

Interpretation and Implementation of the Convention

ESTABLISHMENT OF A LIST OF THE OTHER DECISIONS OF THE CONFERENCE OF THE PARTIES

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| <p>1. As is explained in document Doc. 9.19, as a result of its review of the Resolutions of the Conference of the Parties, the Standing Committee has recommended the establishment of an additional record of decisions of the Conference of the Parties. There are two reasons for this:</p> <p>a) to ensure that the Resolutions, as the 'soft law' of CITES, do not become cluttered with instructions or with recommendations that can be implemented by a single action and will then be out of date; and</p> <p>b) to ensure that decisions that are made by the Conference but not included in Resolutions are readily accessible.</p> <p>2. It is proposed that the list of 'other decisions' should contain instructions or requests to Committees, Working Groups or the Secretariat, unless they are part of a long-term procedure, and recommendations (or other forms of decision) that will be implemented soon after their adoption and will then be obsolete. As far as possible, the list of other decisions would be sorted according to the body to which they are directed. The list would be updated after each meeting of the Conference of the Parties and the revised list would be sent to the Parties.</p> <p>3. If the Conference agrees to the recommendations of the Standing Committee recorded in document Doc. 9.19, the Secretariat will compile a list of all the decisions made by the Conference of the Parties that have been recorded in the published proceedings of the meetings of the Conference and that remain current.</p> <p>4. To provide for the Parties an indication of what such a list would look like, the Secretariat has prepared a list of the decisions made during the seventh and eighth meetings of the Conference of the Parties that remain current.</p> | <p>This list forms the Annex to the present document. The Secretariat has taken the opportunity to update the decisions only to take account of events since their adoption.</p> <p>5. The Secretariat believes that the current Resolutions contain certain decisions that would best be recorded in the new list of 'other decisions' if the Conference agrees to the establishment of this list. These will be identified in the course of the consolidation of current Resolutions. The Secretariat has already identified certain decisions of this type in Resolutions that will be repealed if the draft consolidated Resolutions in document Doc. 9.19.2 are adopted. These are also contained in the attached list.</p> <p>6. In the Annex, it should be noted that the term "directs", to indicate an instruction to a committee or to the Secretariat, has been used only to simplify the presentation, in place of "requests" or "instructs". The decisions that have been made are recorded on the left and the place where the existing record of the decision can be found is recorded on the right. In the case of decisions already recorded in Resolutions, proposed amendments appear in italics. In these cases, as in a number of others, the words have been reformulated for clarification or because otherwise they would be taken out of context or because they were not originally recorded in a format that could simply be copied in the Annex.</p> <p>7. The Secretariat has, in general, excluded from the Annex any decision that is no longer current and any considered as unnecessary because its effect has already been incorporated into a Resolution. However, the Secretariat invites the Conference of the Parties to withdraw from the Annex any decisions that it considers to be out of date or redundant.</p> |
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Doc. 9.20 Annex

OTHER DECISIONS OF THE CONFERENCE OF THE PARTIES

Decisions Directed to the Parties

The Conference of the Parties recommends that:

Regarding issuance of permits

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| <p>1. the Parties should not issue permits for pre-Convention stocks, except for export to countries having become Parties to the Convention after the date of entry into force of the Convention in the issuing country or for export to non-party States;</p> | <p>Plen. 7.6 (Rev.),
Doc. 7.20</p> |
| <p>2. the Parties should verify the origin and the species of specimens for which they issue export permits, in order to avoid permits being issued for specimens of Appendix-I species when the transaction is for primarily commercial purposes and no import permit has been previously issued;</p> | <p>Plen. 7.6 (Rev.).
Doc. 7.20</p> |
| <p>3. the Parties should be particularly vigilant regarding the issuance of documents for very valuable specimens and specimens of species included in Appendix I;</p> | <p>Plen. 7.6 (Rev.),
Doc. 7.20</p> |
| <p>4. to avoid abusive or fraudulent use, the Parties should not use forms for their internal-trade certificates that are identical to CITES forms;</p> | <p>Plen. 7.6 (Rev.),
Doc. 7.20</p> |

Regarding acceptance of permits

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| <p>5. the Parties should check with the Secretariat when they have doubts about the validity of permits accompanying suspect shipments;</p> | <p>Plen. 7.6 (Rev.),
Doc. 7.20</p> |
| <p>6. the Parties should ask for the Secretariat's advice before accepting the import of live specimens of Appendix-I species declared as bred in captivity;</p> | <p>Plen. 7.6 (Rev.),
Doc. 7.20</p> |

Regarding trade in plants

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| 7. the Parties should carefully check material in trade in order to improve enforcement and in particular check plants declared to have been artificially propagated, both on import and on export; | Plen. 7.6 (Rev.),
Doc. 7.20,
Plen. 8.8 (Rev.),
Doc. 8.31 |
| 8. Management Authorities should supply to the CITES Secretariat information on nurseries involved in the export of CITES-listed plants, in order to facilitate implementation of CITES for plants; | Plen. 8.8 (Rev.),
Doc. 8.31 |

