

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



Joint sessions of the 30th meeting of the Animals Committee and
the 24th meeting of the Plants Committee
Geneva (Switzerland), 20-21 July 2018

TERMS OF REFERENCE OF THE ANIMALS AND PLANTS COMMITTEES

Membership (as decided by the Committee)

Co-Chairs: the Chair of the Animals Committee (Mr. Lörtscher) and the Chair of the Plants Committee (Ms. Sinclair);

Parties: Austria, Canada, Japan, United States of America and Zimbabwe; and

IGOs and NGOs: Humane Society International and IWMC-World Conservation Trust.

Mandate

The in-session working group shall discuss and agree the proposed amendments to Annex 2 of Resolution Conf. 11.1 (Rev. CoP17) on *Establishment of committees* as set out in the annexes to document AC30 Doc. 6/PC24 Doc. 6 for endorsement by the Animals and Plants Committees. In doing so, the working group shall take into account the discussions in plenary of the joint session and any additional information about the progress of the work in the relevant Standing Committee's intersessional working group.

Recommendations

The Working Group recommends that the joint session of the Animals and Plants Committees agrees to the amendments to Annex 2 of Resolution Conf. 11.1 (Rev. CoP17) as set out in the annex to this working group report.

**Establishment of Terms of Reference of the Animals and Plants Committees
of the Conference of the Parties**

Proposed amendments

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;

RECALLING that the Parties have taken into account distribution of the world's wild fauna and flora, the species included in the Appendices, and the number of Parties in the major geographical regions when determining membership on the committees.

RECALLING Resolution Conf. 14.8 (Rev. CoP17) on the *Periodic Review of species included in Appendices I and II*;

RECALLING Resolution Conf. 12.8 (Rev. CoP17) on the *Review of Significant Trade in specimens of Appendix II species*;

RECALLING also Resolution Conf. 12.11 (Rev. CoP17) on *Standard Nomenclature*

RECOGNIZING 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*;

RECOGNIZING 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;

RECOGNIZING the importance of making available the best technical and scientific advice regarding CITES-listed species from difference sources, origins and production systems

RECOGNIZING the broad range of decisions adopted by the Conferences of the Parties that depend on scientific and technical expertise and advice for their implementation;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. RESOLVES to establish the Animals and Plants Committees of the Conference of the Parties with the terms of reference set out in paragraph 2 below;
2. AGREES that within the mandate provided by the Convention and the Resolutions and Decisions, and other policy adopted by the Conference of the Parties, the Animals and Plants Committees shall:
 - a) provide scientific advice and guidance to the Conference of the Parties, the other committees and the Secretariat, 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. CoP17) 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);
 - iii) deal with nomenclatural issues in accordance with Resolution Conf. 12.11 (Rev. CoP17) 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 on *Review of trade in animal specimens reported as produced in captivity*;

- c) upon request by Parties or the Secretariat, make available advice on the making of non-detriment findings in the context of Resolution Conf. 16.7 (Rev. CoP17) *on Non-detriment findings*, and on 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;
 - f) upon request 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 and 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. AGREES that in giving instructions to the Animals and Plants Committees, the Conference of the Parties *and the Standing Committee* should 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;

3bis. Parties when making requests in the context of paragraph 2 c), e) and f) should be mindful of the limited resources of the committees;

4. AGREES that 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 that when not back-to-back, the length of each meeting should be five days;
5. DETERMINES that:
 - a) the membership of the Animals and Plants Committees shall consist of:
 - i) a person ~~chosen~~ *selected* by each of the major geographic regions consisting of North America and Oceania and elected by the Conference of Parties;
 - ii) two persons ~~chosen~~ *selected* by each of the major geographic regions consisting of Africa, Asia, Central and South America and the Caribbean, and Europe and elected by the Conference of Parties; and
 - iii) a specialist on zoological nomenclature (Animals Committee) and a specialist on botanical nomenclature (Plants Committee) ~~chosen~~ *selected* by their respective Committees and elected by the Conference of the Parties who would be *ex-officio* and non-voting;
 - b) one person shall also be ~~chosen~~ *selected and elected* as an alternate member for each of the members listed in paragraph a). Each person ~~chosen~~ *selected* as an alternate member for a member described in paragraph a) ~~serves as an acting~~ *shall be represented at meetings as a* member *at meetings* only in the absence of the member for whom he/she is the alternate;

