

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



Twenty-second meeting of the Plants Committee  
Tbilisi (Georgia), 19-23 October 2015

Interpretation and implementation of the Convention

Compliance and enforcement

Review of Significant Trade in specimens of Appendix-II species  
[Resolution Conf. 12.8 (Rev. CoP13)]

EVALUATION OF THE REVIEW OF SIGNIFICANT TRADE  
[DECISION 13.67 (REV. COP14)]<sup>\*</sup>

1. This document has been prepared by the Co-Chairs of the Advisory Working Group (AWG) on the Evaluation of the Review of Significant Trade.<sup>1</sup>
2. At the 12th meeting of the Conference of the Parties (Santiago, 2002), the Animals and Plants Committees sought and received a mandate to develop terms of reference for an evaluation of the Review of Significant Trade. These terms of reference were proposed and adopted at the 13th meeting of the Conference of the Parties (Bangkok, 2004) and can be found in Annex 1 to the Decisions of the Conference of the Parties in effect after its 16th meeting (CoP16, Bangkok, 2013).
3. The terms of reference give the responsibility for overseeing the evaluation to the Animals and Plants Committees, with the help of an advisory working group comprising Committee members, Parties, the Secretariat and invited experts. The Secretariat is responsible for administering the evaluation and for reporting regularly on progress to the Committees. Whilst the evaluation was to commence after CoP14 (The Hague, 2007), there is no fixed time by which it must be concluded.
4. The Advisory Working Group first met 24-28 June 2012 at the International Academy for Nature Conservation on the Isle of Vilm, Germany. The results and recommendations from the Vilm meeting were reported to the 27th meeting of the Animals Committee and the 21st meeting of the Plants Committee ([AC27/PC21 Doc. 12.1](#)). The Animals and Plants Committee noted the report of the Advisory Working Group and agreed that the Advisory Working Group should continue to work intersessionally aiming to submit a draft revision of Resolution Conf. 12.8 (Rev. CoP13) on *Review of Significant Trade in specimens of Appendix-II species* at the 28th meeting of the Animal Committee and the 22nd meeting of the Plants Committee for their consideration ([AC27/PC21 Sum. 2](#)).
5. The Vilm meeting, *inter alia*, recommended that: the transparency of the review process should be improved and the review process should be shortened and streamlined; stricter criteria for species selection should be established; consultants should be appointed earlier and that they should provide preliminary categorisations; the initial letter from the Secretariat should be more informative and include a short questionnaire; communication

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<sup>\*</sup> This agenda item is addressed to the Animals and Plants Committees.

<sup>1</sup> 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.

and consultation with the range State should be a priority; a menu of standardised recommendations should be produced; each review case should have an explicit end point; there should be greater transparency in determining whether recommendations have been met; where recommendations remain partially fulfilled, a mechanism should be put in place to allow feedback from the Scientific Committees on appropriate action; and a regular review should be carried out by the Scientific Committee to assess if any adjustments are required to enhance the process.

6. The Advisory Working Group (AWG) met again from 27 April to 1 May 2015 at the National Conservation Training Centre (NCTC), Shepherdstown, West Virginia, United States. The Advisory Working Group extends its sincere gratitude to the United States Fish and Wildlife Service for graciously offering to host the meeting.
7. The goal of the Shepherdstown meeting of the Advisory Working Group was to prepare an updated resolution with new supporting annexes for presentation to the Animals and Plants Committee, as well as review progress and provide recommendations on all aspects of the terms of reference for the evaluation of the *Review of Significant Trade*.
8. To accomplish this goal in a timely fashion, the Advisory Working Group first reviewed the work undertaken to date and concentrated their efforts on the four key elements of the proposed revised Resolution, specifically 1) the criteria for the selection of species/country combinations to review, 2) the initial letter to range States soliciting information for the review, 3) the standardization of recommendations and 4) a streamlined and more transparent process from selection of species/countries through to recommendations.
9. The Advisory Working Group also reviewed its progress against the terms of reference for the evaluation of the Review of Significant Trade as contained in Decision 13.67 (Rev. CoP14). In doing so, the Advisory Working Group placed significant emphasis on the importance of capacity-building and provided some additional recommendations on this and other associated issues such as regional cooperation and the role of countrywide reviews.
10. In undertaking its work, the Advisory Working Group was also mindful of the activities of the Animals Committee working group on captive breeding and ranched specimens (Decision 16.64). However, the mandate of the Working Group remained to consider and advise on the existing process: reviewing direct trade in specimens of Appendix II species from wild, ranched, unknown and blank (unreported) sources.

#### **Regarding the criteria for the selection of species**

11. As recommended during the Vilm meeting of the Advisory Working Group, UNEP-World Conservation Monitoring Centre (UNEP-WCMC) undertook a test of its proposed analysis methodology for the selection of species and reported on the results to the Shepherdstown meeting of the Advisory Working Group. During their discussion of the UNEP-WCMC report, the Advisory Working Group determined that the summary output as well as the results of an extended analysis would be useful in guiding the selection of species/country combinations for review. The Advisory Working Group also outlined additional contextual information that should accompany the UNEP-WCMC outputs to assist the Scientific Committees in their decision-making. This guidance was reflected in the proposed revisions to Resolution Conf. 12.8 (Rev. CoP13) on *Review of Significant Trade in specimens of Appendix-II species* (Annex 3 of this report).
12. The Advisory Working Group further recommended the analysis and outputs requested from UNEP-WCMC include only specimens from wild, ranched, unknown and blank (unreported) sources. The Advisory Working Group considered the concerns regarding captive-bred specimens that do not meet the definition of captive-bred under Resolution Conf. 10.16 (Rev.) (source code F), but felt that any evaluation of trade in captive-bred specimens (including those of source code F) should be discussed as part of the mandate for the working group under Decision 16.64. Similarly, the Advisory Working Group noted concerns regarding possible detrimental trade in artificially propagated (source code A) plants and noted the Plants Committee may wish to consider concerns regarding this trade.

#### **Regarding the initial letter to range States**

13. The Advisory Working Group discussed the importance of having timely detailed information from range States early in the process and discussed improvements to the initial letter to selected range States to facilitate receiving this information. The Advisory Working Group thus proposed that the initial letter sent by the CITES Secretariat to the selected range States should contain the following information (see Annex 1 of this report):
  - a clear and simple explanation of the Review of Significant Trade process;

- detailed information on why the species/range State was selected;
  - the consequences of not responding to the request for information; and
  - simple guidance on how to respond
  - an indication that the responses will be made publicly available
14. In addition, the Advisory Working Group proposes that the annexes to the initial letter to range States can include: relevant trade data; links to relevant resolutions; a user-friendly guide to the Review of Significant Trade process (once developed, see proposed Decision 17.XB in paragraph 27 of this document); and, as appropriate, information provided by the range State during previous reviews (see Annex 2 of this report).
15. The Advisory Working Group thus recommends that the Animals and Plants Committees endorse the advice to the Secretariat found in Annex 1 and Annex 2 of this report.

#### **Regarding the standardization of recommendations**

16. Following on the recommendations from the Vilm meeting, the Advisory Working Group developed guidance to support the Animals and Plants Committees when making recommendations to range States retained in the Review of Significant Trade process. In doing so, the Advisory Working Group emphasized the need to have time-bound, feasible, measurable and transparent recommendations that are proportionate to the perceived conservation risk and that promote capacity-building. The guidance developed is found within the proposed revisions to Resolution Conf. 12.8 (Rev. CoP13) on *Review of Significant Trade in specimens of Appendix-II species* (Annex 3 of this report).
17. During the discussion of standard recommendations, the Advisory Working Group also suggested a “final recommendation” be developed such that selected range States can report on the new basis for their non-detriment studies and how the actions taken will address concerns identified during the Review of Significant Trade process. This final recommendation is aimed at assisting the evaluation of whether non-detriment findings have improved as a result of the Review of Significant Trade process.

#### **Regarding the updated Resolution**

18. Finally, the Advisory Working Group prepared significant revisions to Resolution Conf. 12.8 (Rev. CoP13) on *Review of Significant Trade in specimens of Appendix-II species* to reflect their discussions on selection of species for review, guidance for making recommendations as well as the streamlined timeline and other recommendations from the Vilm meeting. Annex 3 of this report contains the proposed revised Resolution Conf. 12.8 (Rev. CoP13) on *Review of Significant Trade in specimens of Appendix-II species* including the new Annexes A, B and C. Given the extensive nature of the proposed revisions, a detailed explanation of each change is shown in Annex 4 of this document.

#### **Regarding progress against the terms of reference for the evaluation**

19. The Advisory Working Group noted the terms of reference for the evaluation of the Review of Significant Trade included an assessment of the Review, the preparation of case studies to inform the evaluation and an analysis of the effectiveness of the Review of Significant Trade.
20. Regarding the assessment of the existing review process, the Advisory Working Group shared their experiences and evaluated the various steps of the current review process in order to recommend modifications to Resolution Conf. 12.8 (Rev. CoP13) on *Review of Significant Trade in specimens of Appendix-II species* (Annex 3 of this report). In doing so, the Advisory Working Group noted the difficulty in assessing:
- the support provided to range States (outside of that identified in the case studies),
  - the ongoing process to monitor and review the implementation of recommendations, and
  - the impacts of the process on other aspects of CITES implementation.
21. A series of case studies was prepared by a consultant (see [AC26/PC20 Doc.7](#)) and a presentation was made to the Advisory Working Group at the Vilm meeting (24-28 June 2012). The case studies were greatly appreciated and helped inform the initial recommendations made by the Advisory Working Group.

22. Finally, the Advisory Working Group noted the most difficult element of the terms of reference was to assess the effectiveness, including the costs and benefits, of the Review of Significant Trade thus far. The Advisory Working Group noted that the case studies referenced in paragraph 21 above provided some evaluation of the effectiveness of the review, and the proposed revisions to the Review of Significant Trade process (Annex 3 of this report) were recommended to address some of the issues raised in the case studies and thus contribute to the effectiveness of the review process.
23. The Advisory Working Group also felt a regular audit of the outcomes of the Review of Significant Trade would support the ongoing monitoring of the effectiveness of this process. The Advisory Working Group thus proposed a revision to Resolution Conf. 12.8 (Rev. CoP13) on *Review of Significant Trade in specimens of Appendix-II species* (Annex 3 of this report) to direct the Animals and Plants Committee to undertake a regular review of the process.
24. In addition, the Advisory Working Group felt strongly that a database that tracks the progress of species/country combinations through the Review of Significant Trade process is an essential tool for the Scientific Committees and Parties, to improve both the effectiveness and transparency of the Review of Significant Trade, and thus proposed the following decision:

**Decision 17.XA:** *DIRECTS* the Secretariat, subject to the availability of funds, within six months of the adoption of a revision to Resolution Conf. 12.8 (Rev. CoP13) and building on the work done to date, to develop, test and establish a Review of Significant Trade Tracking and Management database as an essential tool for the effective implementation and transparency of the process.

25. The Advisory Working Group also proposed a “final recommendation” be included in the process to assist the review of the process (see paragraph 17 above). However, while the Secretariat can be directed to provide information on the resources expended in past Reviews of Significant Trade, a full cost/benefit analysis of this investment as proposed in the terms of reference, in comparison to investment in other CITES activities, would require complex analysis and would fundamentally be based on individual judgement.

#### **Regarding capacity-building and other recommendations**

26. The Advisory Working Group strongly felt the Review of Significant Trade process should not be a one off process but rather leave a lasting legacy that the range State can build upon and use to find further sources of support for their non-detriment findings.
27. Throughout its discussions, the Advisory Working Group repeatedly noted the importance of clear communication of the process to help ensure positive outcomes. The AWG further recommended training tools be developed that describe the goal of the Review of Significant Trade process, and that these tools be used during ongoing non-detriment finding capacity-building. The training tools should take the form of a simple guide and a more comprehensive training module that can be used by the Secretariat and Parties in their routine training. The Advisory Working Group proposes that two decisions be submitted to the Conference of the Parties:

**Decision 17.XB:** *DIRECTS* the Secretariat, subject to the availability of funds, within six months of the adoption of a revision to Resolution Conf. 12.8 (Rev. CoP13), to develop (and regularly update) a user-friendly guide to the Review of Significant Trade that can also be included in the initial letter to range States.

