

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

Eleventh meeting of the Conference of the Parties
Gigiri (Kenya), 10-20 April 2000

1. This document, based on document Doc. 11.13, contains the following Annexes:

- Annex 1: draft resolution on Permanent Committees (cf. document Doc. 11.13, Annex 2, amendments proposed by Committee II in bold);
- Annex 2: draft decisions of the Conference of the Parties (cf document Doc. 11.13, Annex 3; no amendments proposed by Committee II); and
- Annex 3: draft resolution on the Identification Manual (cf document Doc. 11.13, Annex 4; amendments proposed by Committee II in bold).
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Annex 1

Establishment of Committees

RECALLING Resolutions Conf. 6.1 and Conf. 7 adopted by the Conference of the Parties at its sixth and seventh) meetings (Ottawa, 1987; Lausanne 1989), and Resolution Conf. 9.1, adopted at the ninth meeting (Fort Lauderdale, 1994) and amended at the 10th meeting (Harare, 1997) relating to the establishment of Committees;

RECOGNIZING that Rules of Procedure common to all Committees are an essential requirement for formal meetings;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

AGREES to formalize a system for the appointment of committees of the Conference of the Parties and to establish procedures to be followed when committees are created;

RESOLVES that:

- a) there shall be a permanent Standing Committee of the Conference of the Parties, which shall be the senior Committee, and shall report to the Conference of the Parties;
- b) there shall be an Animals Committee, a Plants Committee and a Nomenclature Committee, which shall report to the Conference of the Parties at its meetings and, if so requested, to the Standing Committee between meetings of the Conference of the Parties;
- c) the Conference of the Parties may appoint additional committees as the need arises;
- d) the Conference of the Parties or the Standing Committee may appoint working groups with specific Terms of Reference as required to address specific problems. These working groups shall have a defined life span which shall not exceed the period until the next meeting of the Conference of the Parties, at which time it may be renewed if necessary. They shall report to the Conference of the Parties and, if so requested, to the Standing Committee;

- e) the Rules of Procedure to be adopted by the Standing Committee shall apply to other Committees as far as is practicable;
- f) regional representatives shall be elected by the Conference of the Parties as members of the Standing Committee;
- g) to the extent possible, the Secretariat shall make provision for the payment, if requested, of reasonable and justifiable travel expenses of members of the Standing Committee, the Animals Committee and the Plants Committee;
- h) all Committees established by the Conference of the Parties shall be listed in Annexes to this Resolution; and
- i) the Secretariat shall, upon request by a Committee Chairman, provide secretarial services when such services can be met within the approved budget of the Secretariat; and

REPEALS Resolution Conf. 9.1. (Rev.) (Fort Lauderdale, 1994; amended Harare, 1997) – Establishment of Committees.

Annex 1 Establishment of the Standing Committee of the Conference of the Parties

CONSIDERING the important role that the Standing Committee plays in steering the work and performance of the Convention in the periods between the meetings of the Conference of the Parties;

CONSIDERING the number of wildlife trade problems that occur between the South and the North, and the significant influence of the Standing Committee in deciding the status of the affected species listed in the appendices;

CONSIDERING that skewed representation on the Standing Committee could cause unfair assessment in deciding issues of great concern to producer States;

CONSIDERING the importance of ensuring that representation of regions in the Convention clearly reflects the participation of the Parties covered by each region;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RESOLVES to re-establish the Standing Committee of the Conference of the Parties, with the following terms of reference:

within the policy agreed to by the Conference of the Parties, the Standing Committee shall:

- a) provide general policy and general operational direction to the Secretariat concerning the implementation of the Convention;
- b) provide guidance and advice to the Secretariat on the preparation of agendas and other requirements of meetings, and on any other matters brought to it by the Secretariat in the exercise of its function;
- c) oversee, on behalf of the Parties, the development and execution of the Secretariat's budget as derived from the Trust Fund and other sources, and also all aspects of fund raising undertaken by the Secretariat in order to carry out specific functions authorized by the Conference of the Parties, and to oversee expenditures of such fund-raising activities;
- d) provide co-ordination and advice as required to other Committees and provide direction and co-ordination of working groups established by either itself or the Conference of the Parties;
- e) carry out, between one meeting of the Conference of the Parties and the next, such interim activities on behalf of the Conference as may be necessary;
- f) draft resolutions for consideration by the Conference of the Parties;

- g) report to the Conference of the Parties on the activities it has carried out between meetings of the Conference;
- h) act as the Bureau at meetings of the Conference of the Parties, until such time as the Rules of Procedure are adopted;
- i) perform any other functions as may be entrusted to it by the Conference of the Parties;

DETERMINES:

- a) the following principles for the composition of the Standing Committee:
 - i) the membership of the Standing Committee shall consist of:
 - A. a Party or Parties elected from each of the six major geographic regions consisting of Africa, Asia, Europe, North America, South and Central America and the Caribbean, and Oceania, according to the following criteria:
 - a) one representative for regions with up to 15 Parties;
 - b) two representatives for regions with 16 to 30 Parties;
 - c) three representatives for regions **with 31 to 45 Parties; or**
 - d) **four representatives for regions with more than 45 Parties;**
 - B. the Depositary Government;
 - C. the previous host Party and the next host Party; and
 - D. each Party elected as an alternate member for a member described in paragraph A, to be represented at meetings as a regional member only in the absence of a representative of the member for which it is the alternate; and
 - ii) the membership of the Committee shall be reviewed at every regular meeting of the Conference of the Parties. The terms of office of the regional members shall commence at the close of the regular meeting at which they are elected and shall expire at the close of the second regular meeting thereafter;
- b) that the Standing Committee shall adhere to the following procedures:
 - i) all Committee members may participate in Committee business but only the regional members or alternate regional members shall have the right to vote except in the case of a tie vote, when the Depositary Government shall have the right to vote to break the tie;
 - ii) the Chairman, Vice-Chairman and any other necessary executive officers shall be elected by and from the regional members;
 - iii) if an extraordinary meeting of the Conference of the Parties is held between two regular meetings, the host Party of that meeting shall participate in the work of the Committee on matters related to the organization of the meeting;
 - iv) Parties not members of the Committee shall be entitled to be represented at meetings of the Committee by an observer who shall have the right to participate but not to vote;
 - v) the Chairman may invite any person or representative of any other country or organization to participate in meetings of the Committee as an observer without the right to vote; and
 - vi) the Secretariat shall inform all Parties of the time and venue of Standing Committee meetings; and
- c) the following principles for the payment of travel expenses to members of the Standing Committee:
 - i) the Secretariat shall make provisions in its budget for the payments, if requested, of reasonable and justifiable travel expenses of one person representing each regional member, to attend one Standing Committee meeting per calendar year;

- ii) members should make every effort to pay their own travel expenses;
- iii) the Chairman of the Standing Committee may be refunded for all reasonable and justifiable travel expenses for travel undertaken on behalf of the Conference of the Parties, the Standing Committee, or the Secretariat; and
- iv) travel arrangements for sponsored regional members will be made by the Secretariat in accordance with the Rules and Regulations of the United Nations and, where applicable, claims for refunds must be supported by receipts, and be submitted to the Secretariat within thirty days from the completion of the travel.

Annex 2

Establishment of the Animals and Plants Committees of the Conference of the Parties

REALIZING the many problems faced by the Conference of the Parties and individual Parties concerning the lack of biological data and expert knowledge of animal and plant trade and management;

RECOGNIZING that an effective method of evaluating whether a species is appropriately listed in the CITES appendices requires a periodic review of its biological and trade status;

RECOGNIZING the need to identify those Appendix-II species that are subject to levels of significant international trade and for which scientific information on the capacity of the species to withstand such levels of trade is insufficient to satisfy the requirements of Article IV, paragraph 3, of the Convention;

RECOGNIZING that the bulk of the world's biodiversity occurs in Africa, South and Central America and Asia, and also that the majority of animal and plant species listed in the appendices of the Convention are from these regions;

AWARE that there are only three Parties in the North American region, but more than 40 in Africa, more than 25 in South and Central America and the Caribbean, and more than 20 in Asia, which, in addition, stretches from Israel in the West to Japan in the East;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RESOLVES to re-establish the Animals and Plants Committees of the Conference of the Parties, with the following terms of reference:

within the policy agreed to by the Conference of the Parties, the Animals and Plants Committees shall:

- a) provide advice and guidance to the Conference of the Parties, the other Committees, working groups and the Secretariat, on all aspects relevant to international trade in plant species included in the appendices, which may include proposals to amend the appendices;
- b) assist the Nomenclature Committee in the development and maintenance of a standardized list of species names;
- c) assist the Secretariat with the implementation of the Resolution on the Identification Manual and Decisions related to it and, upon request of the Secretariat, review proposals to amend the appendices with regard to possible identification problems;
- d) co-operate with the Secretariat on the implementation of its programme of work to assist Scientific Authorities;
- e) develop regional directories that list the botanists and zoologists in each region who are experts in CITES-listed species;
- f) establish a list of those taxa included in Appendix II that are considered as being significantly affected by trade, and review and assess all available biological and trade information including comments by the range States on these taxa to:

- i) exclude all species for which there is adequate information to conclude that trade is not having a significant detrimental effect on their populations;
 - ii) formulate recommendations for remedial measures for those species for which trade is believed to be having a detrimental effect; and
 - iii) establish priorities for projects to collect information for those species for which there is insufficient information available on which to base a judgement as to whether the level of trade is detrimental;
- g) assess information on those species for which there is evidence of a change in the volume of trade or for which specific information is available to indicate the necessity for review;
- h) undertake a periodic review of animal **or plant** species included in the CITES appendices by:
- i) establishing a schedule for reviewing the biological and trade status of these species;
 - ii) identifying problems or potential problems concerning the biological status of species being traded;
 - iii) **consulting** the Parties on the need to review specific species, **working directly with the range States in the selection process**, and **seeking their assistance** in such reviews; and
 - iv) preparing and submitting amendment proposals resulting from the review, through the Depository Government, for consideration by the meetings of the Conference of the Parties;
- i) make available advice on management techniques and procedures for range States requesting such assistance;
- j) draft resolutions on matters related to animals or plants, for consideration by the Conference of the Parties;
- k) perform any other functions that may be entrusted to them by the Conference of the Parties or the Standing Committee; and
- l) report to the Conference of the Parties and, if so requested, to the Standing Committee, on the activities they have carried out or supervised between meetings of the Conference;

RESOLVES further that the Animals Committee shall also deal with issues related to the transport of live animals;

DETERMINES that:

- a) the membership of the Animals and Plants Committees shall consist of:
- i) a person chosen by each of the major geographic regions consisting of North America and Oceania;
 - ii) two persons chosen by each of the major geographic regions consisting of Africa, Asia, Europe and South and Central America and the Caribbean;
 - iii) each person chosen as an alternate member for a member described in sub-paragraph i) or ii), to be represented at meetings as a regional member only in the absence of a representative of the member for which it is the alternate; and
 - iv) the membership of the Committee shall be reviewed at every regular meeting of the Conference of the Parties. The terms of office of the regional members shall commence at the close of the regular meeting at which they are elected and shall expire at the close of the second regular meeting thereafter;
- b) any Party shall be entitled to be represented at meetings of the Committee **as an observer**;
- c) a Chairman and a Vice-Chairman shall be elected by the Committee; and

- d) the Chairman may invite any person or representative of any other country or organization to **participate in** meetings of the Committee **as an** observer;
- 1) DETERMINES further the following principles for the payment of travel expenses to regional members of the Plants or Animals Committee:
- a) the Secretariat shall make provisions in its budget for the payments, if requested, of reasonable and justifiable travel expenses of regional members, to attend one Committee meeting per calendar year;
- b) members should make every effort to pay their own travel expenses; and
- c) travel arrangements for sponsored regional members will be made by the Secretariat in accordance with the Rules and Regulations of the United Nations and, where applicable, claims for refunds must be supported by receipts, and be submitted to the Secretariat within thirty days from the completion of the travel; and

DIRECTS the Secretariat, to the extent possible, to provide funding from outside sources for the production costs of publications prepared by the Committees.

Annex 3

Establishment of the Nomenclature Committee of the Conference of the Parties

RECOGNIZING that biological nomenclature of species may differ from country to country;

NOTING that such biological nomenclature is not static;

RECOGNIZING that the nomenclature used in the appendices to the Convention will be most useful to the Parties if standardized;

RECALLING that Recommendation Conf. S.S. 1.7 adopted at the special working session of the Conference of the Parties (Geneva, 1977) recognized the need for the standardization of the nomenclature used in the appendices;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RESOLVES:

- a) to re-establish the Nomenclature Committee of the Conference of the Parties, with the following terms of reference:

within the policy agreed to by the Conference of the Parties, the Nomenclature Committee shall:

- i) cause standardized nomenclatural references for animal and plant taxa, to the level of subspecies or botanical variety and including synonyms, to be prepared, or propose for adoption existing nomenclatural references, as appropriate, for all species listed in the appendices to the Convention;
- ii) upon its acceptance of a new or updated reference (or part thereof) for a given taxon, present this to the Conference of the Parties for adoption as the standard reference for that taxon;
- iii) ensure that the highest priorities in developing the standard reference lists of plant names and synonyms be:
- A. species names of plants **and animals** listed at the species level in the appendices;
- B. generic names of plants **and animals** listed at the genus or family level in the appendices; and
- C. family names of plants **and animals** listed at the family level in the appendices;

- iv) review the existing appendices with regard to the correct use of zoological and botanical nomenclature;
 - v) upon request from the Secretariat, review proposals to amend the appendices to ensure that correct names for the species and other taxa in question are used;
 - vi) ensure that changes in nomenclature recommended by a Party do not alter the scope of protection of the taxon concerned; and
 - vii) make recommendations on nomenclature to the Conference of the Parties, other Committees, working groups and the Secretariat;
- b) that the Nomenclature Committee shall comprise two individuals appointed by the Conference of the Parties; one zoologist to address nomenclatural issues for animal taxa and **one botanist** for plant taxa; **and**
 - c) **these two scientists shall co-ordinate and monitor the input needed from specialists in fulfilling the responsibilities assigned by the Parties, inform the Standing, Animals and Plants at each meeting about the progress made, and report to each meeting of the Conference of the Parties; and**

DIRECTS the Secretariat, to the extent possible, to provide funding from outside sources to cover the production costs of publications prepared by the Committee.

Annex 2

Draft decisions of the Conference of the Parties

Directed to the Parties

Regarding regional representation

The following guidelines should be implemented:

A. Selection of regional members and alternate regional members

- a) The membership of the Standing Committee is determined in [Resolution Conf. 9.1 (Rev.) Annex 1]. In the selection of regional members and alternate regional members, the following considerations should be taken into account:
 - i) for regions with one member and one alternate member (North America and Oceania), a rotation in the selection is recommended; and
 - ii) for regions with two members and two alternate members (Asia and Central and South America and the Caribbean) or with three members and three alternate members (Africa and Europe), the selection should try to achieve a balanced representation (geopolitical, cultural, ecological).
- b) The regional candidatures should be officially submitted by the interested Parties through a governmental channel, at the latest 120 days before a meeting of the Conference of the Parties. These candidatures should be communicated to all the Parties of the region through the Secretariat.
- c) If more candidatures are submitted than there are positions available for any region, a vote should take place in a session of the Parties of that region to be held during the meeting of the Conference of the Parties. To be elected, a candidate should obtain an absolute majority (i.e. more than half the votes). Only the Parties duly accredited by the Conference should have the right to vote. The election should take place during the second week of the meeting.
- d) The election of a member and of his/her alternate should take place at the end of the term of office of their predecessors, in accordance with the above-mentioned procedure, through successive votes during a single process.

B. Timing of replacement of members and alternate members

In accordance with [Resolution Conf. 9.1 (Rev.) Annex 1], the terms of office of the regional members shall commence at the close of the regular meeting at which they are elected and shall expire at the close of the second regular meeting thereafter. The Resolution does not refer to alternate members but it may be assumed that the same rule applies. It is followed in the paragraphs below:

- a) for regions with one member and one alternate member, the selection may be conducted as it has been so far, taking into account however the recommendation made in paragraph A a)i); and
- b) for regions with more than one member and one alternate member, to guarantee some continuity, not all members and alternate members should be changed at the same meeting.