- c) 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;
- d) a chair and a vice-chair shall be elected by the Committee and shall normally serve until the close of the second regular meeting after being elected; and
- e) the Chair, or Acting 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, or Acting Chair shall serve also as regional member for his/her region on an *ad hoc* basis; and
- f) any Party shall be entitled to be represented at meetings of the committees as an observer;

6. RECOMMENDS that regarding representation in the Animals and Plants Committees the following guidelines be implemented:

- a) Election-Nomination of the candidates:
 - i) Parties proposing candidates as representatives 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;
 - ii) The names of the proposed candidates, and their curricula vitae, should be circulated to the Parties of the region concerned at least 120 days before the meeting of the Conference of the Parties at which the representatives will be elected. In case of the nomenclature specialist, the names and their curricula vitae of the proposed candidates shall be circulated to the relevant committees~~Although not regional representatives the same process should apply to candidates seeking election as specialists on botanical and zoological nomenclature;~~
 - iii) 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
 - iv) Proposed candidates should be persons; As long as the representatives are persons, a Party shall should not be accepted as a proposed candidate even if it plans to identify a person subject to at a later time~~identification of the person concerned by the Party;~~ and

b) Timing of replacement of regional members and alternate members:

- i) The procedure should be the same as that described above for the Standing Committee;
- ii) As alternate members are alternates of specified members, they should be elected at the same time as the members;
- iii) If a region wishes to re-elect a member or alternate member, there is nothing to prevent it from doing so; and
- iv) in the event that no nominations have been received before the deadline the incumbent shall remain, if so willing and able, as ~~an~~ representative until a replacement is elected;

7. 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 Standing Committee Regional Member(s) from the region concerned - or, in the case of a vacancy for a

nomenclature specialist, to the Committee concerned - and to the Chair of the Standing Committee, who 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) At the next regular meeting of the Conference of the Parties the vacancy shall be filled in accordance with paragraph 6 a) of the present Annex. Nothing shall prevent the person appointed on an interim basis from being later proposed to fill the position.

~~DETERMINES that 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;~~

8. RESOLVES that the duties of members elected to the Animals and Plants Committees and their alternates are as follows:
 - a) each member should, to the best of their abilities, act as impartially as possible and endeavour to base their 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;
9. FURTHER RESOLVES that the zoological and botanical nomenclature specialists of the Animals and Plants Committees shall coordinate, monitor and analyse the input needed from specialists in fulfilling the responsibilities assigned by the Parties;
10. DETERMINES further the following principles for the payment of travel expenses to members of the Plants or Animals Committee:
 - a) the Secretariat shall make provisions in its budget for the payment, if requested, of reasonable and justifiable travel expenses of members, to attend no more than two meetings of the Committee concerned between meetings of the Conference of the Parties, other than for members from developed countries;
 - b) the Secretariat shall also make provision for the participation of the Committees' Chairs at meetings of the Standing Committee and at other meetings that the Chairs are instructed to attend by the Conference of the Parties;
 - c) members should make every effort to pay their own travel expenses; and

- d) travel arrangements for sponsored members will be made by the Secretariat in accordance with the Rules and Regulations of the United Nations and, where applicable, claims for refunds must be supported by receipts, and be submitted to the Secretariat within 30 days from the completion of the travel;
11. URGES Parties and regions to utilize or develop long-term sustainable funding mechanisms to support their representatives in the Committees including the nomenclature specialists.