**Decision 17.XC:** *DIRECTS* the Secretariat, subject to the availability of funds, within nine months of the adoption of a revision to Resolution Conf. 12.8 (Rev. CoP13), to develop a comprehensive training module on the Review of Significant Trade (including case studies as appropriate).

28. The Advisory Working Group discussed the role of a country-wide review. They noted that, while such a review is a large task, there are benefits to this approach for range States that re-occur within the Review of Significant Trade for multiple species. In undertaking a country-wide review, it was remarked that a project approach with clear deliverables and realistic expectations is necessary. The Advisory Working Group did not have sufficient time to consider an approach to country-wide reviews of significant trade. Thus the Advisory Working Group proposes a decision to the Conference of the Parties as follows:

**Decision 17.XD:** *DIRECTS* the Animals and Plants Committee, with the assistance of the Secretariat, to explore potential benefits and disadvantages of country-wide significant trade reviews, drawing upon the lessons learned, outcomes and impacts of the country-wide Review of Significant Trade of Madagascar as relevant.

29. The Advisory Working Group noted that its work in response to the decisions of the Conference of the Parties represents a substantial move forward in the evolution of the Review of Significant Trade. For this reason, the group suggests that the Animals and Plants Committees should consider holding a side event at the next meeting of the Conference of the Parties to outline and explain the proposed revision to the current Resolution.

#### **Notes and recommendations**

30. The co-chairs of the Advisory Working Group will provide an oral update to the Plants Committee on the outcomes of the Animals Committee discussion of this document at its 28th meeting.
31. The Plants Committee is invited to endorse:
- a) the revisions to Resolution Conf. 12.8 (Rev. CoP13) on *Review of Significant Trade in specimens of Appendix-II species* as found in Annex 3 of this report to be jointly submitted by the Animals and Plants Committees for adoption at the 17th Meeting of the Conference of the Parties (2016);
  - b) the guidance to the Secretariat regarding their initial letter to range States (Annex 1 and 2); and
  - c) the four decisions found in paragraph 24, paragraph 27 and paragraph 28, to be jointly submitted by the Animals and Plants Committees for adoption at the 17th Meeting of the Conference of the Parties (2016).
  - d) undertaking the preparation of a side event at the next meeting of the Conference of the Parties detailing the proposed revisions to Resolution Conf. 12.8 (Rev. CoP13), to be jointly hosted with the Animals Committee.

## **ADDITIONAL INFORMATION FOR THE SECRETARIAT TO INCLUDE IN THE INITIAL LETTER TO SELECTED RANGE STATES**

### *Explanation of process and guidance*

- Note: Include links to RST resolution and to NDF resolution in the letter. Provision of a user-friendly guide to the Review of Significant Trade process [see proposed Decision 17.XB of this report]
- Potential text for letter: “In the annex attached to this letter, you will find a guide that provides an explanation of the Review of Significant Trade process.”

### *Explanation of why species was selected*

- Suggestion to include in letter: an explanation of why the species was selected and to include trade data as an annex to the letter where relevant.

### *Consequences of non-response*

- Note: Stress importance of responding within agreed timeframes and fully explain the consequences of a lack of response or inadequate information provided in response; this should include indication that the Standing Committee has a role at later stages.

### *Guidance on how to respond*

- Note: Use of Annex to support the initial letter (see Annex B of this report) and include a user-friendly guide to the Review of Significant Trade.
- Potential text for letter: “At this stage of the review, the main purpose of this request is to obtain the information required to assess the implementation of Article IV paragraphs 2(a), 3 and 6(a) with regard to exports of [species] from [country].”
- Potential text for letter “We encourage you to work closely with the Scientific Authority, copied on this message, to ensure that responses to the questions are as complete as possible and can meet required information needs. We also encourage you to engage with other relevant stakeholders, such as industry, research institutes, etc.”

### *Assumption of making response public unless otherwise notified*

- Secretariat to include existing text

### *Request to range State to identify any challenges they have with implementing Article IV*

**PROPOSED ANNEX TO INCLUDE IN THE SECRETARIAT'S INITIAL LETTER TO RANGE STATES INFORMING THEM THAT THEIR SPECIES HAS BEEN SELECTED AND REQUESTING INFORMATION TO SUPPORT THE REVIEW PROCESS**

**Notification of Range States on Selection of Species**

As a range State for a species which has been selected for review you are requested to provide information on, and details of, the scientific basis by which it has been established that the quantities of specimens of this species exported by your country are not detrimental to the survival of the species and are in compliance with Article IV, paragraphs 2(a), 3 and 6(a) of the Convention.

Information on your non-detriment finding (see Resolution Conf. 16.7) can be provided in the form of either (a) an existing document, or an alternative approach would be to (b) provide information according to the guidance below. In both cases, **the information you provide should clearly explain how you are able to arrive at a conclusion that trade in the species is not detrimental to its survival in the wild.**

In reviewing your response, the Scientific Committees recognize that the basis for a non-detriment finding (NDF) will vary depending on factors such as the volume of trade relative to the population size, the type of trade, and harvest and trade controls. The data requirements for a determination that trade is not detrimental to the survival of the species should be proportionate to the vulnerability of the species concerned.

**Details that would be useful to the Animals or Plants Committee would include the following:**

*Laws and Regulations*

- a) Details of national or sub-national laws and regulations **for the species** relating to harvest (e.g. open/closed seasons, legal limits for harvest, community management or customary limits/by-laws).
- b) Details of national or sub-national laws and regulations **for the species** relating to trade (e.g. species specific export provisions, CITES related export laws, export controls under other domestic law).

*Decision-making process for NDF*

- a) Details, and role, of any institution(s)/experts/stakeholders involved in making the NDF, other than your designated Scientific Authority.
- b) Explanation of how the Scientific Authority monitors the level of exports

*Population*

- a) Details on the conservation status of the species in your country, (provide published references and other data sources where available), such as:
  - geographical distribution / extent of occurrence
  - population status
  - population estimates
  - population trends
  - other biological and ecological factors that may be relevant

*Threats*

- a) Identify known threats to the species in your country (e.g. habitat destruction, disease, persecution, other offtake of the species e.g. by-catch, invasive species, etc.) and what measures (if any) are in place to reduce those threats.

#### *Trade*

- a) Provide information on the levels of legal trade in the species in the 5 most recent years (where not already available through the UNEP-WCMC trade database) and anticipated trade levels. *Please indicate whether these figures represent actual trade or permits issued.*
- b) Provide any information available on the levels of illegal trade (known, inferred, projected, or estimated).
- c) Provide information on procedures for identification of specimens in trade to the species level (if appropriate).
- d) Provide information on any export quota in place for the species and details for 5 most recent years, if not already published on the CITES website. Please explain any cases where the quota has been exceeded.
- e) Include information on how captive-produced or artificially propagated specimens are distinguished in trade from wild-harvested specimens, if applicable.

#### *Species management (wild harvest)*

- a) Provide information on harvest / trade management measures currently in place (or proposed), including any monitoring programmes, threat evaluations, adaptive management strategies and considerations of levels of compliance, and/or harvest or trade quotas (both for domestic and international markets including how quotas are determined and how they are allocated regionally, if applicable).
- b) Details of capture methods / rates of mortality pre-export (i.e. during/post capture) and how this is taken into account in NDF.

#### *Species management (ranching specimens)*

- a) Provide information on management of ranching animals in trade (e.g., details of ranching facilities including stock numbers (male:female), annual production levels, survival rate of female specimens used in the ranching operation) and details of impacts on wild populations (if applicable).



**PROPOSED REVISED RESOLUTION CONF. 12.8 (REV. COP13) ON REVIEW OF SIGNIFICANT TRADE IN SPECIMENS OF APPENDIX-II SPECIES**

Proposed new language is in underline font and deleted language is in ~~strikeout~~ font.

**Conf. 12.8                      Review of Significant Trade in  
(Rev.                              specimens of Appendix-II species  
CoP13CoP17)\***

RECALLING that Article IV, paragraph 2 (a), of the Convention requires, as a condition for granting an export permit, that a Scientific Authority of the State of export has advised that the export will not be detrimental to the survival of the species concerned;

RECALLING that Article IV, paragraph 3, requires a Scientific Authority of each Party to monitor exports of Appendix-II species and to advise the Management Authority of suitable measures to be taken to limit such exports in order to maintain such species throughout their range at a level consistent with their role in the ecosystem;

RECALLING also that Article IV, paragraph 6 (a), requires, as a condition for granting a certificate of introduction from the sea, that a Scientific Authority of the State of introduction from the sea has advised that the introduction will not be detrimental to the survival of the species concerned;

CONCERNED that some States permitting export of Appendix-II species are not effectively implementing Article IV, paragraphs 2 (a), 3 and 6 (a), and that, in such cases, measures necessary to ensure that the export of an Appendix-II species takes place at a level that will not be detrimental to the survival of that species, such as population assessments and monitoring programmes, are not being undertaken, and that information on the biological status of many species is frequently not available;

RECALLING that the proper implementation of Article IV is essential for the conservation and sustainable use of Appendix-II species;

NOTING the important benefits of the review of trade in specimens of Appendix-II species by the Animals and Plants Committees as set out in Resolution Conf. 8.9 (Rev.), adopted by the Conference of the Parties at its eighth meeting (Kyoto, 1992) and amended at its 11th meeting (Gigiri, 2000), referred to as the Review of the Significant Trade, and the need to clarify further and simplify the procedure to be followed;

RECALLING that, at its 12th meeting (Santiago, 2002), the Conference of the Parties mandated the Animals and Plants Committees to develop terms of reference for an evaluation of the Review of Significant Trade with the objective of assessing the contribution of the Review of Significant Trade to the implementation of Article IV, paragraphs 2 (a), 3 and 6 (a), and its impact over time on the trade and conservation status of species selected for review and subject to recommendations;

NOTING that, in Resolution Conf. 16.7 (Non-detriment findings), the Conference of the Parties recommended that Scientific Authorities take into account certain concepts and guiding principles in considering whether trade would be detrimental to the survival of the species;

ACKNOWLEDGING that the intent of the Review of Significant Trade process is to ensure that trade in Appendix II species is being conducted sustainably and in accordance with Article IV of the Convention, and to identify remedial action where it is needed with the ultimate intent of improving the implementation of the Convention;

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\* Amended at the ~~13th~~17th meeting of the Conference of the Parties.

EXPECTING that the implementation of recommendations and actions resulting from the Review of Significant Trade process will improve the capacity of the Scientific Authorities to carry out their non-detriment findings by improving range States' science-based conservation and management actions;

AFFIRMING that the Review of Significant Trade process should be transparent, timely, and simple;

NOTING the Guide to CITES compliance procedures found in Resolution Conf. 14.3 (CITES compliance procedures) and FURTHER NOTING the guidance for Parties regarding the management of export quotas elaborated in Resolution Conf. 14.7 (Rev. CoP15) (Management of nationally established export quotas);

## THE CONFERENCE OF THE PARTIES TO THE CONVENTION

Regarding conduct of the Review of Significant Trade

DIRECTS the Animals and Plants Committees, in cooperation with the Secretariat and experts, and in consultation with range States, to review the biological, trade and other relevant information on Appendix-II species subject to significant levels of trade, to identify problems and solutions concerning the implementation of Article IV, paragraphs 2 (a), 3 and 6 (a), in accordance with the following procedure and as outlined in Annex A:

### Stage 1: Selection of species/country combinations to be reviewed

- a) the Secretariat shall request the UNEP World Conservation Monitoring Centre to produce, within 90 days after each meeting of the Conference of the Parties, request the UNEP World Conservation Monitoring Centre to produce a summary from the CITES database Trade Database of annual report statistics showing the recorded net-level of direct exports<sup>2</sup> for Appendix-II species over the five most recent years; and an extended analysis of trade to inform the preliminary selection of species/country combinations (see Annex B);
- b) on the basis of recorded trade levels and information available to the Animals or Plants Committee, the Secretariat, Parties or other relevant experts, a limited number of species/country combinations of priority/greatest concern shall be selected for review by the Animals or Plants Committee (whether or not such species have been at their first regular meeting following a meeting of the subject Conference of a previous review); the Parties;
- c) in exceptional cases-, outside of steps a) and b) above, and where new information provided to the Secretariat by a proponent indicates an urgent concern, that rapid action may be needed concerning problems relating to the implementation of Article IV (for a species/country combination), the Secretariat;
  - i) will verify that the proponent has provided a justification for the exceptional case, including supporting information;
  - ii) may request the UNEP World Conservation Monitoring Centre to produce a summary of trade from the CITES Trade Database in relation to the species/country combination concerned as necessary; and
  - iii) will, as soon as possible, provide the justification and, if appropriate, the UNEP World Conservation Monitoring Centre trade summary to the Animals or Plants Committee may add a species to the list of species of concern at another stage for their intersessional review and decision on whether or not to include the species/country combination in Stage 2 of the review process;