Regarding regional sessions at meetings of the Conference of the Parties

- a) The regional sessions have an official character and should have an agenda, and proceedings should be prepared concerning the proposals and agreements dealt with.
- b) The chairman of each regional session should be the representative of a regional member of the Standing Committee.
- c) Each region has specific tasks to fulfil, as follows:
 - i) selection, if appropriate, of members and alternate members of the Standing Committee which are Parties;
 - ii) selection of the members and alternate members of the Animals and Plants Committees. In accordance with Resolution Conf. 9.1 (Rev.) Annexes 2 and 3, the members and alternate members of the Animals and Plants Committees are persons. Although this is not indicated in the Resolution, the persons to be chosen should be experts in animals or plants in general and of the region they are representing in particular. Decision 10.4 provides information on the timing of replacement that could help the regions to make their decisions;
 - iii) the regions with more than one member should decide the way the representation should be exercised until the next meeting of the Conference. This should be reviewed at each meeting; and
 - iv) other tasks depending to a large extent on the agenda of the meeting of the Conference of the Parties. The regional representatives, perhaps with the help of their alternates, should establish the agenda of the session before the session. This agenda should cover the points mentioned in subparagraphs a) and b) and provide for discussion of the main items of the agenda of the meeting to be considered by the Conference of the Parties, at plenary sessions or at sessions of Committees I and II, in particular those of special interest to the region concerned.

Regarding regional representation in the Animals and Plants Committees

The following guidelines should be implemented:

A. Election of the candidates

- a) The proposals for candidates as representatives should be supported by the relevant governments in order to ensure as far as possible that they will obtain the necessary means to undertake their activities.
- b) The names of the proposed candidates, and their *curricula vitae*, should be circulated to the Parties of the region concerned at least 120 days before the meeting of the Conference of the Parties at which the representatives will be elected.
- c) Ideally the candidates should be associated with a Scientific Authority, have adequate knowledge of CITES and receive sufficient institutional support to carry out their duties. This information should also be included in the *curricula vitae*.

- d) As long as the regional representatives are persons, a Party shall not be accepted as a proposed candidate, subject to a later identification of the person concerned by the Party.

B. Timing of replacement of members and alternate members

- a) If the same procedure as that for the Standing Committee is applied, the present members and alternate members should be replaced as follows:
 - i) for regions with one member and one alternate member, the selection should be conducted as it has been so far for the Standing Committee, taking into account however that a rotation in the selection is recommended; and
 - ii) for regions with two members and two alternate members, to guarantee some continuation, the two members should not be changed at the same meeting.
- b) As alternate members are alternates of specified members, they should be elected at the same time as the members.
- c) If a region wishes to re-elect a member or alternate member, there is nothing to prevent it from doing so.

Directed to the Standing Committee

Regarding duties of the regional representatives

- a) Regional representatives should maintain a fluid and permanent communication with the Parties of their region and the Secretariat.
- b) Before the meetings of the Standing Committee, the representatives should communicate to the Parties of their region the items on the agenda, to request their opinions, preferably on matters specifically relevant to the countries or the region. They should also inform them of the results of the meeting. At least two regional meetings should take place between meetings of the Conference of the Parties, one of which should be specifically to deal with proposals to be submitted to the Conference at its next meeting. The regional representatives should convene these meetings.
- c) The regional representatives should report in detail on their activities, initiatives and achievements at the regional sessions that are taking place during meetings of the Conference of the Parties. The Parties may make comments on these reports, which should be included in the proceedings.

Directed to the Animals and Plants Committees

Regarding duties of members of the Committee and their alternates

- a) Each member should collaborate with his/her alternate regarding the work to be done between the meetings of the Animals or Plants Committee.
- b) Each member should maintain a fluid and regular communication with the Parties in his/her region.
- c) When a region has more than one representative, the Parties should also agree which Parties each represents. Contact persons should be identified in those countries. Also non-Parties in the region should be identified.
- d) Each member should increase the awareness of the existence of the Animals and Plants Committees, its mandate and the issues of concern to his/her region.
- e) Before the meetings of the Animals or Plants Committee, the members should inform the Parties in their regions about the items on the agenda and request their opinions on these, in particular on matters specifically relevant to the countries of the region.
- f) The members should submit a written annual report to each meeting of its Committee.
- g) The members should inform the Parties in their regions of the results of each meeting of the Animals or Plants Committee.

- h) The members must inform the alternates well in advance if they will not attend a forthcoming Committee meeting.
- i) A regional meeting should take place between meetings of the Animals or Plants Committee, subject to the availability of funds. The members should convene these meetings.
- j) The organization of subregional meetings should be considered in large regions where it is difficult to bring all Parties together.
- k) The members should provide all relevant information on the activities in the region to their successors.

Directed to the Secretariat

Regarding publicity materials

In view of the need for publicity materials for plant and animal species included in the appendices, the Secretariat shall:

- a) develop a programme of work for the preparation of these materials;
- b) prepare a budget estimate for this programme of work;
- c) submit the programme and budget estimate to the Standing Committee at its first ordinary meeting after the eleventh meeting of the Conference of the Parties;
- d) carry out the work as directed by the Standing Committee; and
- e) report to the next meeting of the Conference of the Parties.

Annex 3

Draft resolution of the Conference of the Parties

Identification Manual

NOTING that the Identification Manual Committee was first established in 1977, and was one of the first committees serving the Parties to the Convention;

GRATEFUL to all persons who have served this Committee for the work they have done to develop the Identification Manual;

NOTING also that also that between the sixth (Ottawa, 1987) and the tenth (Harare, 1997) meetings of the Conference of the Parties the Committee has been without Chairman and membership;

NOTING further that following the tenth meeting of the Conference of the Parties (Harare, 1997) only one Party has expressed interest in appointing members of the Committee;

RECOGNIZING the need for a regular production of sheets for the Identification Manual in the three working languages of the Convention and that the work involved is not of a nature readily performed by a Committee;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

DIRECT the Secretariat to:

- a) prepare sheets on the identification of animal and plant species for inclusion in the Identification Manual in the three working languages of the Convention;
- b) upon request from a Party, provide advice on the identification of species, or seek advice from experts on the taxa concerned;

- c) ensure, where relevant, that the subject of identification of species or specimens is included in training seminars organized by the Secretariat;
- d) provide assistance to Parties in the development of national or regional identification manuals;
- e) obtain, from Parties whose proposals to include new species in the appendices have been adopted, appropriate data for inclusion in the Identification Manual within one year after acceptance of such additions;
- f) publish, within its financial capacity, the Identification Manuals; ~~and~~
- g) inform each meeting of the Standing, Animals and Plants Committee on the progress made; and**
- h) report to each meeting of the Conference of the Parties.**

EXHORTS that Parties having successfully submitted proposals to include new species in the appendices, provide appropriate data for inclusion in the identification manuals within one year after acceptance of such additions;

APPEALS to Parties and organizations to provide funds to ensure the production of the Identification Manuals; and

REQUESTS the Parties to promote the use of the identification manuals.

Draft decision of the Conference of the Parties to replace Decisions 10.18 to 10.23 and 10.101

(PREPARED AND APPROVED BY COMMITTEE II)

Directed to the Parties

Regarding implementation of Resolution Conf. 8.4

1. In paragraph 18 of document Doc. 11.21.1, the Secretariat brought to the attention of the Conference of the Parties that four Parties whose legislation was analysed during Phase 3, namely Fiji, Turkey, Viet Nam and Yemen, have high volumes of international trade in specimens of CITES-listed species; and their national legislation is believed generally not to meet the requirements for implementation of CITES (Category 3). These Parties:
 - a) before 31 October 2001 should adopt adequate legislation to implement the Convention; and
 - b) may request technical assistance from the Secretariat in order to prepare such legislation. The Parties that require assistance shall receive the guidelines for the preparation of legislation, training for the CITES authorities and others responsible for the formulation of measures requiring legislation, as well as any technical support specified in their requests relevant to the development of national legislation.
 - c) should report to the Secretariat any progress made in this regard no later than 30 April 2001.
2. All Parties should refuse from 31 October 2001, any import from, and export and re-export of CITES-listed species to, the Parties listed in Paragraph 1, if, in spite of the assistance, the Parties concerned do not adopt the legislation required under the text of the Convention, if so advised by the Standing Committee.
3. The remaining Category 3 Parties whose legislation was analysed in Phase 3 of the National Legislation Project:
 - a) should take steps to enact legislation for implementation of the Convention;
 - b) may request technical assistance for the Secretariat may request technical assistance from the Secretariat in order to prepare such legislation; and
 - c) should report to the Secretariat any progress made in this regard no later than six months prior to the 46th meeting of the Standing Committee.
4. The following action should be taken in relation to the Parties identified in Decisions 10.19 to 10.23 who have not yet complied with those Decisions, and that have been identified as Parties having high volumes of international trade in specimens of CITES-listed species:
 - a) such Parties should take all necessary measures to enact national legislation for the implementation of CITES and to ensure that this legislation will be in effect no later than 30 days prior to the 45th meeting of the Standing Committee.

