

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



Fifty-ninth meeting of the Standing Committee
Doha (Qatar), 12 March 2010

Interpretation and implementation of the Convention

Compliance and enforcement issues

NATIONAL LAWS FOR IMPLEMENTATION OF THE CONVENTION

1. This document has been prepared by the Secretariat. Additional information is contained in document CoP15 Doc. 20.

Legislative progress

2. An updated legislative status chart, reflecting legislative progress reported to the Secretariat after the 58th meeting of the Standing Committee (SC58, Geneva, July 2009), will be provided during the present meeting. In the meantime, the Secretariat would like to advise the Standing Committee that it held extensive legislative discussions with Peruvian authorities in late January 2010. On the basis of those discussions, and the provision of additional legislative texts, the Secretariat has determined that Peru's national legislation now fulfils the minimum requirements set forth in Resolution Conf. 8.4 (Rev. CoP14) and can be placed in Category 1 under the National Legislation Project. The Secretariat would also like to advise the Committee that CITES-implementing legislation has been adopted by Armenia and Serbia.
3. At SC58, the Standing Committee agreed to issue written cautions to those Parties which had not yet complied with Decision 14.25 below:

Before the 58th meeting of the Standing Committee, any Party or dependent territory that has been party to the Convention for five or more years, with legislation in Category 2 or 3, should:

- a) *submit to the Secretariat, in one of the working languages of the Convention, newly enacted legislation for implementation of the Convention; or*
- b) *provide adequate justification for its failure to do so.*

4. Following SC58, the Secretariat made additional efforts to encourage compliance with Decision 14.25 and received information about legislative progress or adequate justification for not having enacted legislation from the following Parties and dependent territory: Afghanistan, Eritrea, Kazakhstan, Mali, Mongolia, Nepal, the Philippines, the Republic of Moldova, Saint Lucia, Saint Kitts and Nevis and Greenland (Denmark).
5. In December 2009, the Secretariat sent written cautions to the following Parties: Antigua and Barbuda, Bangladesh, Belarus, Benin, Botswana, Burkina Faso, Burundi, the Central African Republic, the Congo, Côte d'Ivoire, Dominica, Equatorial Guinea, Gabon, the Gambia, Ghana, Grenada, Guinea, Iceland, Mauritius, Morocco, Niger, Saint Vincent and the Grenadines, Seychelles, Sierra Leone, Sri Lanka, Suriname, Swaziland, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, and Uzbekistan.
6. In the written caution, Parties were advised that "the Standing Committee will again review the legislative progress of Parties and dependent territories at its 59th meeting (Doha, 12 March 2010), immediately before the 15th meeting of the Conference of the Parties (Doha, 13-25 March 2010). At that time, the Committee may consider the adoption of additional compliance measures to ensure that Parties and dependent territories enact adequate legislation for implementation of the Convention".

7. The Secretariat obtained additional legislative texts and explanations of CITES-related provisions from Suriname, during the course of a legislative mission undertaken there in early February 2010. It will obtain a legislative progress report from Niger, during the course of a legislative workshop scheduled to take place in Tunisia during mid-February 2010.
8. At the time of writing (February 2010), the following Parties had provided information about their legislative progress or adequate justification for not having enacted legislation by SC58: Bangladesh, Gabon, Ghana, Guinea, Morocco, Seychelles and Suriname.

Recommendation

9. The Secretariat recommends that the Standing Committee consider appropriate compliance measures, including recommendations to suspend commercial trade, if the following Parties have not complied with Decision 14.25 by the present meeting: Antigua and Barbuda, Belarus, Benin, Botswana, Burkina Faso, Burundi, the Central African Republic, the Congo, Côte d'Ivoire, Dominica, Equatorial Guinea, the Gambia, Grenada, Iceland, Mauritius, Niger, Saint Vincent and the Grenadines, Sierra Leone, Sri Lanka, Swaziland, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, and Uzbekistan.