### Stage 2: Consultation with the range States concerning implementation of Article IV and compilation of information

- d) the Secretariat shall;

<sup>2</sup> 'Net level of exports' means the total gross number of specimens exported from a range State minus the gross number imported by the same range State, based on the reported export and import data in the annual reports of the Parties.

i) within 30 days after the meeting of the Animals or Plants Committee at which species/country combinations are selected, notify selected range States of that their species has been selected, providing an overview of the review process and an explanation for the selection and requesting comments regarding possible problems of implementing. The Secretariat shall request range States provide the scientific basis by which it is established exports from their country are not detrimental to the survival of the species concerned and are compliant with Article IV identified by the Committee, paragraphs 2(a), 3 and 6(a) of the Convention. In its letter, the Secretariat shall provide guidance to range States on how to respond, explain the consequences of not responding to the request, and inform the range States that the responses will be made available on the CITES website as part of the agenda for meetings of the Animals or Plants Committee. Range States shall be given 60 days to respond;

~~e) the Secretariat shall report to the Animals or Plants Committee on the response of the range States concerned, including any other pertinent information;~~

~~f) when the Animals or Plants Committee, having reviewed the available information, is satisfied that Article IV, paragraph 2 (a), 3-ii) compile, or 6 (a), is correctly implemented, the species shall be eliminated from the review with respect to the State concerned. In that event, the Secretariat shall notify the Parties accordingly within 60 days;~~

~~—Compilation of information and preliminary categorization~~

~~g) in the event that the species is not eliminated from the review in accordance with paragraph f) above, the Secretariat shall proceed with the compilation of information regarding the species;~~

~~h) when necessary, appoint consultants shall be engaged by the Secretariat to compile information, a report about the biology and management of and trade in the species and shall contact the range States or, including information provided by the range States, to be made available for the next meeting of the Animals or Plants Committee. In doing so, the Secretariat (or consultants) shall actively engage with the range States and relevant experts to obtain information for inclusion in the compilation of the report;~~

~~ie) the Secretariat or consultants, as appropriate, report required under d) ii) shall summarize their include conclusions about the effects of international trade on the selected species/country combinations, the basis on which such conclusions are made and problems concerning the implementation of Article IV, and shall provisionally divide the selected species/country combinations into three categories:~~

~~i) 'species of urgent concern' action is needed' shall include species/country combinations for which the available information indicates that the provisions of Article IV, paragraph 2 (a), 3 or 6 (a), are not being implemented;~~

~~ii) 'species of possible concern' unknown status' shall include species/country combinations for which it is the Secretariat (or consultants) could not clearly determine whether or not these provisions are being implemented; and~~

~~iii) 'species of least concern' shall include species/country combinations for which the available information appears to indicate that these provisions are being met;~~

~~j) before f) once the report of the Secretariat, or consultant, is considered by the Animals or Plants Committee completed, the Secretariat shall transmit it to draw the attention of the relevant range States, seeking comments to the report prepared under d) ii) and, where appropriate, invite them to provide any additional information. Range States shall be given 60 days to respond;~~

~~—Review for consideration at the second meeting of information the Animals or Plants Committee following the Conference of the Parties;~~

Stage 3: Categorization and confirming of categorization Recommendations by the Animals or Plants Committee

- kg) the Animals or Plants Committee shall, at their second meeting following the Conference of the Parties, review the report of the Secretariat or the consultants, and the responses and additional information received from the States concerned—and. For each selected species/country combination the Animals or Plants Committee shall reclassify species/country combinations of 'unknown status' and provide a justification for reclassification. Additionally, if appropriate, the Animals and Plants Committee shall revise the preliminary categorization proposed for species/country combinations where 'action is needed' or of 'least concern' and provide a justification;
- ~~l) species-i) species/country combinations determined by the Animals or Plants Committee to be of least concern shall be eliminatedremoved from the review. Problems identified in the course of the review that are not related to the implementation of Article IV, paragraph 2 (a), 3 or 6 (a), shall be addressed by process and the Secretariat in accordance with other provisions of the Convention and relevant Resolutions;~~
- ~~— Formulation of recommendations and their transmission to shall notify the range States accordingly within 60 days;~~
- m) ii) species/country combinations determined by the Animals or Plants Committee to be those for which 'action is needed' shall be retained in the review process. The Animals or Plants Committee shall, in consultation with the Secretariat, formulate time-bound, feasible, measurable, proportionate, and transparent recommendations for the remaining species. These recommendations shall be directed to the range States concerned;
- n) for speciesretained in the review process, using the guidance outlined in Annex C. The recommendations should aim to build the range State's long term capacity to implement Article IV, paragraphs 2(a), 3 and 6(a) of urgent concern,the Convention;
- h) the Secretariat shall, within 60 days of the meeting of the Animals or Plants Committee, transmit these recommendations should propose specific actions to address to the range States concerned;
- i) the Animals or Plants Committee shall formulate separate recommendations directed to the Standing Committee for problems identified in the course of the review that are not directly related to the implementation of Article IV, paragraph 2-(a), 3 or 6-(a). Such recommendations should differentiate between short-term and long-term actions, and may include, for example:
- ~~i) the establishment(a), following the guidance in Table 4 of administrative procedures, cautious export quotas or temporary restrictions on exportsAnnex C of the species concerned;this Resolution;~~
- ~~ii) the application of adaptive management procedures to ensure that further decisions about the harvesting and management of the species concerned will be based on the monitoring of the impact of previous harvesting and other factors; or~~
- ~~iii) the conducting of taxon- and country-specific status assessments, field studies or evaluation of threats to populations or other relevant factors to provide the basis for a Scientific Authority's non-detriment finding, as required under the provisions of Article IV, paragraph 2 (a) or 6 (a).~~
- ~~— Deadlines for implementation of these recommendations should be determined by the Animals or Plants Committee. They must be appropriate to the nature of the action to be undertaken, and should normally be not less than 90 days but not more than two years after the date of transmission to the State concerned;~~
- e) for species of possible concern, these recommendations should specify the information required to enable the Animals or Plants Committee to determine whether the species should be categorized as either of urgent concern or of least concern. They should also specify interim

~~measures where appropriate for the regulation of trade. Such recommendations should differentiate between short term and long term actions, and may include, for example:~~

~~i) the conducting of taxon and country-specific status assessments, field studies or evaluation of threats to populations or other relevant factors; or~~

~~ii) the establishment of cautious export quotas for the species concerned as an interim measure.~~

~~Deadlines for implementation of these recommendations should be determined by the Animals or Plants Committee. They must be appropriate to the nature of the action to be undertaken, and should normally be not less than 90 days but not more than two years after the date of transmission to the State concerned;~~

~~p) these recommendations shall be transmitted to the range States concerned by the Secretariat;~~

#### Stage 4: Measures to be taken regarding the implementation of recommendations

~~ej) the Secretariat shall, in monitor progress against the recommendations, taking account of the different deadlines, and, following electronic consultation with the ChairmanChair and members of the Animals or Plants Committee, determine whether the recommendations referred to above have been implemented and report to the Standing Committee accordingly;~~

~~fj) where the recommendations have been met, the Secretariat shall, following consultation with the Chairman of the Standing Committee, notify the Parties that the species/country combination was removed from the review process; or~~

~~seii) when the recommendations are not deemed to have been met (and no new information is provided), the Secretariat, having consulted shall, in consultation with the ChairmanChairs and members of the Animals or Plants Committee, is not satisfied that a range State has implemented the recommendations made by the Animals or Plants Committee in accordance with paragraph n) or o), it should recommend to the Standing Committee appropriate action, which may include, as a last resort, a suspension of trade in the affected species with that State. On the basis of the report of the Secretariat, or~~

~~iii) where the recommendations are not deemed to have been met or have been partially met, and there is new information suggesting the recommendation may require updating, the Secretariat shall electronically request the Chair and members of the Animals or Plants Committee prepare a revised recommendation, keeping in mind the principles that recommendations should be time-bound, feasible, measurable, proportionate, transparent, and should promote capacity building. The Secretariat shall provide the revised recommendation to the range States within 30 days of its drafting;~~

~~k) the Secretariat shall report to the Standing Committee on its evaluation of the implementation of the recommendations, including the rationale for its evaluation, and a summary of the views expressed by the Animals or Plants Committees. The Secretariat shall additionally report on any further actions taken by the Animals or Plants Committee in the case of range States where new information has resulted in revised recommendations;~~

~~l) for range States where recommendations are not deemed to have been met, the Standing Committee shall decide on appropriate action and make recommendations to the State concerned, or to all Parties, keeping in mind that these recommendations should be time-bound, feasible, measurable, proportionate, transparent, and should promote capacity building. In exceptional circumstances, where the range State under consideration provides new information on the implementation of the recommendations to the Standing Committee, the Standing Committee shall consult electronically with the Chairs and members of the Animals or Plants Committee prior to making a decision on appropriate action;~~

~~tm) the Secretariat shall notify the Parties of any recommendations or actions taken by the Standing Committee;~~

- ~~un)~~ a recommendation to suspend trade in the affected species with the State concerned should be withdrawn only when that State demonstrates to the satisfaction of the Standing Committee, through the Secretariat, in consultation with the Chairs and members of the Animals or Plants Committee, compliance with Article IV, paragraph 2 (a), 3 or 6 (a); and
- ~~vo)~~ the Standing Committee, in consultation with the Secretariat and the ~~Chairman~~Chair of the Animals or Plants Committee, shall review recommendations to suspend trade that have been in place for longer than two years, evaluate the reasons why this is the case in consultation with the range State, and, if appropriate, take measures to address the situation;

Regarding problems identified not related to the implementation of Article IV

DIRECTS the Standing Committee address problems identified in the course of the review process that are not related to the implementation of Article IV, paragraph 2 (a), 3 or 6 (a), in accordance with other provisions of the Convention and relevant Resolutions;

Regarding support to the range States

URGES the Parties, and all organizations and stakeholders interested in the conservation and sustainable use of wildlife ~~to,~~ provide the necessary financial support or technical assistance to those States in need of such assistance to ensure that wild populations of species of fauna and flora subject to significant international trade are not subject to trade that is detrimental to their survival. Examples of such measures could include:

- a) training of conservation staff in the range States, including by organizing regional workshops;
- b) provision of tools, information and guidance to persons and organizations involved in the production and export of specimens of the species concerned;
- c) facilitation of information exchange among range States; ~~and,~~ including at the regional level;
- d) provision of technical equipment ~~and,~~ support and advice;
- e) provision of support for field studies on Appendix-II species identified as being subject to significant levels of trade; and

DIRECTS the Secretariat to assist with identification and communication of funding needs in the range States and with identification of potential sources of such funding;

Regarding capacity building, monitoring, reporting, and ~~reintroduction of species into~~evaluating the review process

DIRECTS the Secretariat, for the purpose of monitoring and facilitating the implementation of this Resolution and the relevant paragraphs of Article IV:

- a) to report at each meeting of the Animals or Plants Committee on the implementation by the range States concerned of the recommendations made by the Committee; and
- b) to maintain a ~~register~~database of species/country combinations that are included in the review process set out in this Resolution ~~and~~including a record of progress with the implementation of recommendations; ~~and~~

Regarding coordination of field studies

DIRECTS the Secretariat, ~~where appropriate,~~ in consultation with the Chairman to include training on the Review of Significant Trade process as part of its capacity building activities related to the making of non-detriment findings;

DIRECTS the Animals or Plants Committee, ~~to contract IUCN or other appropriate experts to coordinate, in collaboration~~consultation with UNEP-WCMC, the ~~conduct~~Secretariat, to undertake a regular review of the ~~field studies required~~outcomes of the Review of Significant Trade by, for Appendix II example, examining a sample of past species identified as being subject to significant

levels of trade, and/country combinations to raise the funds assess whether the desired result was achieved. The Animals or Plants Committee should consider the results of this review and revise the Review of Significant Trade process as necessary for such studies. In doing so, feedback should be obtained from range States (including their Scientific Authorities) who have been through the review process; and