Directed to the Animals Committee

- 11.xx The Animals Committee to commence the Significant Trade Review for Acipenseriformes species (sturgeon and paddlefish) as recommended in Resolution Conf.10.12 *Conservation of Sturgeons* (Acipenseriformes) pursuant to Resolution Conf.8.9 and report back to COP 12.

In order to support the proper implementation of the Significant Trade Review process as required by Resolution Conf.8.9, the following Decisions should be taken:

Directed to the Parties

- 11.xx i) Starting from January 1st 2001, range States to establish co-ordinated at intergovernmental level annual export and catch quotas per basin or biogeographical region where appropriate, for all commercial trade in specimens of Acipenseriformes and communicate such quotas to the Secretariat, prior to 31st December of the preceding year. Parties that fail to do so will automatically be treated as having a zero quota for the following year.
- ii) All Parties engaged in trade in sturgeon and paddlefish specimens to report to the Secretariat on the progress made to implement the measures agreed upon in Resolution Conf.10.12 and on their national management strategies for Acipenseriformes prior to the 18th meeting of the Animals Committee.

Directed to the CITES Secretariat

- 11.xx The Secretariat to prepare a report with recommendations regarding implementation by Parties of the measures agreed upon in Resolution Conf.10.12 and, after review by the Parties concerned, submit it to the 18th meeting of the Animals Committee.

Directed to the Animals Committee

- 11.xx The Animals Committee to review the Secretariat's report and, at its 19th meeting, decide upon actions to be taken by Parties on implementation of CITES and on regional management strategies, and report back to COP 12.

regard no later than six months before the 45th meeting of the Standing Committee.

- c) with respect to Parties referred to in this Paragraph that have not complied with sub-paragraph a), the Standing Committee, at its 45th meeting, shall consider appropriate measures, which may include restrictions on the commercial trade in specimens of CITES-listed species to or from such Parties.
- d) (*the current paragraph b) becomes d*). Parties that are preparing national legislation to fulfil the requirements established by the text of the Convention may request technical assistance from the Secretariat.
5. The following action should be taken in relation to the Parties identified in Decisions 10.19 to 10.23 who have not yet complied with those Decisions, and that have been identified as Parties not having high volumes of international trade in specimens of CITES-listed species:
- a) Such Parties should take all necessary measures to enact national legislation for implementation of CITES and to ensure that this legislation will be in effect no later than 30 days prior to the 46th meeting of the Standing Committee;
- b) Parties referred to in this Paragraph should report to the Secretariat any progress made in this regard no later than six months before the 46th meeting of the Standing Committee;
- c) with respect to Parties referred to in this Paragraph that have not complied with sub-paragraph a), the Standing Committee, at its 46th meeting, shall consider appropriate measures,

which may include restrictions on the commercial trade in specimens of CITES-listed species to or from such Parties.

- d) Parties that are preparing national legislation to fulfil the requirements established by the text of the Convention may request technical assistance from the Secretariat.

(Current sub-paragraph c) becomes new Paragraph 6)

6. All Parties referred to in this Decisions shall provide to the Secretariat copies of all relevant new legislation and, where applicable, a translation of this legislation into one of the three working languages of the Convention.
7. If any of the Parties believes that the Secretariat's analysis of legislation is not accurate, it should, by 1 August 2000, provide to the Secretariat:
 - a) copies of all relevant legislation not referred to in the analysis and, where applicable, a translation of this legislation into one of the three working languages of the Convention; and
 - b) its comments as to how such legislation applies to the implementation of CITES.

Directed to the Standing Committee

Beginning at its 45th meeting, and continuing at each successive meeting, as necessary, the Standing Committee shall decide the appropriate measures to be taken with respect to the Parties identified in Decision 11.xx.

Conservation of and control of trade in Tibetan antelope

(PREPARED BY A WORKING GROUP OF COMMITTEE II
ON THE BASIS OF THE DRAFT INCLUDED IN DOC. 11.34)

RECALLING the International Workshop on Conservation and Control of Trade in Tibetan Antelope held in Xining, China, 12 – 14 October 1999, where a Draft Resolution on the Conservation and Control of Trade in Tibetan Antelope was discussed by government representatives from China, France, India, Italy, Nepal, the United Kingdom, the United States of America, the CITES Secretariat and non-governmental organizations;

AWARE that the Tibetan antelope (*Pantholops hodgsonii*) is listed in Appendix I, and that all commercial international trade in its parts and derivatives, has been regulated by the Convention since 1979;

NOTING that wild population of Tibetan antelope continue to be threatened by poaching to supply the market for shahtoosh-the fine wool of the species and its products;

CONSCIOUS that an effective ban on processing of and trade in shahtoosh is a critically important complement to effective *in situ* conservation of the species including control of large scale poaching;

RECOGNIZING that strengthened technical co-operation between range and non-range States, and financial support, would contribute to more effective Tibetan antelope conservation;

COMMENDING the initiatives by Parties to facilitate co-operation in Tibetan antelope conservation and address illegal hunting of Tibetan antelope, including:

- a) China which has made serious effort to stop poaching and smuggling of Tibetan antelope and has also established nature reserves for the species;
- b) France, Italy, India, the United Kingdom and the United States of America, which have taken steps to protect the species including enforcement and judicial action to halt the illegal trade of Tibetan antelope parts and derivatives and the development of identification techniques for such parts and derivatives;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS:

- a) all Parties and non –Parties, especially consumer and range States, to adopt comprehensive legislation and enforcement controls as a matter of urgency, with the aim of eliminating commercial trade in Tibetan antelope parts and derivatives, especially shahtoosh, in order to demonstrably reduce the illegal trade in Tibetan antelope products by the 12th meeting of the Conference of the Parties;
- b) all Parties to treat any product claiming to be ‘shahtoosh` or claiming to contain Tibetan antelope specimens as a readily recognizable derivatives of the Tibetan antelope and therefore subject to the provisions relating to Appendix-I species, as provided for in Resolution Conf. 9.6, and to enact legislation where it does not exist, to fully implement these provisions for such products;

* This document was distributed as “Com. 11.5 (Rev.)” during the meeting.

- c) all Parties to adopt penalties adequate to deter illegal trade and measures to enhance public awareness of the actual origin of the products and status of the Tibetan antelope;
- d) all Parties and non-Parties where stocks of Tibetan antelope parts and raw materials exist, to adopt a registration system and national measures to prevent such stocks from re-entering into trade;

DIRECTS:

- a) **the Secretariat with the assistance of interested Parties, intergovernmental organizations and non-governmental organizations to provide funding and technical assistance to the range states of the Tibetan antelope in order to improve anti-poaching efforts, to carry out a population censuses, to formulate a conservation strategy and to prevent trade in Tibetan antelope parts and derivatives;**
- b) the Secretariat shall report to the 45th meeting of the Standing Committee on implementation of this Resolution; and
- c) the Standing Committee shall review these reports and report to the 12th Conference of the Parties.

URGES:

- a) the processing countries of the products of Tibetan antelope continue their efforts to ban the processing of Tibetan antelope wool;
- b) all countries and territories with relevant experience and technical capabilities to strengthen co-operation and the exchange of information, technology and experience with regard to education and awareness, law enforcement such as smuggling routes and methods, and techniques for the identification of parts and derivatives of Tibetan antelope;
- c) relevant Parties to designate a contact point and to provide contact details to the Secretariat in order to establish a network to assist in the control of illegal trade in Tibetan antelope parts and derivatives, particularly shahtoosh, and, where appropriate to make full use of the ECO-MESSAGE of ICPO-Interpol and existing law enforcement networks, including the World Customs Organization.

Conservation of seahorses and other members of the family Syngnathidae

(PREPARED BY A WORKING GROUP OF COMMITTEE I)

Taking into account that:

- a) many species of seahorses and other syngnathids are being extensively traded internationally for use in ornamental displays, traditional medicine and curiosities;
- b) available information indicates declines in populations of many seahorses and other syngnathids worldwide and that many factors may be contributing to these declines;
- c) range States place a high priority on the conservation and sustainable use of seahorses and other syngnathids;
- d) more scientific studies are urgently needed in order to assess the sustainability of exploitation of seahorses and other syngnathids;
- e) at present seahorses and other syngnathids are not specifically managed or conserved by any multilateral or regional agreement for the conservation and management of marine fisheries;
- f) the Conference of the Parties has competence to consider any species subject to international trade and that actions taken now may reduce the probability of future listings on the Appendices.

