidelines and any recommendations of the Animals and Plants Committees, to consider the necessity to maintain the species in Appendix III;*

25. The United States acknowledged that potential nomenclature changes to Appendix III taxa might be more readily identified through the regular updates to nomenclature references used in Appendices I and II following Resolution Conf. 12.11 (Rev. CoP19), and noted that in such cases, Resolution Conf. 12.11 (Rev. CoP19), paragraph g), outlines an initial process for resolving any potential issues.

26. The United States noted that document PC26 Doc. 42.1/AC32 Doc. 45.1 suggested that a slightly modified approach could be applied to nomenclatural changes in Appendix III taxa as that when addressing nomenclatural changes in Appendices I and II, and considered that this is a reasonable approach. The process as defined in Resolution Conf. 12.11 (Rev. CoP19), paragraph 2 g) could be amended to ensure that the Party (or Parties) that included the species in Appendix III is consulted when a change in nomenclature is identified. The Secretariat would thereby consult the Party (or Parties) that included the species in Appendix III. This should be done in a timely manner to allow any changes to be published with the changes to Appendix I and II after each meeting of the Conference of the Parties in accordance with paragraph 2 b) and 3 of Resolution Conf. 9.25 (Rev. CoP18). Based on this consultation, Appendix III could be changed to reflect the nomenclatural change of the species involved.

27. The United States further noted that, if the Party (or Parties) impacted by the nomenclature change is notified in a timely manner, then in the scenario where a species would be removed from Appendix III by virtue of a split in taxonomy, a current range State of that species would have an opportunity to list and thereby maintain that newly split off species in Appendix III in accordance with Article XVI. Where a current range State notifies the Secretariat that this is their intention, subject to any necessary domestic processes, the United States would encourage sufficient time and coordination to reduce the complications with implementation and enforcement that could arise from gaps in regulation from removing species and relisting species caused by nomenclatural changes.

28. The United States suggested the following amendments to Resolution Conf. 12.11 (Rev. CoP19) paragraph 2. g) (additions underlined, deletions ~~strikethrough~~):

g) *if the Animals or Plants Committee proposes nomenclatural changes relating to taxa included in Appendix-III, they should advise the Secretariat of the changes and whether they these changes would also result in changes in species distribution that would affect the issuance of determination of which countries would be required to issue certificates of origin by range States. To ensure the Party (or Parties) that included the species in Appendix III are aware of the potential changes and their potential impacts on implementation, the Secretariat will consult the Party (or Parties) on the nomenclature changes and any resulting changes in distribution that potentially alter the scope of*

protection for fauna and flora (inclusion or deletion of species or populations) included in Appendix III. The results of this consultation will be provided to the Animals or Plants Committees;

29. The United States is of the view that the amendments proposed above should collectively help clarify confusion regarding taxonomic and nomenclatural changes to Appendix-III species and ensure that an original taxonomic reference is provided, whereby accepted synonyms of the species are included in the Appendix III listing; while also allowing for consultation of Parties that included taxa in Appendix III in the development of appropriate recommendations related to nomenclatural changes.

Center for Biological Diversity

30. The Center for Biological Diversity agreed with the comments from France in that it is a matter for the country listing the species in Appendix III to properly identify the nomenclature of the species. The same process outlined in Resolution Conf. 9.25 (Rev. CoP18) could be used for updating Appendix III. Should a Party want to obtain advice or thoughts on the appropriate nomenclature for the species (i.e., if it is considering a formal listing proposal), the Center for Biological Diversity suggested that advice could be sought using the paragraph 5 process outlined in Resolution Conf. 9.25 (Rev. CoP18).

Humane Society International

31. The Humane Society International expressed their concern about possible changes in non-proponent range State Parties affected by the obligation to issue certificates of origin when a nomenclatural update accompanies a taxonomic split or merge, and felt that the impact on those range States should not be entirely left to the original proponent Party. Humane Society International further referred to concerns that in cases where a taxonomic split results in a situation where the originally listed name is no longer applicable to the population in the proponent Party, the proponent Party may have little choice but to accept that the name of its listed population must change.

IWMC World Conservation Trust

32. IWMC World Conservation Trust also recalled that Appendix III may be amended exclusively at the request of Parties, and was of the opinion that this also applies to nomenclatural changes. IWMC World Conservation Trust observed that the only option to update listings in Appendix III would be to invite the Party or Parties to agree to the update and inform the Secretariat accordingly.