REPEALS Resolution Conf. 8.9 (Rev.) (Kyoto, 1992, as amended at Gigiri, 2000) – *Trade in specimens of Appendix-II species taken from the wild.*

**PROPOSED REVISED RESOLUTION CONF. 12.8 (REV. COP13) ON REVIEW OF SIGNIFICANT TRADE IN SPECIMENS OF APPENDIX-II SPECIES (FINAL PROPOSED TEXT)**

**Conf. 12.8                      Review of Significant Trade in  
(Rev. CoP17)\*                specimens of Appendix-II species**

RECALLING that Article IV, paragraph 2 (a), of the Convention requires, as a condition for granting an export permit, that a Scientific Authority of the State of export has advised that the export will not be detrimental to the survival of the species concerned;

RECALLING that Article IV, paragraph 3, requires a Scientific Authority of each Party to monitor exports of Appendix-II species and to advise the Management Authority of suitable measures to be taken to limit such exports in order to maintain such species throughout their range at a level consistent with their role in the ecosystem;

RECALLING also that Article IV, paragraph 6 (a), requires, as a condition for granting a certificate of introduction from the sea, that a Scientific Authority of the State of introduction from the sea has advised that the introduction will not be detrimental to the survival of the species concerned;

CONCERNED that some States permitting export of Appendix-II species are not effectively implementing Article IV, paragraphs 2 (a), 3 and 6 (a), and that, in such cases, measures necessary to ensure that the export of an Appendix-II species takes place at a level that will not be detrimental to the survival of that species, such as population assessments and monitoring programmes, are not being undertaken, and that information on the biological status of many species is frequently not available;

RECALLING that the proper implementation of Article IV is essential for the conservation and sustainable use of Appendix-II species;

NOTING the important benefits of the review of trade in specimens of Appendix-II species by the Animals and Plants Committees as set out in Resolution Conf. 8.9 (Rev.), adopted by the Conference of the Parties at its eighth meeting (Kyoto, 1992) and amended at its 11th meeting (Gigiri, 2000), referred to as the Review of the Significant Trade, and the need to clarify further and simplify the procedure to be followed;

RECALLING that, at its 12th meeting (Santiago, 2002), the Conference of the Parties mandated the Animals and Plants Committees to develop terms of reference for an evaluation of the Review of Significant Trade with the objective of assessing the contribution of the Review of Significant Trade to the implementation of Article IV, paragraphs 2 (a), 3 and 6 (a), and its impact over time on the trade and conservation status of species selected for review and subject to recommendations;

NOTING that, in Resolution Conf. 16.7 (*Non-detriment findings*), the Conference of the Parties recommended that Scientific Authorities take into account certain concepts and guiding principles in considering whether trade would be detrimental to the survival of the species;

ACKNOWLEDGING that the intent of the Review of Significant Trade process is to ensure that trade in Appendix II species is being conducted sustainably and in accordance with Article IV of the Convention, and to identify remedial action where it is needed with the ultimate intent of improving the implementation of the Convention;

EXPECTING that the implementation of recommendations and actions resulting from the Review of Significant Trade process will improve the capacity of the Scientific Authorities to carry out their non-detriment findings by improving range States' science-based conservation and management actions;

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\* Amended at the 17th meeting of the Conference of the Parties.



AFFIRMING that the Review of Significant Trade process should be transparent, timely, and simple;

NOTING the *Guide to CITES compliance procedures* found in Resolution Conf. 14.3 (*CITES compliance procedures*) and FURTHER NOTING the guidance for Parties regarding the management of export quotas elaborated in Resolution Conf. 14.7 (Rev. CoP15) (*Management of nationally established export quotas*);

## THE CONFERENCE OF THE PARTIES TO THE CONVENTION

### Regarding conduct of the Review of Significant Trade

DIRECTS the Animals and Plants Committees, in cooperation with the Secretariat and experts, and in consultation with range States, to review the biological, trade and other relevant information on Appendix-II species subject to significant levels of trade, to identify problems and solutions concerning the implementation of Article IV, paragraphs 2 (a), 3 and 6 (a), in accordance with the following procedure and as outlined in Annex A:

#### Stage 1: Selection of species/country combinations to be reviewed

- a) the Secretariat shall, within 90 days after each meeting of the Conference of Parties, request the UNEP World Conservation Monitoring Centre to produce a summary from the CITES Trade Database of annual report statistics showing the recorded level of direct exports for Appendix-II species over the five most recent years, and an extended analysis of trade to inform the preliminary selection of species/country combinations (see Annex B);
- b) on the basis of recorded trade levels and information available to the Animals or Plants Committee, the Secretariat, Parties or other relevant experts, a limited number of species/country combinations of greatest concern shall be selected for review by the Animals or Plants Committee at their first regular meeting following a meeting of the Conference of the Parties;
- c) in exceptional cases, outside of steps a) and b) above, and where new information provided to the Secretariat by a proponent indicates that rapid action may be needed concerning problems relating to the implementation of Article IV (for a species/country combination), the Secretariat;
  - i) will verify that the proponent has provided a justification for the exceptional case, including supporting information;
  - ii) may request the UNEP World Conservation Monitoring Centre to produce a summary of trade from the CITES Trade Database in relation to the species/country combination concerned as necessary; and
  - iii) will, as soon as possible, provide the justification and, if appropriate, the UNEP World Conservation Monitoring Centre trade summary to the Animals or Plants Committee for their intersessional review and decision on whether or not to include the species/country combination in Stage 2 of the review process;

#### Stage 2: Consultation with the range States and compilation of information

- d) the Secretariat shall:
  - i) within 30 days after the meeting of the Animals or Plants Committee at which species/country combinations are selected, notify selected range States that their species has been selected, providing an overview of the review process and an explanation for the selection. The Secretariat shall request range States provide the scientific basis by which it is established exports from their country are not detrimental to the survival of the species concerned and are compliant with Article IV, paragraphs 2(a), 3 and 6(a) of the Convention. In its letter, the Secretariat shall provide guidance to range States on how to respond, explain the consequences of not responding to the request, and inform the range States that the responses will be made available on the CITES website as part of the agenda for meetings of the Animals or Plants Committee. Range States shall be given 60 days to respond;

- ii) compile, or appoint consultants to compile, a report about the biology and management of and trade in the species, including information provided by the range States, to be made available for the next meeting of the Animals or Plants Committee. In doing so, the Secretariat (or consultants) shall actively engage with the range States and relevant experts in the compilation of the report;
- e) the report required under d) ii) shall include conclusions about the effects of international trade on the selected species/country combinations, the basis on which such conclusions are made and problems concerning the implementation of Article IV, and shall provisionally divide the selected species/country combinations into three categories:
  - i) 'action is needed' shall include species/country combinations for which the available information indicates that the provisions of Article IV, paragraph 2 (a), 3 or 6 (a), are not being implemented;
  - ii) 'unknown status' shall include species/country combinations for which the Secretariat (or consultants) could not determine whether or not these provisions are being implemented; and
  - iii) 'least concern' shall include species/country combinations for which the available information appears to indicate that these provisions are being met;
- f) once the report is completed, the Secretariat shall draw the attention of the relevant range States to the report prepared under d) ii) and invite them to provide any additional information for consideration at the second meeting of the Animals or Plants Committee following the Conference of the Parties;

Stage 3: Categorization and Recommendations by the Animals or Plants Committee

- g) the Animals or Plants Committee shall, at their second meeting following the Conference of the Parties, review the report of the Secretariat or the consultants, and the responses and additional information received from the States concerned. For each selected species/country combination the Animals or Plants Committee shall reclassify species/country combinations of 'unknown status' and provide a justification for reclassification. Additionally, if appropriate, the Animals and Plants Committee shall revise the preliminary categorization proposed for species/country combinations where 'action is needed' or of 'least concern' and provide a justification;
  - i) species/country combinations determined by the Animals or Plants Committee to be of least concern shall be removed from the review process and the Secretariat shall notify the range States accordingly within 60 days;
  - ii) species/country combinations determined by the Animals or Plants Committee to be those for which 'action is needed' shall be retained in the review process. The Animals or Plants Committee shall, in consultation with the Secretariat, formulate time-bound, feasible, measurable, proportionate, and transparent recommendations directed to the range States retained in the review process, using the guidance outlined in Annex C. The recommendations should aim to build the range State's long term capacity to implement Article IV, paragraphs 2(a), 3 and 6(a) of the Convention;
- h) the Secretariat shall, within 60 days of the meeting of the Animals or Plants Committee, transmit these recommendations to the range States concerned;
- i) the Animals or Plants Committee shall formulate separate recommendations directed to the Standing Committee for problems identified in the course of the review that are not directly related to the implementation of Article IV paragraph 2(a), 3 or 6(a), following the guidance in Table 4 of Annex C of this Resolution;

Stage 4: Measures to be taken regarding the implementation of recommendations

- j) the Secretariat shall monitor progress against the recommendations, taking account of the different deadlines, and, following electronic consultation with the Chair and members of the

Animals or Plants Committee, determine whether the recommendations referred to above have been implemented;

- i) where the recommendations have been met, the Secretariat shall, following consultation with the Chairman of the Standing Committee, notify the Parties that the species/country combination was removed from the review process; or
  - ii) when the recommendations are not deemed to have been met (and no new information is provided), the Secretariat shall, in consultation with the Chairs and members of the Animals or Plants Committee, recommend to the Standing Committee appropriate action, which may include, as a last resort, a suspension of trade in the affected species with that State; or
  - iii) where the recommendations are not deemed to have been met or have been partially met, and there is new information suggesting the recommendation may require updating, the Secretariat shall electronically request the Chair and members of the Animals or Plants Committee prepare a revised recommendation, keeping in mind the principles that recommendations should be time-bound, feasible, measurable, proportionate, transparent, and should promote capacity building. The Secretariat shall provide the revised recommendation to the range States within 30 days of its drafting;
- k) the Secretariat shall report to the Standing Committee on its evaluation of the implementation of the recommendations, including the rationale for its evaluation, and a summary of the views expressed by the Animals or Plants Committees. The Secretariat shall additionally report on any further actions taken by the Animals or Plants Committee in the case of range States where new information has resulted in revised recommendations;
- l) for range States where recommendations are not deemed to have been met, the Standing Committee shall decide on appropriate action and make recommendations to the State concerned, or to all Parties, keeping in mind that these recommendations should be time-bound, feasible, measurable, proportionate, transparent, and should promote capacity building. In exceptional circumstances, where the range State under consideration provides new information on the implementation of the recommendations to the Standing Committee, the Standing Committee shall consult electronically with the Chairs and members of the Animals or Plants Committee prior to making a decision on appropriate action;
- m) the Secretariat shall notify the Parties of any recommendations or actions taken by the Standing Committee;
- n) a recommendation to suspend trade in the affected species with the State concerned should be withdrawn only when that State demonstrates to the satisfaction of the Standing Committee, through the Secretariat, in consultation with the Chairs and members of the Animals or Plants Committee, compliance with Article IV, paragraph 2 (a), 3 or 6 (a); and
- o) the Standing Committee, in consultation with the Secretariat and the Chair of the Animals or Plants Committee, shall review recommendations to suspend trade that have been in place for longer than two years, evaluate the reasons why this is the case in consultation with the range State, and, if appropriate, take measures to address the situation.