THE CONFERENCE OF THE PARTIES:

Directs the Secretariat to:

- a) establish a mechanism to receive funds from interested Parties, intergovernmental and non-governmental organizations, exporters, importers and other stakeholders to support a technical workshop of relevant experts on the conservation of seahorses and other syngnathids;
- b) contingent on the availability of external funding, cooperate with other relevant bodies including the fisheries sector to convene a technical workshop to consider and review biological and trade information to assist in establishing conservation priorities and actions to secure the conservation status of seahorses and other syngnathids;
- c) request Parties to provide, for discussion at the technical workshop, all relevant available information concerning the status, catches, bycatches and trade in seahorses and other syngnathids and on any domestic measures for their conservation and protection, and to review the adequacy of such measures;
- e) encourage scientific research to promote the long term conservation and sustainable use of seahorses and other syngnathids; and
- f) explore ways to enhance the participation of fishers, traders and consumers in the conservation and sustainable use of seahorses and other syngnathids.

Directs the Animals Committee to:

- a) review, with the assistance of experts as may be needed, the outcomes of the technical workshop and other available information concerning the biology, catch, bycatch and trade in seahorses and other syngnathids and develop appropriate recommendations; and

- b) prepare, for consideration at the 12th meeting of the Conference of the Parties, a discussion paper on the biological and trade status of seahorses and other syngnathids to provide scientific guidance on the actions needed to secure the conservation status of seahorses and other syngnathids.

Conservation of and trade in freshwater turtles and tortoises in Asia and other regions

(PREPARED BY COMMITTEE I)

AWARE that the global international trade in freshwater turtles and tortoises involves millions of specimens each year, affecting more than 50 Asian Chelonian species and at least five North American species;

RECOGNIZING that nearly all Asian freshwater turtle and tortoise species are found in trade, and that a number of species are already listed in Appendix I or II;

OBSERVING that the collection of freshwater turtles and tortoises is carried out through an extensive informal network of trappers, hunters and middlemen, and that collection efforts and export volumes have increased significantly, especially throughout much of Asia;

CONSIDERING that, in addition, turtles in general are vulnerable to overexploitation due to biological characteristics such as late maturity, limited annual reproductive output, and high juvenile mortality, as well as habitat degradation and loss;

NOTING that there are two significant types of trade in freshwater turtles and tortoises, a high volume trade in freshwater turtles and tortoises and their parts for consumption both as food and in traditional medicine, and a species-focused trade for pets;

CONCERNED that the movement of live freshwater turtles and tortoises to non-range states where introduction could occur could have adverse impacts on the native species of importing countries, and that little is known of such impacts by alien species;

CONSIDERING that little is known of the population status and ecological role of freshwater turtles and tortoises;

RECOGNISING that trade from and transiting through some countries that are not Party to CITES could be a concern;

RECALLING Resolution Conf. 10.19 on Traditional Medicines;

RECALLING that Articles III. Par. 2(c), IV, Par. 2(c) and V, par. 2(b) of the Convention require that live specimens of Appendix II species be so prepared and shipped as to minimize the risk of injury, damage to health, or cruel treatment;

NOTING that the shipment of living freshwater turtles and tortoises is often not conducted in accordance with terms of Articles III, IV and V of the Convention, and in particular that transport of living freshwater turtles and tortoises by air is often not conducted in accordance with IATA regulations;

RECOGNIZING that many countries have legislation concerning freshwater turtles and tortoises but that there are inadequacies in the scope and extent of coverage, and that enforcement is often insufficient;

ACKNOWLEDGING that the demand for and trade in freshwater turtles and tortoises poses a significant threat to wild populations, and that international cooperation is needed to urgently address these threats;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

URGES:

- a) All Parties, and especially Asian freshwater turtle and tortoise range, exporting and consuming nations, to enhance and increase enforcement efforts with regard to existing legislation as a matter of urgency;
 - b) All Parties, and especially Asian freshwater turtle and tortoise range states, assess current efforts to manage native freshwater turtle and tortoise populations, and improve those efforts as necessary;, e.g. by establishing quotas;
 - c) All Parties to develop and implement research programs to identify the species involved in the trade, and programs to monitor and assess the impact of such trade;
 - d) All Parties where national legislation is not sufficient to control effectively the unsustainable harvest and trade in freshwater turtles and tortoises, to enact legislation to protect these species;
 - e) All Parties involved in the trade in freshwater turtles and tortoises to examine their national legislation to ensure that their treatment during capture and transport is in accordance with the provisions of the Convention and, where relevant, with IATA regulations, and to take immediate action to correct any deficiencies in such legislation;
 - f) All Parties to increase public awareness of the threats posed to freshwater turtles and tortoises, including harvest and trade to supply the demand for meat, traditional medicines, and pets;
 - f) All Parties to explore ways to enhance the participation of collectors, traders, exporters, importers and consumers in the conservation and sustainable trade of freshwater turtle and tortoise species.
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Annex 1

Draft decision of the Conference of the Parties

- 11.xx DIRECTS the CITES Secretariat to convene a technical workshop in order to establish conservation priorities and actions for sustainable trade in freshwater turtles and tortoises and to invite the Chairman of the Animals Committee as well as representatives from range, exporting and consumer states and relevant inter-governmental and non-governmental organizations to participate in this workshop to be held within twelve months. Recommendations elaborated from the "Workshop on Trade in Terrestrial and Freshwater Turtles and Tortoises in Asia" held in Cambodia in December 1999 should be considered at this workshop. The findings and recommendations of this workshop should be reported to the Animals Committee by the Secretariat prior to the Twelfth Meeting of the Conference of the Parties.
- 11.xx DIRECTS the CITES Secretariat to encourage Parties, inter-governmental and non-governmental organizations and other appropriate bodies to assist capacity-building and training efforts throughout the Asian region with respect to the trade in freshwater turtles and tortoises.
- 11.xx DIRECTS the Animals Committee to consider the trade in specimens of freshwater turtles and tortoises in the context of the review of significant trade, pursuant to Resolution Conf. 8.9.
- 11.xx DIRECTS the CITES Secretariat to encourage Parties and trading companies involved in the trade in freshwater turtles and tortoises to assist in raising funds for the workshop.

Progress in the conservation of *Swietenia macrophylla*:
Establishment of a Mahogany Working Group of
the Conference of the Parties

(PREPARED BY COMMITTEE I)

Taking into account:

1. The need to work together to ensure the continued existence of healthy populations of *Swietenia macrophylla*;
2. The Summary Report of the Working Group on Mahogany held in Brazil in June, 1998;
3. The usefulness of sharing information on the species, and the need to develop common understanding of issues;
4. The need to improve knowledge of the species, beginning with development of national inventories of *Swietenia macrophylla*;
5. Sub-regional initiatives that have taken place;
6. The progress made by countries which have included their populations in Appendix III; and
7. The need to encourage broader Appendix III listings.

The Parties agree to establish a *Swietenia macrophylla* (bigleaf mahogany) Working Group. This Working Group should report back to the twelfth meeting of the Conference of the Parties.

- This Working Group shall include: all range states for *Swietenia macrophylla*; principal importing countries; and a representative to be designated by the Plants Committee.
- The Mahogany Working Group shall:
 1. Review the effectiveness of current and potential Appendix III listings;
 2. Analyze legal and illegal trade;
 3. Review studies of the status of the species;
 4. Encourage the exchange of information by CITES Management and Scientific Authorities on the implementation of the Convention and import/export controls;
 5. Study appropriate measures to widen the geographic scope of Appendix III listings;
 6. Assess and analyzes the results of paragraphs 1-5, above; and
 7. Present a report on its findings as well as its recommendations to the twelfth meeting of the Conference of the Parties.

- The Secretariat shall convene a meeting of the Mahogany Working Group within one year of CoP11, to meet with experts in the species including: representatives from relevant multilateral organizations such as ITTO, IFF, UNFF, and FAO; IUCN; TRAFFIC; and other relevant technical experts as appropriate.
- The fulfilment of these Terms of Reference, as well as any meetings of the Mahogany Working Group, shall be dependent on the availability of funding. Interested donor agencies and conservation and trade organizations are encouraged to provide funding to facilitate this effort.

Trade in hard corals

(PREPARED BY COMMITTEE I)

AWARE that hard corals are in international trade as intact specimens for the aquarium and curio trade.

RECOGNIZING also that rock, fragments, gravel, sand and other coral products are also traded.

NOTING the unique nature of corals, namely that their skeletons are persistent, that they may become mineralized in time and that they are the foundation of reefs, and that following erosion, fragments of coral may form part of mineral and sedimentary deposits.