Regarding illegal trade

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| 9. when a Party is presented with a false document, it should do everything in its power to find out where the specimens are and where the false document originated; | Plen. 7.6 (Rev.),
Doc. 7.20 |
| 10. when a Party is informed by the Secretariat of the fraudulent use of documents issued by that Party, it should carry out an inquiry to identify the instigators of the crime, calling on Interpol where necessary; | Plen. 7.6 (Rev.),
Doc. 7.20 |
| 11. when specimens are seized, the Parties concerned should do all they can to identify and convict those responsible; | Plen. 7.7 (Rev.),
Doc. 7.20 |

Regarding annual reports

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| 12. those Parties failing to submit annual reports regularly should make greater efforts to comply with this requirement and should inform the Secretariat urgently if the situation can be remedied through the provision of technical assistance; | Plen. 7.5,
Com.II 7.1 (Rev.),
Doc. 7.19 |
| 13. Parties submitting their reports late should identify the main causes of this shortcoming and take urgent steps to remedy the situation; | Plen. 7.5,
Com.II 7.1 (Rev.),
Doc. 7.19 |
| 14. Parties that do not report the plant trade at all should be encouraged to do so through the provision of technical and financial assistance to set up reporting systems; | Plen. 8.8 (Rev.)
Doc. 8.31 |

Regarding communication

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| 15. the Parties should carefully check the telexes and faxes they receive to confirm the validity of permits; they should ensure that the information that appears on the telexes and faxes, including the numbers, corresponds to that in the CITES Directory. | Plen. 7.6 (Rev.),
Doc. 7.20 |
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Decisions Directed to the Standing Committee

The Conference of the Parties directs the Standing Committee:

Regarding rhinoceroses

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| 1. to consider further the best approach for CITES to their conservation. | Plen. 8.10 |
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Decisions Directed to the Animals Committee

The Conference of the Parties directs the Animals Committee:

Regarding the return to the wild of confiscated live animals

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| 1. to prepare a new draft resolution for consideration at the ninth meeting of the Conference of the Parties; | Plen. 8.8 (Rev.) |
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Regarding evaluation of marine turtle ranching proposals

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| 2. to continue to develop guidelines, using the action plan being prepared by IUCN as a background document; | Plen. 8.9 (Rev.) |
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Regarding significant trade in Appendix-II species

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| 3. to implement the following mechanism for continuous review of levels of trade in Appendix-II animal species: | Plen. 8.8 (Rev.)
Doc. 8.30 |
| a) Using the new software developed at WCMC, total net trade in each species listed in Appendix II will be calculated each year. Subsets of this information will be provided to Scientific Authorities and IUCN specialist groups on request. | |
| b) WCMC will calculate mean annual net trade for each species in Appendix II and tabulate these data with the data from previous years. These will be supplied to the Secretariat for distribution to the Parties. Copies of the data will be supplied to the TRAFFIC network and to the IUCN/SSC specialist groups. | |
| c) Comments from the Parties, IUCN/SSC and TRAFFIC will be compiled by WCMC and IUCN/SSC to produce a draft list of significant trade species, taking into account information from previous reviews, IUCN/SSC Action Plans, and other readily available sources. | |
| d) A draft Significant Trade list will be reviewed by the Animals Committee, IUCN and TRAFFIC to select species in need of immediate action or further reviews. | |
| e) Recommendations for immediate remedial measures will be passed on by the Secretariat to the Parties or developed into field projects by IUCN. | |

- f) WCMC will compile significant trade information sheets on species subject to more detailed review.
- g) The draft sheets will be reviewed by the range States, the Animals Committee, TRAFFIC and IUCN/SSC, and the comments incorporated by WCMC. Recommendations for action will be passed on by the Secretariat to the Parties.
- h) The final information sheets will be supplied to Parties in a loose-leaf format to supplement the results from previous studies.

The proposed cycle (steps b-h) is envisaged to require two years' work and be synchronised with the meetings of the Conference of the Parties to CITES. Reviews by the Animals Committee (steps d and g) are expected to be conducted at its annual meetings. Recommendations for immediate action (steps e and g) are likely to be produced at more frequent intervals.

Decisions Directed to the Plants Committee

The Conference of the Parties directs the Plants Committee:

Regarding data on trade

- 1. to prepare and circulate on a regular basis, at intervals corresponding to the meetings of the Conference of the Parties, information on levels of trade, based on annual reports and other data; compile data on annual levels of trade in each taxon for the current and previous five years, with information on levels of trade in propagated specimens also reported; prepare an overview document; Plen. 8.8 (Rev.),
Doc. 8.31
- 2. to make available for review by the IUCN/SSC plant specialist groups the information already compiled on levels of trade in particular plant groups; consider review of the data on a routine basis; as far as possible, correlate the trade data with conservation status information for expert review. Plen. 8.8 (Rev.),
Doc. 8.31

Decisions Directed to the Nomenclature Committee

Regarding work in the period 1993 to 1995

The Conference of the Parties agrees to the following work plan for the Nomenclature Committee for the period 1993-1995: Plen. 8.3 (Rev.)
Doc. 8.15

- a) Review mechanisms for publishing and/or circulating the revised lists of mammals and amphibians on computer disc. Make updated lists available to the Parties.
- b) Begin work on the compilation of the lizard checklist; enter information from available systematic monographs and major reviews into the computer.
- c) Examine the feasibility of preparing a consolidated "short" version of the checklists, carrying only the names of the species and higher taxonomy. If it proves appropriate prepare such lists and circulate them to the Management Authorities of the Parties.
- d) Continue management and updating of the extant checklists by the consulting co-ordinator under the supervision of the Chairman.
- e) If determined to be necessary, prepare a new checklist of turtles and crocodylians in consultation with the checklist committee of the Herpetologists' League.
- f) Continue the review of the nomenclatural status of taxa listed prior to 1977.