#### Regarding problems identified not related to the implementation of Article IV

DIRECTS the Standing Committee address problems identified in the course of the review process that are not related to the implementation of Article IV, paragraph 2 (a), 3 or 6 (a), in accordance with other provisions of the Convention and relevant Resolutions;

#### Regarding support to the range States

URGES the Parties, and all organizations and stakeholders interested in the conservation and sustainable use of wildlife, provide the necessary financial support or technical assistance to those States in need of such assistance to ensure that wild populations of species of fauna and flora subject to significant international trade are not subject to trade that is detrimental to their survival. Examples of such measures could include:

- a) training of conservation staff in the range States, including by organizing regional workshops;
- b) provision of tools, information and guidance to persons and organizations involved in the production and export of specimens of the species concerned;
- c) facilitation of information exchange among range States, including at the regional level;
- d) provision of technical equipment, support and advice;
- e) provision of support for field studies on Appendix-II species identified as being subject to significant levels of trade; and

DIRECTS the Secretariat to assist with identification and communication of funding needs in the range States and with identification of potential sources of such funding;

Regarding capacity building, monitoring, reporting, and evaluating the review process

DIRECTS the Secretariat, for the purpose of monitoring and facilitating the implementation of this Resolution and the relevant paragraphs of Article IV:

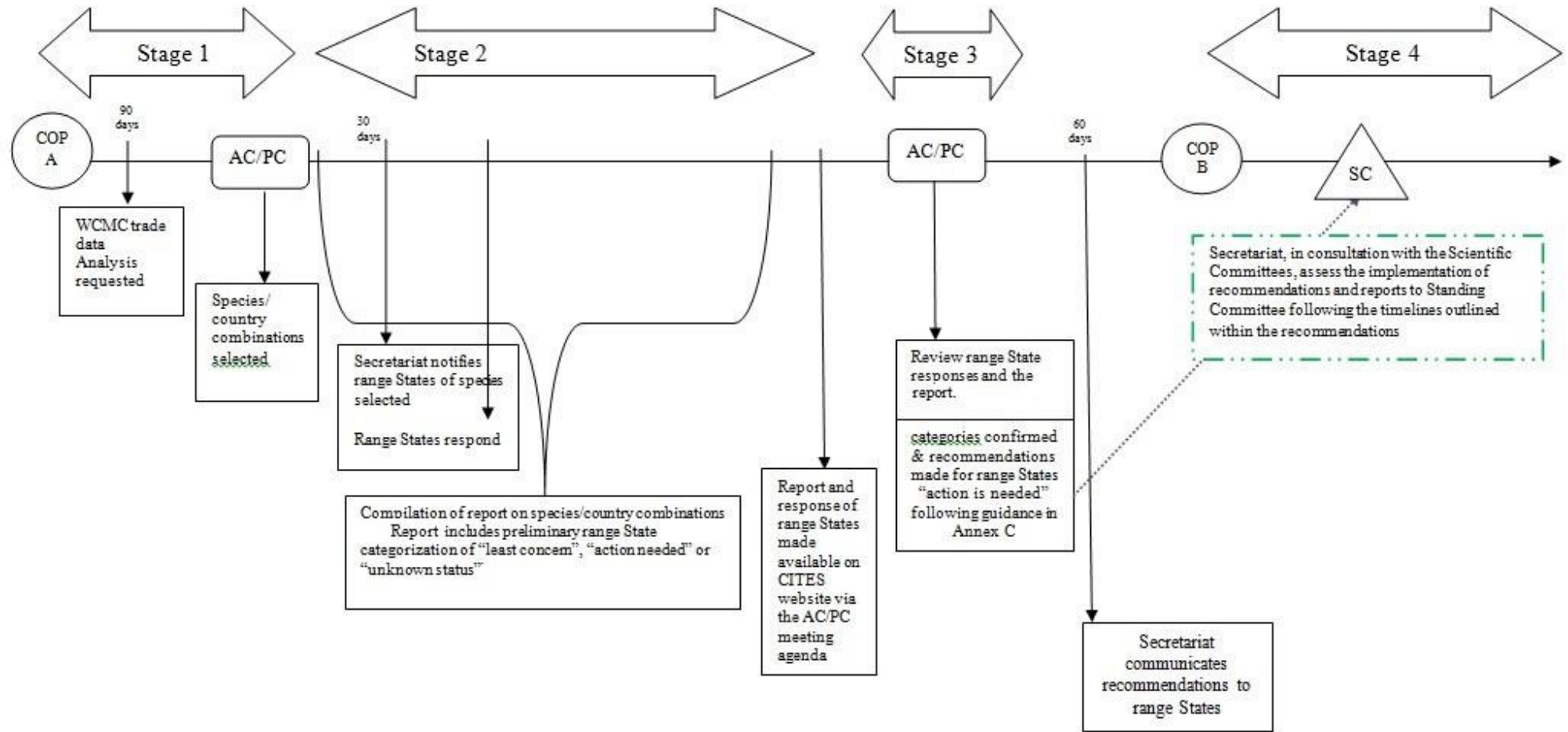
- a) to report at each meeting of the Animals or Plants Committee on the implementation by the range States concerned of the recommendations made by the Committee; and
- b) to maintain a database of species/country combinations that are included in the review process set out in this Resolution including a record of progress with the implementation of recommendations;

DIRECTS the Secretariat to include training on the Review of Significant Trade process as part of its capacity building activities related to the making of non-detriment findings;

DIRECTS the Animals or Plants Committee, in consultation with the Secretariat, to undertake a regular review of the outcomes of the Review of Significant Trade by, for example, examining a sample of past species/country combinations to assess whether the desired result was achieved. The Animals or Plants Committee should consider the results of this review and revise the Review of Significant Trade process as necessary. In doing so, feedback should be obtained from range States (including their Scientific Authorities) who have been through the review process; and

REPEALS Resolution Conf. 8.9 (Rev.) (Kyoto, 1992, as amended at Gigiri, 2000) – *Trade in specimens of Appendix-II species taken from the wild*.

**Annex A: Timeline for the Review of Significant Trade Process**



## **Annex B: Guidance to UNEP World Conservation Monitoring Centre regarding the selection of species/country combinations**

### **1. Summary**

The summary produced by UNEP World Conservation Monitoring Centre as requested in Stage 1 a) of this Resolution shall include gross exports of Appendix II species over the five most recent years (direct trade, sources W, R, U and blank), and include the following information, by taxon:

- The range States that have reported trade in any of the five most recent years;
- Trade levels for each range State<sup>3</sup>;
- Global conservation status as published in The IUCN Red List of Threatened Species or otherwise noted as “Not Evaluated”;
- The population trend, as published in The IUCN Red List of Threatened Species;
- Species reported in trade for the first time within the CITES Trade Database (and which have not been subject to nomenclature changes) since the last Review of Significant Trade selection process;
- A note to indicate whether the species has been subject to the Review of Significant Trade over the three most recent phases.

Where feasible, the summary output shall contain:

- Whether there are any countries for which a zero quota or trade suspension has been implemented resulting from the Review of Significant Trade process;
- Information on whether taxa included are subject to other Multilateral Environmental Agreements or Regional Fisheries Management Organisations, and the relevant agreements noted; and
- Species that are endemic, according to the Species+ database, maintained by UNEP-WCMC.

### **2. Extended Analysis**

The extended analysis produced by UNEP World Conservation Monitoring Centre as requested in Stage 1 a) of this Resolution shall be based on gross exports of Appendix II species including at least the five most recent years (direct trade, sources W, R, U and blank), and shall include;

- A subset of taxa that meet clearly defined criteria for “High Volume” trade;
- A subset of taxa that have been assessed by The IUCN Red List of Threatened Species, and that meet clearly defined criteria for “high volume” trade, dependent on the global threat status;
- A subset of taxa which meet clearly defined criteria for “Sharp increase” in trade; and
- The above subsets should also incorporate trade reported in the most recent year.

A full methodology for the selection of taxa which meet these selection criteria will be provided in the outputs submitted to the Animals and Plants Committees.

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<sup>3</sup> To facilitate this requirement, an excel version of the summary will be produced and will be available in electronic format

## **Annex C: Standard Recommendations for the Review of Significant Trade Process**

### **Introduction**

This annex provides general guidance on development of recommendations for the Review of Significant Trade process. It provides guidance for structure of recommendations and a list of standard recommendations for range States for use by the Review of Significant Trade working group that is established at meetings of the Animals and Plants Committees.

The standard recommendations are provided to facilitate the work of the Review of Significant Trade working group that is established at meetings of the Animals Plants Committees and to help ensure consistency of recommendations over time, between Committees and for different species and range States.

### **Part A. Principles for making Recommendations**

Recommendations to range States as part of the Review of Significant Trade should adhere to all of the following principles.

A recommendation should be:

- Time-bound
  - Each recommendation should have a specified end-date for implementation. This end-date should not normally be less than 90 days after the date of transmission to the range State. Where possible, the end-dates for recommendations made at a Committee meeting should be aligned.
- Feasible
  - A recommendation should be designed so that it will be possible to implement it in the time frame specified, in consideration of the range State's capacity.
  - More than one recommendation can be used but care should be taken to ensure the feasibility of the implementation of all recommendations within the given time frames.
- Measureable
  - The recommendation should have a definitive indicator of completion that can be objectively measured.
- Proportionate with the nature and severity of the risks
  - A recommendation should specifically address the problem related to the implementation of Article IV 2(a), 3 or 6(a) that has been identified through the review process.
  - A recommendation should be proportional to the severity of the risks to the species. Evaluation of risks should be undertaken in consideration of both the species' susceptibility to intrinsic or extrinsic factors that increase the risk of extinction, and the mitigating factors, such as management measures, that decrease the risk of extinction.
- Transparent
  - The relevant Committee should outline how its choice of recommendation is proportionate to the nature of and severity of the risks.
- Aimed at building the capacity of the range State
  - A recommendation should contribute to building of the long-term capacity of the range State to effectively implement Article IV of the Convention.

## **Part B. The Recommendation**

The recommendation should include a number of key components:

- the recommended action that was chosen to address problems related to the implementation of Article IV 2(a), 3 or 6(a), as identified through the review process;
- the time frame for implementation of the recommended action with a clear end-date;
- as appropriate, a final recommendation that allows the selected range State to provide feedback on how the recommended actions have improved the basis for making an NDF and how any future long-term monitoring will take place;
- a justification for the choice of recommended action with reference to the consultant's report as applicable; and
- a clear indication of to whom the recommendation is directed (e.g., range State, Standing Committee)

## **Part C. Recommendations for actions to be taken to improve the basis for making Non-Detriment Findings (NDFs)**

Recommendations can include short-term actions that are considered to be relatively rapid to implement (e.g., interim quotas or size restrictions for export), or longer-term actions that are recognized to be more complex, resource-intensive, and time-consuming to implement. The intent of short-term actions is to provide relatively rapid means to address issues of immediate concern; however, longer-term actions may promote the development of longer-lasting solutions towards implementation of Article IV. Depending on the situation, one or both types may be appropriate. The end-point for the interim export quota or other short-term recommendations should normally be no later than the date of fulfillment of the longer-term recommendations.

All recommended actions should be developed into complete recommendations that include all key components described in part B of this annex, and should adhere to the basic principles of being time-bound, feasible, measureable and proportionate (consistent with the nature and severity of the risk), transparent and promote capacity building where appropriate.

Tables 1 - 4 provide different types of recommended actions:

- Tables 1 and 2 present suggested standard short-term and long-term recommended actions for range States, which may require refinement for the specific case (e.g., species/country combination). There may be cases where alternative recommended actions are more appropriate;
- Table 3 provides sample text for a "final recommended action" that could be considered for inclusion in the suite of recommendations for each species/country combination; and
- Table 4 provides sample text for recommended actions that are directed to the Standing Committee to address problems identified that are not related to the implementation of Article IV paragraph 2(a), 3 or 6(a).

Table 5 provides a sample template for developing recommendations that contain all key components.





**Annex C, Table 1. Examples of short-term recommended actions**

Problem/ Concern	Short-term Goal	Recommended Action
Export levels are unsustainable and immediate action is needed before longer term actions can be implemented	Reduce export levels	<p>Establish, in consultation with the Secretariat and the Chair of the relevant Committee, an interim conservative export quota within xx days for the species/specimens/products and communicate the quota to the Secretariat. No exports should occur until the quota has been published on the Secretariat's website.</p> <p>The export quota (which could include zero allowable exports) should be justified as conservative based on estimates of sustainable off-take that make use of available scientific information.</p> <p>Before making any increases to this interim quota (including increases from a zero export quota), the planned changes should be communicated by the range State to the Secretariat and Chair of the relevant Committee along with a justification of how the change is conservative, based on estimates of sustainable off-take that make use of available scientific information, for their agreement.</p>
Some aspects of harvest are of immediate concern	Reduce harvest associated with the aspect of concern to help ensure that international export is not detrimental to the survival of the species	<p>Initiate appropriate harvest measures to ensure sustainability [<i>for example</i>]:</p> <ul style="list-style-type: none"> <li>-size-selective harvest/</li> <li>-open/closed seasons/</li> <li>-harvest seasons/</li> <li>-harvest maximums/</li> <li>-restrictions to harvest frequency, sites or time of day/</li> <li>-control of number of harvesters/</li> <li>-types and methods of harvest</li> </ul>
Permit information inaccurate/variable and could be fixed immediately	Standardize permit information	<p>Initiate measures to ensure the descriptions on all CITES permits are standardized so that export is only permitted at the species level and that it complies with Annex 1 of Res. Conf. 12.3 (Rev. CoP16); Trade ceases to be reported or permitted at higher taxon levels.</p> <p>-Clarify and standardize the terms and units used in reporting trade. Ensure that appropriate terms and units are recorded on permits for trade. Standardized terms and appropriate units are found in the most recent version of the <i>Guidelines for the preparation and submission of CITES annual reports, which is referenced in Res. Conf. 11.17 (Rev. CoP16)</i>, and distributed by the Secretariat by Notification.</p> <p>-Ensure that permits issued for the species clearly and accurately indicate the source of the specimens</p>

**Annex C, Table 2. Suggested longer-term recommended actions**

The longer-term recommendations are organized by the four main areas of concern associated with implementation of Article IV, and may need to be refined for specific cases or for the species or range State concerned.

