

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



Fifty-fourth meeting of the Standing Committee
Geneva (Switzerland), 2-6 October 2006

Chairman's non-paper on document SC54 Doc. 19

Text not agreed on in Annex 3 of document SC54 Doc. 19 is shown in brackets and suggested additions to Annex 4 of the same document are shown in bold.

Annex 3

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Conf. 14.XX

Introduction from the sea

TAKING INTO ACCOUNT the CITES Workshop on Introduction from the Sea Issues (Geneva, 30 November – 2 December 2005) held pursuant to Decision 13.18 of the Conference of the Parties;

RECALLING that 'introduction from the sea' is defined in Article I, paragraph e), of the Convention as meaning "transportation into a State of specimens of any species which were taken in the marine environment not under the jurisdiction of any State";

[RECALLING ALSO that Article XIV, paragraph 6, of the Convention provides that "Nothing in the present Convention shall prejudice the codification and development of the law of the sea by the United Nations Conference on the Law of the Sea";]

RECALLING FURTHER that Article III, paragraph 5, and Article IV, paragraphs 6 and 7, of the Convention provide a framework to regulate the introduction from the sea of specimens of species included in Appendices I and II, respectively;

RECOGNIZING the need for a common understanding of the provisions of the Convention relating to introduction from the sea in order to facilitate the standard implementation of trade controls for specimens introduced from the sea and improve the accuracy of CITES trade data;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

[AGREES that "the marine environment not under the jurisdiction of any State" means those areas beyond the waters and the continental shelf, comprising the seabed and subsoil, subject to the sovereign rights or sovereignty of any State consistent with international law, as reflected in the United Nations Convention on the Law of the Sea.]

Annex 4

DRAFT DECISION OF THE CONFERENCE OF THE PARTIES

14.XX Directed to the Standing Committee

The Standing Committee shall:

- a) establish a working group on Introduction from the Sea, which would work primarily through electronic means, to consider a definition for 'transportation into a State', **clarification of the term 'State of introduction' and the process for issuing an introduction from the sea certificate** as well as **other** issues identified for further consideration in the final report of the CITES Workshop on Introduction from the Sea Issues (Geneva, 30 November – 2 December 2005);
- b) include in the working group representatives of CITES authorities and fishery authorities from each of the six CITES regions and **request** the participation of **the United Nations Division on Ocean Affairs and the Law of the Sea**, the Food and Agriculture Organization of the United Nations, two regional fishery bodies, the fishing industry, **and intergovernmental organizations** and non-governmental organizations with CITES and fishery expertise;
- c) contingent on the availability of external funding, convene a meeting of the working group; and
- d) ask the working group to prepare a discussion paper and draft **decision** for consideration **and finalization by the Standing Committee at its 58th meeting (2009)**.