

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



Sixty-ninth meeting of the Standing Committee
Geneva (Switzerland), 27 November - 1 December 2017

Interpretation and implementation matters

Existing Resolutions and Decisions

REVIEW OF RESOLUTIONS AND DECISIONS:
REPORT OF THE SECRETARIAT

1. This document has been prepared by the Secretariat.
2. In fulfilment of Decision 14.19 (Rev. CoP17), the Secretariat has pursued its linguistic review of the Resolutions, often based on correspondence from Parties and organizations suggesting the need for corrections. The Secretariat identified the following non-substantive errors:

Resolutions	Non-substantive error
Resolution Conf. 10.21 on <i>Transport of live specimens</i>	– The CITES Guidelines for the Non-Air Transport of Live Wild Animals and Plants, referred to in the Resolution and contained in the IATA Live Animals Regulations (LAR) refers to "wild" animals and plants. LAR does not include the word "wild". At the joint session of AC29/PC23, a question was raised as to whether the guidelines only apply to "wild" animals and plants, understood as animals/plants taken from the wild (source code W) and not to animals/plants from other sources (captive bred/born or artificially propagated etc.). In this context, it should be noted that LAR and the CITES Guidelines apply to all species, whether they are listed in the CITES Appendices or not. The word "wild" would be deleted from the guidelines and consequently from the Resolution.
Resolution Conf. 11.10 (Rev. CoP15) on <i>Trade in stony corals</i>	– In the French version, the preambular paragraph below is missing: "NOTING that assessments under Article IV, paragraph 3, of the impacts of harvesting corals on the ecosystems from which they are derived cannot be adequately made by monitoring exports alone;"
Resolution Conf. 11.12 (Rev. CoP15) on <i>Universal tagging system for the identification of crocodylian skins</i>	– In paragraph 1 f), the Secretariat believes that the phrase "of skins" is missing: "that tails, throats, feet, backstrips, and other parts of <u>skins</u> be exported in transparent, sealed containers clearly marked with a non-reusable tag or label together with a description of the content and total weight, and all the information required for tags for individual skins, flanks and chalecos, as outlined in paragraphs c), d) and e);" The Secretariat received a request for clarification from a Party about the meaning of "other parts" and noted that the original proposal in document CoP9 Doc. 9.36 (Rev.)

Resolutions	Non-substantive error
	<p>clarified that it was “other parts <u>of skins</u>” which were being referred to, as follows: RECOMMENDS a) <i>the introduction of a universal tagging system for the identification of raw and processed crocodylian skins and parts thereof by the general application of non-reusable tags to identify all crocodylian skins entering international trade from the countries of origin;</i> b) <i>that whole or substantially whole skins and flanks be individually tagged and that “chalecos” have a tag attached to each side, and further that tails, throats, feet, backstrips and other parts be exported in transparent, sealed containers clearly marked with a tag together with a description of the content and weight,</i> The title and preamble of the Resolution support the notion that only skins (and parts thereof) are targeted by these measures.</p>
Resolution Conf. 12.3 (Rev. CoP17) on <i>Permits and certificates</i>	– In the French version, the footnote at the bottom of page 11 refers to the wrong notification. It should read 2012/047 instead of 2012/04.
Resolution Conf. 12.8 (Rev. CoP17) on <i>Review of Significant Trade in specimens of Appendix-II species</i>	– In the French and Spanish versions, the subparagraphs in paragraph 1 should be renumbered to align them with the English version. – In the Spanish version, translate “Stage 4” by “Fase 4”, instead of “Etapas 4”.
Resolution Conf. 16.5 on <i>Cooperation with the Global Strategy for Plant Conservation of the Convention on Biological Diversity (CBD)</i>	– In the Spanish version (title and text), the translation in Spanish of the “Global Strategy for Plant Conservation” should be aligned with the Spanish version used by CBD, i.e. “Estrategia mundial para la conservación de las especies vegetales” and not “Estrategia Global para la Conservación de las Plantas”.
Resolution Conf. 17.6 on <i>Prohibiting, preventing, detecting and countering corruption, which facilitates activities conducted in violation of the Convention</i>	– The current Spanish version of the title “Prohibición, prevención, detección y combate de las actividades realizadas en violación de la Convención que facilitan la corrupción” should be corrected as follows: “Prohibición, prevención, detección y combate de la corrupción, que facilita las actividades realizadas en violación de la Convención”.
Decisions	Non-substantive error
Decision 17.94 on <i>Combating wildlife cybercrime</i>	– The word “workshop” should be replaced by “working group”.
Decisions 17.160 and 17.161 on <i>Identification materials</i>	– In the French version, the title of these Decisions, currently “Manuel identification”, should be corrected as follows” “Matériels d’identification”. The same correction should be made in Decision 17.161
Decision 17.195 on <i>Agarwood-producing taxa (Aquilaria spp. and Gyrinops spp.)</i>	– In the text of the Decision, the cross-reference to the workshop should read “Decision 17.197” and not “Decision 17.195”.
Decision 17.198 on <i>Agarwood-producing taxa (Aquilaria spp. and Gyrinops spp.)</i>	– Decision 17.198 refers to “prior to the 18th meeting of the Conference of the Parties to CITES”, but this should read “at the 24th meeting of the Plants Committee” in order for the Plants Committee to comply with Decision 17.199.
Decision 17.204 on <i>Malagasy ebonies (Diospyros spp.) and palisanders and rosewoods (Dalbergia spp.)</i>	– In the French version, in paragraph c), the following text is missing: “and to strengthen the national capacity to formulate non-detriment findings,”.