Decisions Directed to the Secretariat

The Conference of the Parties directs the Secretariat:

Regarding the text of the Convention

- 1. to take note of the following proposals, which should be put on the agenda of the *next* extraordinary meeting of the Conference of the Parties, whenever this may be convened, as amendments to the Convention: Conf. 1.5,
para. 14
 - a) the provisions of Article XVI, regarding the listing of Appendix-III parts and derivatives, should be brought into line with Convention procedures for Appendices I and II (Article XV);
 - b) paragraph 5 of Article XIV should read: "Notwithstanding the provisions of Article IV, any export of a specimen" etc.;
 - c) paragraphs 3(b) and 5(b) of Article III should include "either a Management Authority of a Scientific Authority of the State" etc.;
 - d) correction of errors of an orthographical nature discovered in the text of the Convention;

Regarding the trade in plants

- 2. to notify the Parties *when any Party confirms that it issues phytosanitary certificates for export of artificially propagated plants of Appendix-II species;* Conf. 4.16
under DIRECTS

3. to notify the Parties *when any Party confirms that it has adopted a system of registering traders of artificially propagated plants of species in Appendix I, II or III in accordance with Resolution Conf. 5.15* [or the consolidated Resolution on trade in plants, if that is adopted]; Conf. 5.15 under DIRECTS
4. to compile information provided by the Parties on nurseries involved in the CITES export trade in the major source countries and publish a directory of this information; Plen. 8.8 (Rev.), Doc. 8.31
5. to make arrangements for the following activities: Plen. 8.8 (Rev.), Doc. 8.31
- a) a field survey of the conservation status of *Notocactus* (*Parodia* subgenus *Notocactus*) should be commissioned;
- b) a survey of the genus *Ferocactus* in trade should be carried out, drawing together information from the range States, i.e. Mexico and the United States of America and the major importing countries of Europe and Japan;
- c) a review of trade in *Dendrobium* should be carried out; preparation of a checklist of species names with distributions and conservation categories should have high priority;
- d) a survey of the trade in *Pleione* would be of interest; nursery inspections in China (including Taiwan) and Japan would be desirable; at the same time other aspects of the trade in temperate orchids could be investigated;
- e) information should be sought on the impact of commercial collection on wild populations of *Cypripedium*; levels of propagation in Europe, the United States of America and Japan should be clarified;
- f) a review of the levels of trade in Appendix-I cycads in the family Zamiaceae, i.e. the genera *Ceratozamia*, *Encephalartos* and *Microcycas*, should be carried out;
- g) a review of the value of the current listings of Cyatheaceae and Dicksoniaceae in Appendix II of CITES, in order to establish whether the method in which trade is currently reported is useful; in particular the units used for reporting trade in tree fern products should be considered with a view to standardization;
- h) an investigation of the international trade in aloe products should be carried out including an assessment of the impact on wild populations and methods of improving trade controls;
- i) an investigation of the international trade in salep should be carried out;
- Regarding permits and certificates
6. to give to the those Parties that request it practical support in the printing of permits and certificates with adequate security guarantees; Conf. 8.5 under REQUESTS a)
7. when external funding is available, to have permit and certificate forms printed on security paper for those Parties requesting it; Conf. 8.5 under REQUESTS b)
- Regarding competent authorities of non-party States
8. to *maintain*, and to communicate at regular intervals to the Parties, an updated list of competent authorities and scientific institutions containing only those authorities and institutions details of which were communicated by the State concerned less than two years previously; Conf. 8.8 under DIRECTS b)
- Regarding the validity of re-export certificates
9. always to advocate rejection of shipments containing illegally traded specimens, regardless of whether genuine re-export documents have been issued; Plen. 7.5
- Regarding annual reports
10. to investigate reasons for the failures and shortcomings in the production of annual reports and identify solutions to these problems; Plen. 7.5, Com.II 7.1 (Rev.), Doc. 7.19
- Regarding significant trade in Appendix-II species
11. to contract IUCN to co-ordinate, in collaboration with the World Conservation Monitoring Centre, the conduct of the field studies required for Appendix-II species identified by the Animals Committee as being subject to significant levels of trade, and to raise the funds necessary for such studies; Plen. 7.5, Com.I 7.3, Doc. 7.31
- Regarding information on species
12. to assemble into a readily accessible database, linked to the WCMC trade database, information on the distribution and conservation status of heavily traded Appendix-II plants. Plen. 8.8 (Rev.), Doc. 8.31