Problem/ concern	Goal	Recommended action proportionate to perceived risk to the species		
		In order of increasing risk 		
<b>Lack of knowledge of population status nationally of the species (population size, trends, threats, distribution etc.)</b>	Improving species knowledge available for making an NDF	-Undertake science-based studies on status of the species (e.g. population size/density, trends, distribution) including an evaluation of the threats to the species for use as the basis for NDFs	-Develop/Implement an ongoing science-based population monitoring program that is used in conjunction with an adaptive management program for the species (see harvest management measures and trade controls, below), for use in making NDFs	
<b>Lack of or insufficient harvest management measures</b>	Implement harvest management measures to mitigate impacts of export on the species	-Undertake qualitative monitoring of the scale and trends of all harvest (increasing, stable or decreasing) for use in making NDFs  -Develop and implement harvest guidelines (or “best practices”) describing accepted practices	-Develop and implement local management with clearly defined harvest management measures (e.g., harvest seasons, harvest maximums, restrictions to harvest frequency, sites or time of day, control of number of harvesters, types and methods of harvest)	-Develop and implement coordinated national and/or local management plans (that include harvest management considerations) with clear monitoring requirements; management is adaptive (regular review of harvest records, of impact of harvesting, adjustment of harvest instructions as necessary), harvest restrictions based on monitoring results
<b>Lack of or insufficient export controls</b>	Implement export controls to mitigate impacts of export on the species	-Undertake qualitative monitoring of the scale and trends of all export (increasing, stable or decreasing) for use in making NDFs  -initiate measures to ensure that permit information is	-Undertake monitoring of export; any established export limits are precautionary	-Undertake regular quantitative surveys of scale and trend of all export; establish/modify export limits according to quantitative data that is reviewed regularly, for example through an adaptive management program for the species

		<b>Recommended action proportionate to perceived risk to the species</b>	
<b>Problem/ concern</b>	<b>Goal</b>	<b>In order of increasing risk</b> 	
		-Implement/ improve a system to ensure individuals in captive / ranched / artificially propagated production systems are distinguished from wild if both wild specimens and non-wild specimens are in trade	
Inadequate range State capacity	Actions to build range State capacity	<ul style="list-style-type: none"> <li>- clearly designate CITES authorities</li> <li>-provide training for CITES authorities (e.g., CITES Virtual College, NDF workshops in a country or region)</li> <li>-develop identification methods and materials</li> <li>-share information/collaboration with other range States (exchange of NDF information, development and implementation of regional management measures)</li> <li>-provide training of conservation staff in the range State</li> <li>-provide information and guidance to persons and organizations involved in the production and export of specimens of the species concerned;</li> <li>-facilitate information exchange among range States</li> <li>-provide technical equipment and support</li> </ul>	

### Annex C, Table 3. Final Recommendation

Sample text for a “final recommended action” that could be considered for inclusion in the suite of recommendations for each species/country combination.

<b>Final Recommended action</b>	<b>Goal</b>	<b>Recommended Action</b>
	To assist in the evaluation of whether basis for the NDF has improved as a result of the Review of Significant Trade process	-Upon completion of other recommendations, on xx date, the range State should provide the scientific basis by which it has established that exports from their country are not detrimental to the survival of the species and are compliant with Article IV, paragraphs 2(a), 3 and 6(a) of the Convention. Particular focus should be given to how the actions the range State has taken or will take address the concerns/problems identified in the Review of Significant Trade process.

**Annex C, Table 4. Other Recommendations**

<b>Problem/ concern</b>	<b>Goal</b>	<b>Recommended Action</b>
Problems identified that are not related to the implementation of Article IV paragraph 2(a), 3 or 6(a)	Actions that are not directly related to the making of non-detriment findings.	Recommendations directed to Standing Committee to consider tasking the range State to [for example]: <ul style="list-style-type: none"> <li>-develop and implement adequate control measures and inspection procedures to detect and intercept illegal shipments of specimens,</li> <li>-enact or improve legislation/regulation</li> <li>-rigorously enforce export bans</li> <li>-ensure adequate guidance and controls for captive breeding, ranching or artificially propagated operations</li> </ul>

**Annex C, Table 5. Template for drafting recommendations**

Complete one table for each species/country combination. Part A provides a template for recommendations directed to range States, and Part B provides a template for recommendations for consideration by the Standing Committee.

**A. [Insert name of the species/country combination] shall report to the Secretariat on implementation of the following:**

Recommended Action	Time-frame for implementation	Justification for choice of recommended action

**B. The Standing Committee shall consider tasking [insert name of the range State] with the following:**

Recommended Action	Time-frame for implementation	Justification for choice of recommended action

**EXPLANATION OF THE REVISED RESOLUTION CONF. 12.8**

This Table provides the original text of Resolution Conf. 12.8 (*Review of Significant Trade in specimens of Appendix-II species*), the new text proposed by the Advisory Working Group on the Evaluation of the Review of Significant Trade and explanatory notes on that revised text.

ORIGINAL TEXT	NEW TEXT	NOTE
<p>RECALLING that Article IV, paragraph 2 (a), of the Convention requires, as a condition for granting an export permit, that a Scientific Authority of the State of export has advised that the export will not be detrimental to the survival of the species concerned;</p>		NO CHANGE
<p>RECALLING that Article IV, paragraph 3, requires a Scientific Authority of each Party to monitor exports of Appendix-II species and to advise the Management Authority of suitable measures to be taken to limit such exports in order to maintain such species throughout their range at a level consistent with their role in the ecosystem;</p>		NO CHANGE
<p>RECALLING also that Article IV, paragraph 6 (a), requires, as a condition for granting a certificate of introduction from the sea, that a Scientific Authority of the State of introduction from the sea has advised that the introduction will not be detrimental to the survival of the species concerned;</p>		NO CHANGE
<p>CONCERNED that some States permitting export of Appendix-II species are not effectively implementing Article IV, paragraphs 2 (a), 3 and 6 (a), and that, in such cases, measures necessary to ensure that the export of an Appendix-II species takes place at a level that will not be detrimental to the survival of that species, such as population assessments and monitoring programmes, are not being undertaken, and that information on the biological status of many species is frequently not available;</p>		NO CHANGE

ORIGINAL TEXT	NEW TEXT	NOTE
<p>RECALLING that the proper implementation of Article IV is essential for the conservation and sustainable use of Appendix-II species;</p>		<p>NO CHANGE</p>
<p>NOTING the important benefits of the review of trade in specimens of Appendix-II species by the Animals and Plants Committees as set out in Resolution Conf. 8.9 (Rev.), adopted by the Conference of the Parties at its eighth meeting (Kyoto, 1992) and amended at its 11th meeting (Gigiri, 2000), referred to as the Review of the Significant Trade, and the need to clarify further and simplify the procedure to be followed;</p>		<p>NO CHANGE</p>
	<p><u>RECALLING that, at its 12th meeting (Santiago, 2002), the Conference of the Parties mandated the Animals and Plants Committees to develop terms of reference for an evaluation of the Review of Significant Trade with the objective of assessing the contribution of the Review of Significant Trade to the implementation of Article IV, paragraphs 2 (a), 3 and 6 (a), and its impact over time on the trade and conservation status of species selected for review and subject to recommendations;</u></p>	<p>New preambular paragraph to describe the evaluation of the Review of Significant Trade that was undertaken.</p>
	<p><u>NOTING that, in Resolution Conf. 16.7 (Non-detriment findings), the Conference of the Parties recommends that Scientific Authorities take into account certain concepts and guiding principles in considering whether trade would be detrimental to the survival of the species;</u></p>	<p>New preambular paragraph to link to the new NDF resolution</p>
	<p><u>ACKNOWLEDGING that the intent of the Review of Significant Trade process is to ensure that trade in Appendix II species is being conducted sustainably and in accordance with Article IV of the Convention, and to identify remedial action where it is needed with the ultimate intent of improving the implementation of the Convention;</u></p>	<p>New preambular paragraph regarding the intent of the review.</p>
	<p><u>EXPECTING that the implementation of recommendations and actions resulting from the Review of Significant Trade process will</u></p>	<p>New preambular paragraph as suggested regarding the expected results of the Review of Significant Trade.</p>

ORIGINAL TEXT	NEW TEXT	NOTE
	<u>improve the capacity of the Scientific Authorities to carry out their non-detriment findings by improving range States' science-based conservation and management actions;</u>	
	<u>AFFIRMING that the Review of Significant Trade process should be transparent, timely, and simple;</u>	New preambular paragraph; language from the report of the AWG first meeting AC27/PC21 Doc. 12.1 – the “Vilm Report”
	<u>NOTING the <i>Guide to CITES compliance procedures</i> found in Resolution Conf. 14.3 (<i>CITES compliance procedures</i>) and FURTHER NOTING the guidance for Parties regarding the management of export quotas elaborated in Resolution Conf. 14.7 (Rev. CoP 15) (<i>Management of nationally established export quotas</i>);</u>	New preambular paragraph referencing other relevant Resolutions.
THE CONFERENCE OF THE PARTIES TO THE CONVENTION		
<b>Regarding conduct of the Review of Significant Trade</b>		NO CHANGE
DIRECTS the Animals and Plants Committees, in cooperation with the Secretariat and experts, and in consultation with range States, to review the biological, trade and other relevant information on Appendix-II species subject to significant levels of trade, to identify problems and solutions concerning the implementation of Article IV, paragraphs 2 (a), 3 and 6 (a), in accordance with the following procedure:	DIRECTS the Animals and Plants Committees, in cooperation with the Secretariat and experts, and in consultation with range States, to review the biological, trade and other relevant information on Appendix-II species subject to significant levels of trade, to identify problems and solutions concerning the implementation of Article IV, paragraphs 2 (a), 3 and 6 (a), in accordance with the following procedure and as outlined in Annex A:	The “Vilm report” recommended the process be modified so that species can be selected and final recommendations made within one intersessional period between two meetings of the Conference of the Parties.  Annex A contains the timeline diagram, modified from the timeline presented in AC27/PC21 Doc. 12.1
<b>Selection of species to be reviewed</b>	<b><u>Stage 1: Selection of species/country combinations to be reviewed</u></b>	
a) the Secretariat shall request the UNEP World Conservation Monitoring Centre to produce, within 90 days after each meeting of the Conference of the Parties, a summary from the CITES database of annual report statistics showing the recorded net level of exports for Appendix-II species over the five most recent years;	a) the Secretariat shall, <u>within 90 days after each meeting of the Conference of Parties</u> , request the UNEP World Conservation Monitoring Centre to produce a summary from the <u>CITES Trade Database</u> of annual report statistics showing the recorded level of <u>direct exports for Appendix-II species over the five most recent years</u> , and <u>an extended analyses of trade to inform the preliminary selection of species/country combinations</u> (see	The “Vilm report” called for selection criteria that are more rigorous and transparent and provided recommendations on ways to improve the selection of species.  More detailed information to guide WCMC is thus found in Annex B of the proposed modified resolution.