NOTING also that coral rock may act as an important substrate for the attachment of live corals and the removal of rock may have a detrimental impact on reef ecosystems,

AWARE, however, that coral rock cannot be readily identified other than to the order Scleractinia and that accordingly non-detriment findings under Article IV.2.a of the Convention cannot be readily applied.

NOTING that Article IV.3 of the Convention requires the monitoring of exports of specimens of species in Appendix II in order to assess whether the species is being maintained at a level consistent with its role in the ecosystem.

ACCEPTING that coral fragments and coral sand cannot be readily recognized.

RECOGNIZING also that it is frequently difficult to identify live or dead corals to the species level due to the lack of a standard nomenclature, difficulties of identification, and the lack of comprehensive and accessible identification guides for the non-specialist.

RECOGNIZING that corals which are fossilized are exempted from the provisions of the Convention,

NOTING that the application of the provisions of the Convention to trade in corals have been difficult to apply and enforce.

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RESOLVES:

- a) to adopt the working definitions of coral sand, coral fragments, coral rock, live coral and recently dead coral provided in Annex I to this document;
- b) that Resolution Conf. 10.2 accordingly be amended under section 1, under the first RECOMMENDS by inserting the following new paragraphs after paragraph h):
 - i) that on permits and certificates for trade in specimens that are readily recognizable as coral rock, where the genus cannot be readily determined, the scientific name for the given specimens should be 'Scleractinia';
 - j) that any party wishing to export coral rock (as defined in Annex 1 of Res. Cong.11.xx) and identified to ordinate level only should, in view of the inability to make a non-detriment finding for coral rock pursuant to paragraph 2(a) of Article IV, should apply the provisions of Article IV.3.
- k) Parties exporting coral rock should:

- i) establish an annual quota for exports and communicate this quota to the Secretariat for distribution to the Parties; and
 - ii) make an assessment (which would be available to the Secretariat on request), based on a monitoring programme, by their Scientific Authority (ies) that such export will not affect the role that coral rock has in ecosystems affected by the extraction of such specimens.
- c) That Resolution Conf. 9.4 (Rev.) be amended by inserting the following paragraph after the first RECOMMENDS, as follows:

Make every effort to report trade in hard coral at the species level or, if this is not practical, at the generic level at least.

- d) that Resolution Conf. 9.6 accordingly be amended as follows:

- i) in the preamble, append the following paragraph:

RECOGNIZING that the species or genera of coral from which coral sand and coral fragments (as defined in Annex 1 of Resolution Conf. 11.xx) are derived cannot be readily determined;

- ii) insert the following paragraph before REPEALS:

AGREES that coral sand and coral fragments (as defined in Annex 1 of Resolution Conf. 11.xx) are not considered readily recognizable and are therefore not covered by the provisions of the Convention.

DIRECTS:

- a) the Animals Committee, as part of its consideration of corals under Resolution Conf. 8.9, to additionally consider the application of Article IV.3 as an alternative to Article IV.2.a in making non-detriment findings for corals in trade and make recommendations to the 12th Conference of the Parties;
- b) the Animals Committee to provide advice to the Secretariat, for dissemination to the Parties, on which genera of corals it is practical to recognize to species level and which genera may be acceptably identified to genus level only for the purposes of implementing Resolution Conf. 9.4 and Conf. 10.2;
- c) the Secretariat to issue an interim notification pending the results of c) above to guide Parties in the early implementation of this Resolution;
- d) the Secretariat to amend Notification to the Parties No. 1999/85 on Annual Reports as follows
 - i) section 3(b), first indent, replace 'higher taxonomic level' with 'level of order (Scleractinia)';
 - ii) Delete section 3(b) second indent;
 - iii) Section 5(a), 'Description of specimens and units of quantity', revise description of (raw) – COR – to explain that this refers only to dead coral and coral rock (as defined in Annex 1 of Resolution Conf. 11.xx and should be reported by kg;
 - iv) Section 5(a), 'Descriptions of specimens and units of quantity', revise description of live – LIV – to explain that specimens of live coral and coral rock substrate (as defined in Annex 1 of Resolution Conf. 11.xx), transported in water should be recorded by number of pieces only.

URGES

- a) interested Parties and other bodies from range and consumer States to collaborate and support, coordinated by the Secretariat/Identification Manual Committee, to produce as a priority accessible and practical guides to recognizing corals and coral rock in trade and to make these widely available to Parties through appropriate media;

- b) Parties to seek synergy with other multilateral environmental agreements and initiatives to work for the conservation and sustainable use of coral reef ecosystems.

Coral sand – material consisting entirely or in part of finely crushed fragments of dead coral no larger than 2mm in diameter and which may also contain, amongst other things, the remains of Foramanifera, mollusc and crustacean shell, and coralline algae. Not identifiable to genus.

Coral fragments (including gravel and rubble) – unconsolidated fragments of broken finger-like dead coral and other material between 2 and 30mm in diameter and which is not identifiable to genus.

Coral rock¹ (also live rock and substrate) – hard consolidated material, > 3cm in diameter, formed of fragments of dead coral and which may also contain cemented sand, coralline algae and other sedimentary rocks. ‘*Live rock*’ is the term given to pieces of coral rock to which are attached live specimens of invertebrate species and coralline algae not included in the CITES appendices and which are transported moist, but not in water, in crates. ‘*Substrate*’ is the term given to pieces of coral rock to which are attached invertebrates (of species not included in the CITES appendices) and which is transported in water like live corals. Coral rock is not identifiable to genus but is recognizable to Order; the definition excludes specimens defined as dead coral.

Dead coral – pieces of coral which are dead when exported, but which may have been alive when collected, and in which the structure of corallites (the skeleton of the individual polyp) is still intact; specimens are therefore identifiable to species or genus.

Live coral – pieces of live coral transported in water and which are identifiable to species or genus.

¹ N.B. rock which does not contain any corals or in which the corals are fossilized are exempt from the provisions of the Convention.

Regarding the biological and trade status of *Harpagophytum*

To the Parties

1. In the light of increasing international trade in the roots of Devil's Claw (*Harpagophytum* spp.), the range and importing states shall submit to the Secretariat all available information concerning the trade, management, regulatory measures and biological status of *Harpagophytum* species.

To the Plants Committee

2. The Plants Committee shall:
 - a) Review such information;
 - b) Summarize the biological and trade status of *Harpagophytum* species subject to international trade;
 - c) Prepare a report on the biological and trade status of *Harpagophytum* species, at least six months prior to the 12th meeting of the Conference of the Parties, for submission at CoP12.

Directed to the Standing Committee

- 11.xx The Standing Committee shall undertake a review of actions taken by key musk deer range, transit, and consumer states — particularly the People's Republic of China, India, Kazakhstan, Mongolia, Nepal, Russian Federation, Germany, France, Malaysia, Singapore, Republic of Korea, and Japan — to improve enforcement (especially in key border areas), implement trade controls, and conserve and protect musk deer populations and report back to COP 12.

Directed to the Animals Committee

- 11.xx The Animals Committee shall include in its next meeting, as a matter of priority, the trade in musk deer, raw musk, and products containing musk in the context of significant trade, pursuant to Resolution Conf. 8.9, and present findings for remedial actions to the Standing Committee prior to COP 12.

Directed to the Secretariat

- 11.xx The Secretariat shall conduct an analysis of the use of musk in perfume industries and in traditional medicines in Asia and Asian communities outside Asia in order to identify the level of demand, trends, and user groups, and report back to COP 12.

Directed to the Parties

- 11.xx The Parties who export raw musk should consider reductions in their export quotas, if biologically appropriate, until the Animals Committee has completed its significant trade review.

