

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

Eighth Meeting of the Conference of the Parties

Kyoto (Japan), 2 to 13 March 1992

Interpretation and Implementation of the Convention

REVIEW OF APPENDIX III

The attached draft resolution (Annex) has been prepared and submitted by the Netherlands.

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Review of Appendix III

RECALLING that Article XVI of the Convention provides Parties with the possibility to list species in Appendix III;

ACKNOWLEDGING that it is the right of each Party to decide which species are to be included in Appendix III;

RECOGNIZING that Resolution Conf. 5.22, adopted at the fifth meeting of the Conference of the Parties (Buenos Aires, 1985), recommended criteria for the inclusion of species in Appendix III;

RECOGNIZING that Resolution Conf. 7.15, adopted at the seventh meeting of the Conference of the Parties (Lausanne, 1989), encourages Parties to declare inclusions of species in Appendix III or withdrawals therefrom at meetings of the Conference of the Parties;

RECALLING that paragraph 3 of Article II of the Convention provides for the inclusion of species in Appendix III, only if a Party needs the co-operation of other Parties in the control of trade;

NOTING that Resolution Conf. 1.5, adopted at the first meeting of the Conference of the Parties (Berne, 1976), recommended in recommendation 5 that species should not be added to Appendix III when domestic legislation is adequate to protect such species;

CONSIDERING that Appendix III may contain several species which do not occur at all or which rarely occur in international trade and for which the Convention is therefore not effective;

CONSIDERING that Appendix III may contain several species which are not threatened by international trade in the region for which the species are included;

CONCERNED that the credibility of the Convention and its effectiveness are not enhanced by the inclusion in any appendix of species which are not in trade or not in any way considered as endangered or vulnerable as a consequence of international trade;

CONCERNED further that Parties may be less inclined to implement the Convention with regard to Appendix III adequately and to cope with the resulting administrative burden if they are not fully convinced of the effectiveness of Appendix III;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS

- a) that Parties in principle restrain themselves from adding species to Appendix III and, when they intend to submit species for inclusion in Appendix III, they consider carefully whether such inclusion can be effective for the conservation of such species in terms of the Convention;
- b) that, before submitting a species for inclusion in Appendix III, Parties request the advice of the Animals Committee or the Plants Committee, regarding the trade status and biological status of that species;
- c) that Parties seriously consider not submitting a species for inclusion in Appendix III when the advice under b) does not favour such inclusion;
- d) that Parties having included species in Appendix III carefully review such species and the necessity to maintain such species in that appendix; and

- e) that Parties seriously consider withdrawing species from Appendix III if their review, or the advice of the Animals Committee or the Plants Committee referred to below, support such withdrawal; and

DIRECTS the Animals Committee and the Plants Committee to review the effectiveness, for the purposes of the Convention, of the retention in Appendix III of each species listed therein, taking account of its trade and biological status, and to advise the Parties concerned of the results of this review before the next meeting of the Conference of the Parties.