ORIGINAL TEXT	NEW TEXT	NOTE
	<u>Annex B</u> );	
b) on the basis of recorded trade levels and information available to the Animals or Plants Committee, the Secretariat, Parties or other relevant experts, species of priority concern shall be selected for review by the Animals or Plants Committee (whether or not such species have been the subject of a previous review);	b) on the basis of recorded trade levels and information available to the Animals or Plants Committee, the Secretariat, Parties or other relevant experts, <u>a limited number of species/country combinations of greatest concern</u> shall be selected for review by the Animals or Plants Committee <u>at their first regular meeting following a meeting of the Conference of the Parties</u> ;	The “Vilm report” generally suggested fewer species should be selected and the report on those selected species/country be prepared early.
c) in exceptional cases where new information indicates an urgent concern, the Animals or Plants Committee may add a species to the list of species of concern at another stage;	c) <u>in exceptional cases, outside of steps a) and b) above, and where new information provided to the Secretariat by a proponent indicates that rapid action may be needed concerning problems relating to the implementation of Article IV (for a species/country combination), the Secretariat:</u>  i) <u>will verify that the proponent has provided a justification for the exceptional case, including supporting information;</u>  ii) <u>may request the UNEP World Conservation Monitoring Centre to produce a summary of trade from the CITES Trade Database in relation to the species/country combination concerned as necessary; and</u>  iii) <u>will, as soon as possible, provide the justification and, if appropriate, the UNEP World Conservation Monitoring Centre trade summary to the Animals or Plants Committee for their intersessional review and decision on whether or not to include the species/country combination in Stage 2 of the review process;</u>	DELETE the original language and replace with NEW language  The Advisory Working Group recommended that more structure and context be provided for the exceptional case additions to the review process. Specifically, justifications must be documented, may be supported by a WCMC trade summary if useful, and the decision to include in the process is taken intersessionally to eliminate the need to wait for the next meeting of the Committees.
<b>Consultation with the range States concerning implementation of Article IV</b>	<b><u>Stage 2: Consultation with the range States and compilation of information</u></b>	
d) the Secretariat shall, within 30 days after the meeting of the Animals or Plants Committee at which species are selected,	d) the Secretariat shall:  i) within 30 days after the meeting of the Animals or	The previous resolution had a consultation occur first, followed by a compilation of information. In the proposed revised resolution, these

ORIGINAL TEXT	NEW TEXT	NOTE
<p>notify range States of the species selected, providing an explanation for this selection and requesting comments regarding possible problems of implementing Article IV identified by the Committee. Range States shall be given 60 days to respond;</p>	<p>Plants Committee at which species/country combinations are selected, notify <u>selected</u> range States that <u>their</u> species has been selected, providing an overview of the review process and an explanation for the selection. The Secretariat shall request range States provide the scientific basis by which it is established exports from their country are not detrimental to the survival of the species concerned and are compliant with Article IV, paragraphs 2(a), 3 and 6(a) of the Convention. In its letter, the Secretariat shall provide guidance to range States on how to respond, explain the consequences of not responding to the request and inform the range States that the response will be made available on the CITES website as part of the agenda for meetings of the Animals and Plants Committee. Range States shall be given 60 days to respond;</p> <p>ii) <u>compile, or appoint consultants to compile, a report about the biology and management of and trade in the species, including information provided by the range State, to be made available for the next meeting of the Animals or Plants Committee. In doing so, the Secretariat (or consultants) shall actively engage with the range States and relevant experts in the compilation of the report;</u></p>	<p>steps occur concurrently to streamline the review process timelines.</p> <p>The “Vilm report” also stressed the importance of ensuring that range States are fully informed and that the initial letter from the Secretariat to selected range States should be much more descriptive in terms of the information being sought.</p>
<p>e) the Secretariat shall report to the Animals or Plants Committee on the response of the range States concerned, including any other pertinent information;</p>	<p>DELETE</p>	
<p>f) when the Animals or Plants Committee, having reviewed the available information, is satisfied</p>	<p>DELETE</p>	

ORIGINAL TEXT	NEW TEXT	NOTE
that Article IV, paragraph 2 (a), 3 or 6 (a), is correctly implemented, the species shall be eliminated from the review with respect to the State concerned. In that event, the Secretariat shall notify the Parties accordingly within 60 days;		
<b>Compilation of information and preliminary categorization</b>	DELETE	Incorporated into Stage 2 in the proposed new resolution “Consultation with the range States and compilation of information”.
g) in the event that the species is not eliminated from the review in accordance with paragraph f) above, the Secretariat shall proceed with the compilation of information regarding the species;	DELETE	
h) when necessary, consultants shall be engaged by the Secretariat to compile information about the biology and management of and trade in the species and shall contact the range States or relevant experts to obtain information for inclusion in the compilation;	DELETE	Incorporated into d) ii) of the proposed new resolution.
i) the Secretariat or consultants, as appropriate, shall summarize their conclusions about the effects of international trade on the selected species, the basis on which such conclusions are made and problems concerning the implementation of Article IV, and shall provisionally divide the selected species into three categories:	<p>e) <u>the report required under d) ii)</u> shall <u>include</u> conclusions about the effects of international trade on the selected <u>species/country combinations</u>, the basis on which such conclusions are made and problems concerning the implementation of Article IV, and shall provisionally divide the selected <u>species/country combinations</u> into three categories:</p> <p>i) <u>‘action is needed’</u> shall <u>include species/country combinations</u> for which the available information indicates that the provisions of Article IV, paragraph 2 (a), 3 or 6 (a), are not being implemented;</p> <p>ii) <u>‘unknown status’</u> shall <u>include species/country combinations</u> for which <u>the Secretariat (or consultants) could not determine</u> whether or not</p>	<p>The “Vilm report” recommended the report to the Scientific Committees should provide preliminary categorisation as “least concern” or “urgent concern/action required”. They should also indicate when it is unclear whether or not the provisions of Article IV are being implemented, i.e. where they have been unable to assign a provisional category.</p> <p>The working group felt the use of “possible concern” was unnecessary in that, ultimately, the process should result in recommendations being made or the species being removed from the process. In cases where the consultant cannot readily determine if there is a concern, they could use a category to indicate uncertainty. However, for those identified as uncertain by the consultant, the Committees would need to determine if they had a concern that merited a recommendation or if the species should be eliminated</p>

ORIGINAL TEXT	NEW TEXT	NOTE
	<p>these provisions are being implemented; and</p> <p>iii) 'least concern' shall include <u>species/country combinations</u> for which the available information appears to indicate that these provisions are being met;</p>	
<p>i) 'species of urgent concern' shall include species for which the available information indicates that the provisions of Article IV, paragraph 2 (a), 3 or 6 (a), are not being implemented;</p>	DELETE	Incorporated into e) of the proposed new resolution.
<p>ii) 'species of possible concern' shall include species for which it is not clear whether or not these provisions are being implemented; and</p>	DELETE	Incorporated into e) of the proposed new resolution.
<p>iii) 'species of least concern' shall include species for which the available information appears to indicate that these provisions are being met;</p>	DELETE	Incorporated into e) of the proposed new resolution.
<p>j) before the report of the Secretariat, or consultant, is considered by the Animals or Plants Committee, the Secretariat shall transmit it to the relevant range States, seeking comments and, where appropriate, additional information. Range States shall be given 60 days to respond;</p>	<p><u>f) once the report is completed, the Secretariat shall draw the attention of the relevant range States to the report prepared under d) ii) and invite them to provide any additional information for consideration at the second meeting of the Animals or Plants Committee following the Conference of the Parties;</u></p>	Range states attention will be drawn to the consultant's report so that they may have the opportunity to providing new information to be considered during the second meeting of the Animals and Plants Committee after a CoP (when the Committees are considering the consultant's report).
<p><b>Review of information and confirming of categorization by the Animals or Plants Committee</b></p>	<p><b><u>Stage 3: Categorization and Recommendations by the Animals or Plants Committee</u></b></p>	
<p>k) the Animals or Plants Committee shall review the report of the Secretariat or the consultants and the responses received from the States concerned and, if appropriate, revise the preliminary categorization proposed;</p>	<p>g) the Animals or Plants Committee shall, <u>at their second meeting following the Conference of the Parties</u>, review the report of the Secretariat or the consultants, and the responses and <u>additional information</u> received from the States concerned. <u>For each selected species/country combination, the Animals or Plants Committee shall reclassify species/country combinations of 'unknown status' and provide a justification for reclassification.</u> <u>Additionally, if appropriate, the</u></p>	The "Vilm report" recommended the Scientific Committees be required to review the range State responses and the consultant's report and confirm or categorise the species/range State combinations. In doing so, the Scientific Committees should review those species/country combinations where the consultant was unable to assign a category. The Scientific Committees should assign these into either "least concern" (for elimination from the process) or "urgent concern/action required" (for which

ORIGINAL TEXT	NEW TEXT	NOTE
	<u>Animals and Plants Committee shall revise the preliminary categorization proposed for range States where 'action is needed' or of 'least concern' and provide a justification;</u>	recommendations would be made).
l) species of least concern shall be eliminated from the review. Problems identified in the course of the review that are not related to the implementation of Article IV, paragraph 2 (a), 3 or 6 (a), shall be addressed by the Secretariat in accordance with other provisions of the Convention and relevant Resolutions;	g) i) <u>species/country combinations determined by the Animals or Plants Committee to be of least concern shall be removed from the review process and the Secretariat shall notify the range States accordingly within 60 days;</u>	The subsequent actions are each now a subsection of the categorization step. The issue of problems that are not related to the implementation of Article IV is now found in new paragraph X) of the proposed revised resolution and in a separate DIRECTS to the Standing Committee
<b>Formulation of recommendations and their transmission to the range States</b>	DELETE	
m) the Animals or Plants Committee shall, in consultation with the Secretariat, formulate recommendations for the remaining species. These recommendations shall be directed to the range States concerned;	g) ii) <u>species/country combinations determined by the Animals or Plants Committee to be those for which 'action is needed' shall be retained in the review process. The Animals or Plants Committee shall, in consultation with the Secretariat, formulate time-bound, feasible, measurable, proportionate and transparent recommendations directed to the range States retained in the review process using the guidance outlined in Annex C. The recommendations should aim to build the range State's long term capacity to implement, Article IV, paragraphs 2 (a), 3 and 6 (a) of the Convention;</u>	The "Vilm report" noted there is a need to standardise the recommendations by creating a "menu" of standard recommendations which can then be tailored to the specific issue and the capacity of the range State. This approach, including a menu of recommendations and ongoing communication, is essential to improve the effectiveness of the RST, engaging range States in the design of the process and ensuring that it builds long term capacity in the Parties concerned.  Guidance on formulating recommendations is provided to the AC/PC in Annex C of the proposed new resolution.
n) for species of urgent concern, these recommendations should propose specific actions to address problems related to the implementation of Article IV, paragraph 2 (a), 3 or 6 (a). Such recommendations should differentiate between short-term and long-term actions, and may include, for example:	DELETE	Replaced by guidance provided in Annex C of the proposed new resolution.
i) the establishment of administrative procedures, cautious export quotas or temporary restrictions on exports	DELETE	Replaced by guidance provided in Annex C of the proposed new resolution.