Conservation of and trade in musk deer

(PREPARED BY A WORKING GROUP OF COMMITTEE I)

AWARE that all musk deer species are included either in Appendix I or Appendix II of the Convention;

RECOGNIZING that musk deer are native to Asia, but natural musk and products containing musk are used and traded worldwide, and, therefore, that conservation of musk deer is a global concern;

NOTING that the status and trends of musk deer populations, and the domestic demand for musk in range countries is inadequately documented;

FURTHER NOTING that continued illegal trade in raw musk derived from wild musk deer undermines the effectiveness of the Convention;

AWARE that if Parties and States that are not yet party to the Convention do not take action to eliminate the illegal trade, poaching may cause declines and even extirpation of certain populations;

RECOGNIZING that long-term solutions for the protection of musk deer require the adoption of substantive and measurable actions designed to ensure sustainable use;

RECOGNIZING that strengthening technical co-operation between range and consumer States and financial support would contribute to more effective musk deer conservation;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

URGES all Parties, particularly musk deer range, transit, and consuming countries, to take immediate action in order to demonstrably reduce the illegal trade in musk deriving from wild musk deer by:

- a) introducing innovative enforcement methods in range and consumer states, and, as a matter of priority, strengthening enforcement efforts in key border regions;
- b) pursuing the development of a clear labeling system for products containing musk, and the development and dissemination of forensic methods to detect natural musk in medicinal and other products;
- c) encouraging all range States and consumer States that are not party to CITES to accede to it at the earliest possible date in order to improve international trade controls in raw musk and products containing musk;
- d) working with musk consumers to develop alternatives for raw musk in order to reduce demand for natural musk, while encouraging the development of safe and effective techniques for collecting musk from live musk deer;
- e) developing bilateral and regional agreements for improving musk deer conservation and management, strengthening legislation, and strengthening enforcement efforts;

RECOMMENDS that manufacturing and consumer States co-operate in the development and distribution of identification guides for manufactured products containing musk to assist with enforcement efforts;

CALLS on the Parties, international aid agencies, intergovernmental organizations, and nongovernmental organizations, as a matter of priority, to provide financial and technical assistance to range States to conduct population surveys, and surveys of domestic markets for musk deer, including both legal and illegal trade.

Definition of the term 'appropriate and acceptable destinations'

1. This document has been submitted by Kenya.

RECALLING that, at the ninth meeting of the Conference of the Parties, the South African population of southern white rhinoceros (*Ceratotherium simum simum*) was transferred to Appendix II of the Convention subject to an annotation stating, in part, "For the exclusive purpose of allowing international trade in live animals to appropriate and acceptable destinations and hunting trophies";

RECALLING ALSO that, at the 10th meeting of the Conference of the Parties, the African elephant (*Loxodonta africana*) populations of Botswana, Namibia and Zimbabwe were transferred to Appendix II of the Convention subject to an annotation stating, in part, "For the exclusive purpose of allowing export of live animals to appropriate and acceptable destinations";

NOTING that in neither case was the term 'appropriate and acceptable destinations' defined;

NOTING FURTHER that the Parties have given no direction regarding how the determination as to whether a destination is 'appropriate and acceptable' was to be made, nor as regarding whether the determination was to be made by the exporting or the importing country;

CONCERNED that a failure to provide these definitions and directions has already caused considerable difficulties, especially with respect to the export in 1998 of 30 elephant calves from the Tuli Block region of Botswana to South Africa;

RECOGNIZING that Resolution Conf. 11.XX recommends that, in general, Parties avoid making proposals to adopt annotations that include live animals;

NOTING, however, that annotations currently exist that contain live animals and such annotations may be adopted in future;

NOTING FURTHER that appropriate and acceptable destinations for live animals should be those that ensure that the animals are humanely treated and are free to exhibit a full range of natural behaviour, including social behaviour;

RECOGNIZING that priority should be given to destinations in range States where the enforcement measures and conservation practices are such that the exported animals may be able to contribute to the conservation of the species in the wild or semi-wild, particularly protected areas formally proclaimed in terms of legislation of the importing country;

CONVINCED, therefore, that there is an urgent practical need to clarify the meaning and applicability of the phrase 'appropriate and acceptable' as it is used in these annotations;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

AGREES that, where the term "appropriate and acceptable destinations" appears in an annotation to the listing of a species in Appendix II of the Convention with reference to the export or trade of live animals, this term shall be defined to mean destinations where the Scientific Authority of the State of import is satisfied that the proposed recipient of a living specimen is suitably equipped to house and care for it.

* This document was circulated during the meeting as document Doc. 11.26 (Rev. 1)

Following a brief discussion on the proposal Prop. 11.56 Chile withdrew its proposal and agreed to propose an amendment to Resolution Conf. 9.18 (Rev.) to create the possibility of the exemption of a limited number of rain sticks as personal effects.

The amendment proposed by the Secretariat (cf. Document Doc. 11.59.3; Prop. 11.56) is as follows:

Insert the following text before the section regarding hybrids:

Regarding rainsticks

RECOMMENDS

That Parties consider the harmonization of their national legislation related to personal exemptions for rain sticks of the Cactaceae genera *Echinopsis* spp. and *Eulychnia* spp. to allow for the personal goods exemption under Article VII, paragraph 3, and consider limiting this exemption to no more than three rain sticks of the species concerned per person.

Following consultation with various Parties Chile would, however, like to change this proposed amendment, making it applicable to rain sticks produced from the woody skeletons of dead specimens of any species of the family Cactaceae, and therefore proposes the following amendment to Resolution Conf. 9.18 (Rev.)

Insert the following text before the section regarding hybrids:

Regarding rainsticks

RECOMMENDS

That Parties consider the harmonization of their national legislation related to personal exemptions for rain sticks of Cactaceae spp. for the personal goods exemption under Article VII, paragraph 3, and consider limiting this exemption to no more than three rain sticks of the species concerned per person

The Conference of the Parties is requested to decide which of these two options it prefers.

Under the last section entitled URGES, deletes existing paragraphs a) and b) and inserts the following:

DIRECTS:

- a) The Secretariat, in collaboration with range states and international organizations from both industry and the conservation community, to develop a strategy including action plans for the conservation of Acipenseriformes; and
- b) The Secretariat, for that purpose, to seek financial assistance from Parties, International Organizations, United Nations Specialized Agencies, Intergovernmental and Non-governmental Organizations, and industry.

Interpretation and implementation of Article III, paragraph 5, Article IV, paragraphs 6 and 7 and Article XIV, paragraphs 4, 5 and 6, relating to introduction from the sea

(PREPARED BY A WORKING GROUP OF COMMITTEE II
ON THE BASIS OF THE DRAFT INCLUDED IN DOCUMENT DOC. 11.18)

RECALLING that the Convention may be applied to all species of wild fauna and flora, including marine species, that satisfy the criteria for inclusion in the appendices;

AWARE of the need for an agreed understanding of the interpretation and implementation of the provisions of the Convention concerning introductions from the sea;

NOTING that Article III, paragraph 5, and Article IV, paragraphs 6 and 7 of the Convention provide a framework to regulate the introduction from the sea of specimens included in Appendices I and II respectively;

RECOGNIZING that Article XIV, paragraph 6, of the Convention addresses the relationship between the Convention and the 1982 United Nations Convention on the Law of the Sea (UNCLOS) and that the provisions of UNCLOS concerning areas beyond national jurisdiction are relevant to the interpretation and implementation of the provisions of the Convention relating to introduction from the sea;

RECALLING that Resolution Conf. 9.7, adopted at the ninth meeting of the Conference of the Parties (Fort Lauderdale, 1994), provides an agreed interpretation of the terms "transit and transshipment of specimens" to refer only to specimens that remain under Customs control and are in the process of shipment to a named consignee when any interruption in the movement arises only from the arrangements necessitated by this form of traffic;

NOTING that the management of many marine species comes under the competence of other international agreements and organizations;

NOTING FURTHER the need for co-operation to ensure harmonization between the approach under the Convention and arrangements under other international instruments;

RECOGNIZING that Article XIV, paragraph 4, provides for a State party to the Convention, that is also a party to any other treaty, convention or international agreement that was in force at the time of coming into force of CITES and under the provisions of which protection is afforded to marine species included in Appendix II, to be relieved of the obligations imposed on it by CITES with respect to trade in specimens included in Appendix II that are taken by ships registered in that State and in accordance with the provisions of such other treaty, convention or international agreement;

RECOGNIZING ALSO that Article XIV, paragraph 5, provides that, notwithstanding the provisions of Article IV, any export of a specimen taken in accordance with Article XIV, paragraph 4, shall only require a certificate from a Management Authority of the State of introduction to the effect that the specimen was taken in accordance with the provisions of the other treaty, convention or international agreement;

AWARE of the need to establish practical administrative mechanisms to give effect to the provisions of the Convention concerning the introduction from the sea of specimens of species included in Appendices I and II;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

AGREES that, consistent with UNCLOS, the term *"specimens of any species which were taken in the marine environment not under the jurisdiction of any State"* means specimens:

- a) *not taken within the territorial sea or the internal waters of a State or in the archipelagic waters of an archipelagic State, or*
- b) *not taken in a manner that engaged the sovereign rights or jurisdiction of a coastal State with respect to its exclusive economic zone, to the extent applicable, or its continental shelf.*

AGREES FURTHER that for the purposes of Article III(5) and Article IV(6) and (7) of the Convention the "State of introduction" shall be deemed to be the State in which a specimen is first landed, except for a transit or transshipment specimen which must remain under Customs control pending movement to another State;