Discussion

33. Considering the perspectives of Parties and observers summarized above, it appears beneficial to develop a specific procedure for any nomenclatural amendments to species listed in Appendix III, to be reflected in Resolution Conf. 9.25 (Rev. CoP18) on *Implementation of the Convention for species in Appendix III* and/or Resolution Conf. 12.11 (Rev. CoP19) on *Standard nomenclature*. Such a procedure may be outlined as follows:
- a) The nomenclature specialists of the Plants and Animals Committees shall, as they review nomenclatural changes for taxa listed in the CITES Appendices as mandated by Resolution Conf. 12.11 (Rev. CoP19), prepare a separate list of nomenclatural changes affecting taxa listed in Appendix III, and shall include such cases in a separate Annex in their report to the meeting of the Conference of the Parties. Such cases shall specify the currently adopted and possible updated nomenclature, the scientific reference(s) that justify this nomenclatural update, the Party/Parties that listed the taxon in Appendix III, and the range state Party/Parties potentially affected by such a nomenclatural change.
 - b) The Secretariat shall reach out to the Party or Parties that originally listed the taxon concerned in Appendix III and, in consultation with the relevant nomenclature specialist(s), summarize the case and seek the Parties' perspectives on its interest in updating the Appendix III listing. Ideally, such outreach should occur soon after the preparation of the list of nomenclatural changes affecting taxa listed in Appendix III by the nomenclature specialists, so that amendments to Appendix III can be considered, prepared, and submitted in time for inclusion in the updated Appendices following a meeting of the Conference of the Parties.
 - c) Where the Party or Parties that originally listed the taxon in Appendix III concurs that a nomenclatural update to its Appendix III listing is warranted, or one or more of the other range state Parties express a desire for an updated listing, the Secretariat, in consultation with the nomenclature specialist(s) as

appropriate, shall guide the Party/Parties to prepare and submit an amendment proposal compliant with Article XVI and the procedure described in Resolution Conf. 9.25 (Rev. CoP18) on *Implementation of the Convention for species in Appendix III*.

- d) Once such an amended listing is included in Appendix III, the regular actions will follow, including the inclusion of the updated name as the valid name in the Checklist of CITES Species and the Species+ database and inclusion of the earlier name as a synonym, the inclusion of any additional nomenclatural standard references in the Annex to Resolution Conf. 12.11 (Rev. CoP19) on *Standard nomenclature* at its next revision following a CoP, as well as amendment of the Appendices, the Trade Database, and other standard actions.

Conclusions

34. Taxon listings in Appendix III represent a distinctly different 'kind' of listing with regard to inclusion and deletion, and by analogy, with regard to amendment for nomenclatural or other reasons, as compared to listings in Appendices I and II. This difference means that the 'standard' procedure used to update the nomenclature of taxon listings in Appendices I and II cannot be applied to Appendix III without a small but inevitable risk of unintended consequences, such as listing of a (split-out) taxon that is not native to the Party that originally listed the (parent) taxon. Therefore, the majority of Parties and observers indicated that a different procedure seems advisable to amend an Appendix III listing for nomenclatural purposes. A proposed procedure is outlined in paragraph 33, consisting of the nomenclature specialists presenting such cases in an Annex to their regular report to the Conference of the Parties, the Secretariat then engaging with the listing Party and other range state Parties to identify an appropriate way forward, and the original listing Party, and potentially other range State Parties, submitting an amendment proposal following the procedure as specified in Resolution Conf. 9.25 (Rev. CoP18).
35. Taking into consideration the proposals received from members of the intersessional working group and the discussion and conclusions in paragraphs 33 and 34, draft amendments to Resolution Conf. 9.25 (Rev. CoP18) on *Implementation of the Convention for species in Appendix III* and Resolution Conf. 12.11 (Rev. CoP19) on *Standard nomenclature* are proposed in the Annex to the present document to establish a process to consider and amend nomenclature of Appendix III listed species.

Recommendations:

36. The Plants and Animals Committees are invited to:
 - a) review this document and consider the merit of revising Resolution Conf. 9.25 (Rev. CoP18) on *Implementation of the Convention for species in Appendix III* and/or Resolution Conf. 12.11 (Rev. CoP19) on *Standard nomenclature*;
 - b) consider the draft amendments contained in the Annex to the present document and agree to submit the draft amendments to Resolution Conf. 9.25 (Rev. CoP18) on *Implementation of the Convention for species in Appendix III* and to Resolution Conf. 12.11 (Rev. CoP19) on *Standard nomenclature* for consideration by the Standing Committee in accordance with Decision 18.313 (Rev. CoP19); and
 - c) agree that Decision 18.313 (Rev. CoP19) has been implemented and can be proposed for deletion to the Conference of the Parties.