ORIGINAL TEXT	NEW TEXT	NOTE
of the species concerned;		
ii) the application of adaptive management procedures to ensure that further decisions about the harvesting and management of the species concerned will be based on the monitoring of the impact of previous harvesting and other factors; or	DELETE	Replaced by guidance provided in Annex C of the proposed new resolution.
iii) the conducting of taxon- and country-specific status assessments, field studies or evaluation of threats to populations or other relevant factors to provide the basis for a Scientific Authority's non-detriment finding, as required under the provisions of Article IV, paragraph 2 (a) or 6 (a).	DELETE	Replaced by guidance provided in Annex C of the proposed new resolution.
Deadlines for implementation of these recommendations should be determined by the Animals or Plants Committee. They must be appropriate to the nature of the action to be undertaken, and should normally be not less than 90 days but not more than two years after the date of transmission to the State concerned;	DELETE	Replaced by guidance provided in Annex C of the proposed new resolution.
o) for species of possible concern, these recommendations should specify the information required to enable the Animals or Plants Committee to determine whether the species should be categorized as either of urgent concern or of least concern. They should also specify interim measures where appropriate for the regulation of trade. Such recommendations should differentiate between short-term and long-term actions, and may include, for example:	DELETE	Replaced by guidance provided in Annex C of the proposed new resolution.
i) the conducting of taxon and country-specific status assessments, field studies or evaluation of threats to populations or other relevant factors; or	DELETE	Replaced by guidance provided in Annex C of the proposed new resolution.
ii) the establishment of cautious export quotas for the species concerned as an interim	DELETE	Replaced by guidance provided in Annex C of the proposed new

ORIGINAL TEXT	NEW TEXT	NOTE
measure.		resolution.
Deadlines for implementation of these recommendations should be determined by the Animals or Plants Committee. They must be appropriate to the nature of the action to be undertaken, and should normally be not less than 90 days but not more than two years after the date of transmission to the State concerned;	DELETE	Replaced by guidance provided in Annex C of the proposed new resolution.
p) these recommendations shall be transmitted to the range States concerned by the Secretariat;	h) the Secretariat shall, within 60 days of the meeting of the Animals or Plants Committee, transmit these recommendations to the range States concerned;	Timeline.
	i) the Animals or Plants Committee shall formulate separate recommendations directed to the Standing Committee for problems identified in the course of the review that are not directly related to the implementation of Article IV paragraph 2(a), 3 or 6(a), following the guidance in Table 4 of Annex C of this Resolution;	Direction on how to deal with non-Article IV issues
<b>Measures to be taken regarding the implementation of recommendations</b>	<b><u>Stage 4: Measures to be taken regarding the implementation of recommendations</u></b>	
q) the Secretariat shall, in consultation with the Chairman of the Animals or Plants Committee, determine whether the recommendations referred to above have been implemented and report to the Standing Committee accordingly;	j) the Secretariat shall, following <u>electronic</u> consultation with the <u>Chair and members</u> of the Animals or Plants Committee, determine whether the recommendations referred to above have been implemented;	Intersessional/ electronic consultation with the whole AC/PC on recommendations (once the range State has reported on the recommendations or the deadlines have passed - whichever occurs first) is proposed. The Secretariat will consult with the whole of the Committee but the final advice from the Committee to the Secretariat will come via the Committee Chair.
r) where the recommendations have been met, the Secretariat shall, following consultation with the Chairman of the Standing Committee, notify the Parties that the species was removed from the process;	i) where the recommendations have been met, the Secretariat shall, following consultation with the Chairman of the Standing Committee, notify the Parties that the <u>species/country combination</u> was removed from the review process; <u>or</u>	Process does not change but this is now a subsection of i) in the proposed new resolution.

ORIGINAL TEXT	NEW TEXT	NOTE
<p>s) when the Secretariat, having consulted with the Chairman of the Animals or Plants Committee, is not satisfied that a range State has implemented the recommendations made by the Animals or Plants Committee in accordance with paragraph n) or o), it should recommend to the Standing Committee appropriate action, which may include, as a last resort, a suspension of trade in the affected species with that State. On the basis of the report of the Secretariat, the Standing Committee shall decide on appropriate action and make recommendations to the State concerned, or to all Parties;</p>	<p>iii) when the <u>recommendations are not deemed to have been met (and no new information is provided), the Secretariat shall, in consultation with the Chairs and members of the Animals or Plants Committee, recommend to the Standing Committee appropriate action, which may include, as a last resort, a suspension of trade in the affected species with that State; or</u></p>	<p>Role for the AC/PC</p>
	<p>iii) <u>where the recommendations are not deemed to have been met or have been partially met, and there is new information suggesting the recommendation may require updating, the Secretariat shall electronically request the Chair and members of the Animals or Plants Committee prepare a revised recommendation, keeping in mind the principles that recommendations should be time-bound, feasible, measurable, proportionate, transparent, and should promote capacity building. The Secretariat shall provide the revised recommendation to the range States within 30 days of its drafting;</u></p>	<p>A new intermediary step that allows the AC/PC to review no or partial progress against recommendations and modify the recommendations (including timelines) as appropriate and based on new information. These decisions of the AC/PC will need to be justified and reported.</p> <p>An effective database tool tracking the RST decisions and process will be essential to ensure there is consistency when making these partial evaluations and to ensure action is not forgotten</p>
	<p>k) <u>the Secretariat shall report to the Standing Committee on its evaluation of the implementation of the recommendations, including the rationale for its evaluation, and a summary of the views expressed by the Animals or Plants Committees. The Secretariat shall additionally report on any further actions taken by the Animals or Plants Committee in the case of range</u></p>	<p>Breaking down the steps for the Standing Committee. j) above provides the types of evaluations the Secretariat could make (with the support of the AC/PC). This step indicates that the Secretariat shall report on that evaluation of the implementation of the recommendations to the Standing Committee (and ensure that justification for each evaluation is provided).</p>



ORIGINAL TEXT	NEW TEXT	NOTE
	<p><u>States where new information has resulted in revised recommendations;</u></p>	
	<p>l) <u>for range States where recommendations are not deemed to have been met, the Standing Committee shall decide on appropriate action and make recommendations to the State concerned, or to all Parties, keeping in mind that these recommendations should be time-bound, feasible, measurable, proportionate, transparent, and should promote capacity building. In exceptional circumstances, where the range State under consideration provides new information on the implementation of the recommendations to the Standing Committee, the Standing Committee shall consult electronically with the Chairs and members of the Animals or Plants Committee prior to making a decision on appropriate action;</u></p>	<p>This step provides guidance to the Standing Committee on actions they may take where the Secretariat evaluation indicates that recommendations have not been met.</p> <p>The Standing Committee is urged to follow the same principles for formulating recommendations as the Scientific Committees.</p> <p>When information is provided by range States at the last minute (or during a Standing Committee meeting), the Standing Committee is requested to consult first the AC/PC before making any recommendation.</p>
<p>t) the Secretariat shall notify the Parties of any recommendations or actions taken by the Standing Committee;</p>		<p>NO CHANGE except this is now paragraph m)</p>
<p>u) a recommendation to suspend trade in the affected species with the State concerned should be withdrawn only when that State demonstrates to the satisfaction of the Standing Committee, through the Secretariat, compliance with Article IV, paragraph 2 (a), 3 or 6 (a); and</p>	<p>n) a recommendation to suspend trade in the affected species with the State concerned should be withdrawn only when that State demonstrates to the satisfaction of the Standing Committee, through the Secretariat, <u>in consultation with the Chairs and members of the Animals or Plants Committee</u>, compliance with Article IV, paragraph 2 (a), 3 or 6 (a); and</p>	<p>Include a consultation with the AC/PC</p>
<p>v) the Standing Committee, in consultation with the Secretariat and the Chairman of the Animals or Plants Committee, shall review recommendations to suspend trade that have been in place for longer than two years and, if appropriate, take measures to address the situation;</p>	<p>o) the Standing Committee, in consultation with the Secretariat and the Chair of the Animals or Plants Committee, shall review recommendations to suspend trade that have been in place for longer than two years, <u>evaluate the reasons why this is the case in consultation with the range State</u>, and, if appropriate, take measures to</p>	<p>A more thoughtful evaluation on the reasons why a recommendations for suspension of trade might be in place for two years or more</p>

ORIGINAL TEXT	NEW TEXT	NOTE
	address the situation.	
	<p><b><u>Regarding problems identified not related to the implementation of Article IV</u></b></p> <p><u>DIRECTS the Secretariat to address problems identified in the course of the review process that are not related to the implementation of Article IV, paragraph 2 (a), 3 or 6 (a), in accordance with other provisions of the Convention and relevant Resolutions;</u></p>	Additional direction to the Standing Committee for non-Article IV issues
<b>Regarding support to the range States</b>		NO CHANGE
<p>URGES the Parties and all organizations interested in the conservation and sustainable use of wildlife to provide the necessary financial support or technical assistance to those States in need of such assistance to ensure that wild populations of species of fauna and flora subject to significant international trade are not subject to trade that is detrimental to their survival. Examples of such measures could include:</p>	<p>URGES the Parties, and all organizations <u>and stakeholders</u> interested in the conservation and sustainable use of wildlife, provide the necessary financial support or technical assistance to those States in need of such assistance to ensure that wild populations of species of fauna and flora subject to significant international trade are not subject to trade that is detrimental to their survival. Examples of such measures could include:</p>	
<p>a) training of conservation staff in the range States;</p>	<p>a) training of conservation staff in the range States, <u>including by organizing regional workshops;</u></p>	
<p>b) provision of information and guidance to persons and organizations involved in the production and export of specimens of the species concerned;</p>	<p>b) provision of <u>tools</u>, information and guidance to persons and organizations involved in the production and export of specimens of the species concerned;</p>	Language updated.
<p>c) facilitation of information exchange among range States; and</p>	<p>c) facilitation of information exchange among range States, <u>including at the regional level;</u></p>	
<p>d) provision of technical equipment and support; and</p>	<p>d) provision of technical equipment, support <u>and advice;</u></p>	Language strengthened.
	<p><u>e) provision of support for field studies on Appendix-II species identified as being subject to significant levels of trade; and</u></p>	New point to incorporate support for field studies into general support to range States
<p>DIRECTS the Secretariat to assist with identification and communication of funding needs in the range States and with identification of potential sources of such funding;</p>		NO CHANGE

ORIGINAL TEXT	NEW TEXT	NOTE
<b>Regarding monitoring, reporting and reintroduction of species into the review process</b>	<b><u>Regarding capacity building, monitoring, reporting, and evaluating the review process</u></b>	
DIRECTS the Secretariat, for the purpose of monitoring and facilitating the implementation of this Resolution and the relevant paragraphs of Article IV:		NO CHANGE
a) to report at each meeting of the Animals or Plants Committee on the implementation by the range States concerned of the recommendations made by the Committee; and		NO CHANGE
b) to maintain a register of species that are included in the review process set out in this Resolution and a record of progress with the implementation of recommendations; and	b) to maintain a <u>database</u> of species/country combinations that are included in the review process set out in this Resolution <u>including</u> a record of progress with the implementation of recommendations;	An effective database is essential to ensure the review process is adequately monitored and the Secretariat should ensure that this database is updated after each meeting of the AC/PC.
	<u>DIRECTS the Secretariat to include training on the Review of Significant Trade process as part of its capacity building activities related to the making of non-detriment findings;</u>	New paragraph emphasizing the link between the review process and training on NDFs.
	<u>DIRECTS the Animals or Plants Committee, in consultation with Secretariat, to undertake a regular review on the outcomes of the Review of Significant Trade by, for example, examining a sample of past species/country combinations to assess whether the desired result was achieved. The Animals or Plants Committee should consider the results of this review and revise the Review of Significant Trade process as necessary. In doing so, feedback should be obtained from range States (including their Scientific Authorities) who have been through the review process;</u> and	It is important to monitor how effective is the review process and the proposed new resolution adds an “audit” role for the Animals and Plants Committee. Again, a database tracking of the process will be key.  The “Vilm report” recommended that the Scientific Committees should undertake a regular review on whether the process is working in an effective manner or if some adjustments are needed to enhance the process. This may be progressed through inclusion of relevant action in the Strategic Plan. The Scientific Committees may wish to look back at a sample of the species they selected to see if the desired result was achieved. In doing so, feedback should be obtained from Parties (including their Scientific Authorities) who have been through the process. This review might include a questionnaire to solicit feedback as part of the biennial report. This review process

ORIGINAL TEXT	NEW TEXT	NOTE
		will require further consideration by the Advisory Working Group.
<b>Regarding coordination of field studies</b>	DELETE	
DIRECTS the Secretariat, where appropriate, in consultation with the Chairman of the Animals or Plants Committee, to contract IUCN or other appropriate experts to coordinate, in collaboration with UNEP-WCMC, the conduct of the field studies required for Appendix-II species identified as being subject to significant levels of trade, and to raise the funds necessary for such studies; and	DELETE	In the proposed new resolution, this concept is included under support to range States.
REPEALS Resolution Conf. 8.9 (Rev.) (Kyoto, 1992, as amended at Gigiri, 2000) – <i>Trade in specimens of Appendix-II species taken from the wild.</i>		NO CHANGE
	<b><u>Annex A: Timeline for the Review of Significant Trade Process</u></b>	New Annex providing a visual representation of the proposed new timeline from selection to creation of recommendations.
	<b><u>Annex B: Guidance to UNEP World Conservation Monitoring Centre regarding the selection of species/country combinations</u></b>	New Annex providing some further guidance to UNEP-WCMC on preparing reports to aid the AC/PC selection of species/country combinations.
	<b><u>Annex C: Standard Recommendations for the Review of Significant Trade Process</u></b>	New Annex providing guidance to AC/PC on the development of recommendations for species/country combinations chosen for the RST.