

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

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Fifth Meeting of the Conference of the Parties

Buenos Aires (Argentina), 22 April to 3 May 1985

Interpretation and Implementation of the Convention

INTERPRETATION OF "THE TEXT OF THE PROPOSED AMENDMENT"

This document has been prepared and is submitted by the Secretariat.

1. Article XV, paragraph 1, of the Convention states, with regard to proposals to amend Appendices I and II to be considered at meetings of the Conference of the Parties that "the text of the proposed amendment shall be communicated to the Secretariat at least 150 days before the meeting". Paragraph 2, sub-paragraphs (b) and (c), of the same Article refer also to the text of the amendment proposal.
2. Without using the word "text", Resolution Conf. 3.15 on Ranching recommends that "any proposal for amendment of the appendices pursuant to this Resolution be received by the Secretariat at least 330 days before that meeting".
3. However, neither the Convention nor Resolution Conf. 3.15 state what is meant by the "text" of the proposals.
4. In the past, the Secretariat has accepted that this term refers only to the amendment itself (e.g. inclusion of such or such species in Appendix I), without the supporting statement required under Resolution Conf. 2.17 for ordinary amendments or Resolution Conf. 3.15 for ranching proposals. As a result, supporting statements have sometimes been sent to the Secretariat very late, too late sometimes to be translated before the meeting of the Conference of the Parties, or, in the case of ranching proposals, too late for the Secretariat to be able to follow the procedure required by Conf. 3.15.
5. Consequently, and in order to avoid in the future this kind of late submission which may cause serious problems for the Secretariat and the Conference of the Parties, as well as for the Party submitting an amendment proposal, the Secretariat requests that the Conference of the Parties agree that the term "the text of the proposed amendment" include the substantially complete supporting statement accompanying it.
6. By analogy, the Secretariat hopes that this principle may also be applied to draft resolutions and other documents for meetings of the Conference of the Parties the text of which, under Resolution Conf. 4.6, should be "communicated to the Secretariat at least 150 days before the meeting".

7. The Secretariat does not consider it necessary that this interpretation be subject to a resolution of the Conference of the Parties, and that it should be sufficient to record agreement on this interpretation in the proceedings of the fifth meeting.