Resolutions	Non-substantive error
Decision 17.219 on <i>Bread palms</i> (<i>Encephalartos spp.</i>)	<ul style="list-style-type: none"> – Delete “of specimens” in paragraph b) and c) as below: <li style="padding-left: 20px;">b) “notify the CITES Secretariat of seizures of specimens of <i>Encephalartos</i> species specimens” [...] <li style="padding-left: 20px;">c) “submit samples from specimens of <i>Encephalartos</i> species specimens confiscated”
Decision 17.247 on <i>Freshwater stingrays</i> (<i>Potamotrygonidae spp.</i>)	<ul style="list-style-type: none"> – “<i>Potamotrygon brachyuran</i>” should be corrected to read “<i>Potamotrygon brachyura</i>”.

3. The Secretariat notes that it has numbered the operative paragraphs of all valid Resolutions as instructed by the Standing Committee at its 66th meeting.
4. In the context of its general duties to invite the attention of the Parties to matters pertaining to the aims of the Convention and make recommendations for its implementation, the Secretariat is considering preparing proposals for revision of a number of Resolutions, for consideration at the 18th 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; and correspondence from Parties and organizations suggesting the need for corrections.
5. 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.

Resolutions	Reason
Resolution Conf. 4.6 (Rev. CoP17) on <i>Submission of draft resolutions, draft decisions and other documents for meetings of the Conference of the Parties</i>	<ul style="list-style-type: none"> – To consider standardizing the nomenclature of bodies to whom decisions are directed to enable easier electronic sorting list – To consider the creation of an overall decision on funding of decisions, in order to avoid repetition in many individual decisions. – To incorporate Decision 14.19 (Rev. CoP17) into the Resolution.
Resolution Conf. 4.25 (Rev. CoP14) on <i>Reservations</i>	<ul style="list-style-type: none"> – To clarify the date of entry into effect of the withdrawal of reservations made under Article XV 3 and the entry or withdrawal of reservations made under Article XVI. 2 (date of acting Party's correspondence, date of receipt by the Depository Government, date of notification by the Depository Government or date of receipt by other Parties) (see SC69 agenda item on Procedure for entering reservations with respect to the amendments to Appendices I and II)
Resolution Conf. 11.16 (Rev. CoP15) on <i>Ranching and trade in ranched specimens of species transferred from Appendix I to Appendix II</i> and Resolution Conf. 9.20 (Rev.) on <i>Guidelines for evaluating marine turtle ranching proposals submitted pursuant to Resolution Conf. 11.16 (Rev. CoP15)</i>	<ul style="list-style-type: none"> – To consider the merits of identifying the relevant parts of Resolution Conf. 11.16 (Rev. CoP15) and Resolution Conf. 9.20 (Rev.) and addressing them in a separate resolution, as recommended by the Animals Committee in document CoP16 Doc. 72 (Rev. 2).
Resolution Conf. 13.6 (Rev. CoP16) on <i>Implementation of Article VII, paragraph 2, concerning 'pre-Convention' specimens.</i>	<ul style="list-style-type: none"> – To clarify the treatment of specimens of species traded between the listing in the Appendices of that species by the Conference of the Parties and the coming into effect of the listing.

Resolutions	Reason
Resolution Conf. 14.3 on <i>CITES compliance procedures</i>	– In accordance with para. 30 of Annex 1 of the Resolution, a recommendation to suspend trade with a Party as compliance measure "is always specifically and explicitly based on the Convention and on any applicable Resolutions and Decision of the Conference of the Parties". As set out in paras. 38-39 of document CoP17 Doc. 23, the Resolutions referred to in this paragraph may need to be updated in accordance with the procedure set out in Resolution Conf. 4.6 (Rev. CoP17). For instance, it does not at present include Resolution Conf. 10.10 (Rev. CoP17) on <i>Trade in elephant specimens</i> .

6. 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 above Resolutions being considered for review.

Recommendation

7. The Secretariat invites the Standing Committee to:
- a) agree to the proposed corrections of the non-substantive errors outlined above in paragraph 2 above;
 - b) take note of the Secretariat's intention to propose revisions to certain Resolutions as indicated in paragraph 5 above; and
 - c) comment on any further consolidations or corrections that are needed.