

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



Sixty-second meeting of the Standing Committee
Geneva (Switzerland), 23-27 July 2012

Interpretation and implementation of the Convention

Review of Resolutions

SUBSTANTIVE REVIEW OF RESOLUTIONS

1. This document has been prepared by the Secretariat.
2. In the context of its continuing review of Resolutions, the Secretariat intends to prepare proposals for revision of a number of Resolutions, for consideration at the 16th meeting of the Conference of the Parties. These proposals arise from: the normal work of the Secretariat, in the course of which it becomes aware of a variety of problems of interpretation or implementation of the Resolutions; the Secretariat's regular review of Resolutions with a view to proposing consolidations; the linguistic review that is taking place in fulfilment of Decision 14.19; and correspondence from Parties and organizations suggesting the need for corrections.
3. In consequence, the Secretariat will be reviewing the Resolutions listed in the table below, and is likely to prepare proposals to amend them, for the reason indicated. The possible need for further substantive amendments may arise from the linguistic review being conducted by the Working Group on the Review of Resolutions.

Conf.	Reason
4.6 (Rev. CoP15) <i>Submission of draft resolutions and other documents for meetings of the Conference of the Parties</i>	<ul style="list-style-type: none"> – To indicate that the text referring to draft resolutions also applies to draft decisions, considering that these now outnumber draft resolutions and should be referred to specifically. – Some Arabic-speaking States have suggested the need for adoption of an official text of the Convention in Arabic. This could be added to the list of topics to be included in the agenda for the next extraordinary meeting of the Conference of the Parties, under the first 'DIRECTS'.
9.5 (Rev. CoP15) <i>Trade with States not party to the Convention</i>	<ul style="list-style-type: none"> – To clarify, in recommendation a) v), that this refers to specimens being re-exported from a non-party State and that the origin may or may not have been a Party.
9.6 (Rev.) <i>Trade in readily recognizable parts and derivatives</i>	<ul style="list-style-type: none"> – To provide the possibility for reconsideration of a <i>de minimis</i> exemption, so that specimens below a certain size or quantity are considered as 'not readily recognizable'
9.24 (Rev. CoP15) <i>Criteria for amendment of Appendices I and II</i>	<ul style="list-style-type: none"> – To make a correction. This Resolution has been revised four times. During the second revision (at CoP13, Bangkok, 2004), in Annex 6, the final sentence of the second paragraph became separated from the text to which it refers. It should be placed after the third sentence of the first paragraph.

Conf.	Reason
11.1 (Rev. CoP15) <i>Establishment of Committees</i>	<ul style="list-style-type: none"> – To make a correction in Annex 2, in the French version only. This Resolution has been revised four times. During the third revision (at CoP14, the Hague, 2007), the Conference of the Parties removed the statement that “the Animals Committee shall also deal with issues related to the transport of live animals”. This was not done in the French version. – To make a correction, in the Spanish version only. Also during the third revision, in Annex 2, under the second ‘DETERMINES’, paragraph a), the Conference of the Parties added a phrase to indicate that the payment of travel expenses of committee members did not apply to representatives of developed countries. This was omitted in the Spanish version.
11.3 (Rev. CoP15) <i>Compliance and enforcement</i>	<ul style="list-style-type: none"> – To remove the reference to the Secretariat’s “report on alleged infractions” (sic), which is no longer produced.
11.17 (Rev. CoP14) <i>National reports</i>	<ul style="list-style-type: none"> – To insert a deadline for the submission of annual reports, as is done for submission of biennial reports. For the former, there is only a decision on action to be taken if an annual report is not received by 31 October of “the year following the year for which the report was due”.
11.18 <i>Trade in Appendix-II and -III species</i>	<ul style="list-style-type: none"> – To correct an apparent inconsistency between recommendation a) of this Resolution and recommendation f) of Resolution Conf. 10.3. – To transfer recommendation c), regarding trade with non-Parties, to Resolution Conf. 9.5 (Rev. CoP15), on <i>Trade with States not party to the Convention</i>, to consolidate all texts on this subject.
11.19 <i>Identification Manual</i>	<ul style="list-style-type: none"> – To update the text, taking into account the creation of the wiki-version of the online Identification Manual.
12.3 (Rev. CoP15) <i>Permits and certificates</i>	<ul style="list-style-type: none"> – To provide guidance on how to complete permits in cases where a specimen comprises derivatives from more than one species. – To provide an interpretation (if needed) of the term “usual residence” as used in section I, recommendation h).
12.11 (Rev. CoP15) <i>Standard nomenclature</i>	<ul style="list-style-type: none"> – To restructure the Resolutions to separate the instructions to the Committees from those to the Secretariat.
13.6 <i>Implementation of Article VII, paragraph 2, concerning ‘pre-Convention’ specimens</i>	<ul style="list-style-type: none"> – To clarify, if necessary, the “date of acquisition” that applies for specimens that have been changed from their state at the time of entering into personal possession. (If a pre-Convention skin is made into a handbag, is the handbag also pre-Convention?)
13.8 <i>Participation of observers at meetings of the Conference of the Parties</i>	<ul style="list-style-type: none"> – To differentiate correctly between ‘observers’ and ‘States, agencies or bodies that are represented by observers’.
15.1 <i>Financing and the costed programme of work for the Secretariat for the biennium 2012-2013</i>	<ul style="list-style-type: none"> – To make a correction, in the French and Spanish versions only. The draft of the Resolution [in document CoP15 Doc. 6.5 (Rev. 1), Annex 6] contained the following recommendation, which was deleted from subsequent versions in the English, but this was not done in the preparation of the French and Spanish: <i>INVITES all Parties to support, through their representatives in UNEP, UNDP and the World Bank, the requests for additional funding of CITES-related projects by the Global Environment Facility.</i>

4. The Secretariat invites the Standing Committee to take note of its proposals indicated above and to comment on any further consolidations or corrections that are needed. As in the past, the Secretariat would be pleased to consult with any Party that expresses an interest in the revision of any of the Resolutions under review.