PROPOSED AMENDMENTS TO
RESOLUTION CONF. 9.25 (REV. COP18)
AND RESOLUTION CONF. 12.11 (REV. COP19)

Proposed amendments to Resolution Conf. 9.25 (Rev. CoP18) on *Implementation of the Convention for species in Appendix III*:

1. 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) if the species concerned is included in one of the standard lists of names or taxonomic references adopted by the Conference of the Parties, the name provided by that reference be used; if the species concerned is not included in one of the adopted standard references, the Party provide references as to the source of the name used as indicated in sub-paragraph e) below, and in cases where there is any doubt regarding the nomenclature to follow, consult the nomenclature specialist of the Animals Committee or the Plants Committee;
 - iii) its national regulations for the conservation of the species are adequate to prevent or restrict exploitation and to control trade, and include penalties for illegal taking, trade or possession and provisions for confiscation; and
 - iiii) its national enforcement measures are adequate to implement these regulations;
 - [...]
 - 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, provide the Nomenclature Specialist of the Animals or Plants Committee with the reference as to the source of the name used to describe the species being proposed, and seek their opinion on the potential effects of such inclusion;
 - [...]
 - e) after due consultation, and having satisfied itself that the biological and trade status of the species justify the action, submit to the Secretariat its considerations under paragraph 1 a) to d) above, specifying the following, in accordance with paragraph 1 of Article XVI of the Convention:
 - i) the scientific name of the species it is submitting for inclusion in Appendix III;
 - A. if the species concerned is included in one of the standard lists of names or taxonomic references adopted by the Conference of the Parties, the reference citation and the name provided by that reference should be submitted; and,
 - B. if the species concerned is not included in one of the adopted standard references, the Party(ies) should provide reference(s) as to the source of the name used, either at the time of the request or within the 90 days before the listing takes effect; and
 - ii) any readily recognizable parts and derivatives to be included, unless it intends to include all readily recognizable parts and derivatives derived from the species;

.....

6. URGES Parties having included species in Appendix III to:
- a) review periodically the status of these species, seek assistance of the Animals or Plants Committee in undertaking the review mentioned in paragraph 5 of this Resolution, if necessary, and taking into account these guidelines and any recommendations of the Animals and Plants Committees, to consider the necessity to maintain the species in Appendix III;
 - b) inform the Secretariat and the Animals and Plants Committees about any taxonomic or nomenclatural changes impacting species included in Appendix III to determine whether these changes would also result in changes in distribution that would affect the determination of which countries would be required to issue certificates of origin; and
 - c) respond in a timely manner to requests from the Secretariat on proposed nomenclature changes proposed by the Animals or Plants Committee through its process to identify and address nomenclature issues in accordance with Resolution Conf. 12.11 (Rev. CoP19) on *Standard nomenclature* and may result in changes in distribution that potentially alter the scope of protection for fauna and flora (inclusion or deletion of species or populations) included in Appendix III, to inform amendments to Resolution Conf. 12.11 (Rev. CoP19) and any action to be taken by the Party that listed the species in Appendix III.

Proposed amendments to Resolution Conf. 12.11 (Rev. CoP19) on *Standard nomenclature*:

2. RECOMMENDS that:

.....

- g) if the Animals or Plants Committee become aware of taxonomic or ~~proposes~~ nomenclatural changes proposed in the scientific literature relating to taxa included in Appendix-III, they should advise the Secretariat of such proposed changes and whether they ~~these changes would~~ also result in changes in species distribution that would affect the ~~issuance of determination of which countries would be required to issue~~ certificates of origin by range States. To ensure the Party (or Parties) that included the species in Appendix III are aware of the potential changes and their potential impacts on implementation, the Secretariat will inform the Party (or Parties) of the nomenclature changes and any resulting changes in distribution that potentially alter the scope of protection for fauna and flora (inclusion or deletion of species or populations) included in Appendix III.

.....

- 8. AGREES that the adoption of a standard checklist or reference by the Conference of the Parties does not by itself change the status vis-à-vis CITES of any entity, whether it is listed in the Appendices or not, and the status of the entity remains as intended in the proposal adopted by the Conference unless specifically changed by the adoption of a further amendment proposal; any Party that identifies a change in the status vis-à-vis CITES of any entity as a result of the adoption of a new standard reference should consult the Secretariat and nomenclature specialist as soon as possible.