RECOMMENDS that:

- a) the certificate of introduction from the sea may be issued by:
 - i) the State into which the specimens are first landed; or
 - ii) for specimens of Appendix-II species, the flag State of the vessel that caught the specimens, after agreement between the flag State and the State of landing;
- b) in order to maintain accurate data over time on specimens introduced from the sea, export permits issued in accordance with Article III, paragraph 2, or Article IV, paragraph 2, for these specimens shall, as well as containing all the necessary information prescribed by Resolution Conf. 10.2, record the following information:
 - i) 'seas beyond national jurisdiction' as the country of origin [box 12 of the permit format];
 - ii) the 'permit number' as the number of the certificate of introduction from the sea or comparable Article XIV, paragraph 5, certificate; and
 - iii) the country that harvested the specimens, where it is not the Party that issued the certificate of introduction from the sea;
- c) for the purposes of the granting of an export permit under Article III, paragraph 2, or Article IV, paragraph 2, of the Convention in respect of a specimen of a species that is introduced from the sea, an application for an export permit shall be accompanied by the certificate of introduction from the sea granted by the Management Authority of the State of Introduction;
- d) in the case of specimens of species included in Appendix I and Appendix II that are also the subject of another international treaty, convention, agreement or arrangement, a Scientific Authority should, for purposes of a making a determination under Article III, paragraph 5(a) or Article IV, paragraph 6(a) of the Convention, take into account the applicable management control measures adopted under the relevant international treaty, convention, agreement or arrangement, as well as scientific information generated thereunder.

REQUESTS Parties that introduce from the sea specimens of species included in Appendix II that are protected by another international treaty, convention or agreement referred to in Article XIV of the Convention to submit information on the quantity of specimens of these species in their annual reports to the Secretariat;

Resolution Conf. 10.2 on Permits and Certificates to be amended by inserting the following requirements pertaining to certificates of introduction from the sea, into operative Section I Regarding Permits and Certificates:

The following minimum information be recorded on a certificate of introduction from the sea that is issued in accordance with Article III, paragraph 5, and Article IV, paragraph 6, of the Convention:

- i) full name and logo of the Convention;

- ii) complete name and address of the Management Authority issuing the certificate;
- iii) unique certificate number;
- iv) vessel identification (country flag and registration number);
- v) name and address of person receiving specimens (equivalent to the importer);
- vi) scientific name of the species;
- vii) description of specimens;
- viii) appendix in which the species is listed;
- ix) place of removal from the marine environment of the specimens (based upon FAO statistical areas or other recognized fisheries statistical areas);
- x) number and/or weight of the specimens, including unit of measurement;
- xi) the applicable management control measure (such as nationally established quotas) to monitor total take;
- xii) date of issue;
- xiii) date of expiration of certificate (the period of validity may not exceed one year);
- xiv) name of signatory and his/her handwritten signature;
- xv) embossed seal or ink stamp of the Management Authority; and
- xvi) a statement that the certificate, if it applies to a live animal, is only valid if the transport conditions comply with the CITES Guidelines for Transport of Live Animals.**

Regarding introduction from the sea

(PREPARED BY A WORKING GROUP OF COMMITTEE II)

Directed to the Secretariat

- a) develop an appropriate mechanism to accurately record transactions involving specimens that are the subject of certificates of introduction from the sea and, where applicable, the subsequent export of these specimens; and
- b) communicate the administrative arrangements agreed in this Resolution directly to the Food and Agriculture Organization of the United Nations, other intergovernmental fisheries organizations and the UNCLOS Secretariat to ensure close collaboration to achieve the efficient and effective implementation of this Resolution.

Directed to the Standing Committee

- a) review and propose for the 12th meeting of the Conference of the Parties amendments, as appropriate, to Resolution Conf. 9.7 on Transit and Transshipment as may relate to the requirement for the prior grant of a certificate of introduction from the sea;
- b) explore, with the relevant fisheries management authorities, the possibilities of integrating CITES certificate requirements with existing fisheries management documentary requirements; and
- c) consider when certificates of introduction from the sea need to be issued, what documentation is needed to cover transfer of specimens at sea and when data must be entered on the certificate, allowing for the completion of some data fields after landing.
- d) examine how a certificate of introduction from the sea would be issued with respect to the accidental capture of an Appendix I specimen whether or not the Flag State of the vessel making the capture is the same as the State of landing.

Com. 11.19 Proposed amendment to Resolution Conf. 9.14 on Conservation of and trade in African and Asian Rhinoceros

(PREPARED BY A WORKING GROUP OF COMMITTEE I)

CONCERNED that some rhinoceros populations have continued to decline drastically and that four of the five species are threatened;

RECALLING that the Conference of the Parties included all species of rhinoceros in Appendix I of the Convention in 1977, and that the South African population of *Ceratotherium simum simum* was transferred to Appendix II with an annotation in 1994;

RECALLING further the Conference Resolutions (Resolution Conf. 3.11 and Resolution Conf. 6.10, both of which were repealed by Resolution Conf. 9.14 and Decision 10.45) relating to the conservation of and trade in rhinoceros;

COMMENDING the successful management and protection of rhinoceroses in some African and Asian range States, often under difficult circumstances;

COMMENDING further the measures taken by countries to control and reduce use of rhinoceros horn, especially countries where use is part of a cultural tradition extending back many centuries;

CONCLUDING that the above measures have not arrested the decline of all rhinoceros populations;

RECOGNIZING that the illegal trade in rhinoceros horn is known to be a global law enforcement problem, extending beyond range States and traditional consuming countries, but that emphasis solely on law enforcement has failed to remove the threat to rhinoceroses;

CONSCIOUS that stocks of rhinoceros horn continue to accumulate in some countries and that the call for their destruction, as recommended by Resolution Conf. 6.10, has not been implemented and is no longer considered appropriate by a number of Parties;

RECOGNIZING that some international measures may have unintended consequences, for example, on trade;

RECOGNIZING that there is a diversity of opinion as to the most effective approaches to the conservation of rhinoceroses;

CONCERNED that threats to rhinoceros populations still exist, and the cost of ensuring adequate security for them is increasing and cannot easily be met by many range States;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

URGES:

- a) all Parties that have stocks of rhinoceros horn to identify, mark, register and secure all such stocks;
- b) all Parties to adopt and implement comprehensive legislation and enforcement controls, including internal trade restrictions and penalties, aimed at reducing illegal trade in rhinoceros parts and derivatives;
- c) the Secretariat, where possible, to assist those Parties with inadequate legislation, enforcement, or control of stocks, by providing them technical advice and relevant information;

- d) range States to be vigilant in their law enforcement efforts, including the prevention of illegal hunting and the early detection of potential offenders;
- e) that law enforcement co-operation between and among States be increased in order to curtail illegal trade in rhinoceros horn; and
- f) the consumer States, as a matter of priority, to work with all user groups and industries to develop and implement strategies for reducing the use and consumption of rhinoceros parts and derivatives;

DIRECTS the Standing Committee to continue to pursue actions aimed at reducing illegal trade, ensuring that:

- a) all such actions are accompanied by evaluations of their effectiveness;
- b) appropriate, cost-effective, standardized indicators of success are developed and/or refined to measure changes in levels of illegal hunting and of the status of rhinoceros populations in the range States; and
- c) the policies that guide interventions are responsive and adaptive to the outcome of evaluations;

STRONGLY URGES range States, and all other Parties where applicable, to submit a report, according to an agreed format, to the Secretariat at least six months prior to each meeting of the Conference of the Parties, detailing the following:

- i) the status of captive and wild rhinoceros populations;
- ii) a summary of incidents of illegal hunting;
- iii) a summary of incidents of illegal trade in rhinoceros parts and derivatives;
- iv) the status, type, and frequency of law enforcement activities and monitoring programmes for all major rhinoceros populations;
- v) status of development and implementation of national legislation and national conservation action plans; and
- vi) status of marking, registration, and control of rhino horn stocks;

DIRECTS the Secretariat to develop a standard format for these reports, to evaluate the reports as well as any information it has received related to trade of rhinoceros parts and products, and to submit a written summary of these for consideration at each meeting of the Conference of the Parties;

RECOMMENDS that those range States without a budgeted, conservation and management plan for rhinoceros should develop and implement one as expeditiously as possible, utilizing all available relevant expertise and resources;

RECOMMENDS further that those range States with an existing, budgeted plan for rhinoceros should endeavour to implement the plan as expeditiously as possible, and should undertake a review of the adequacy of enforcement and trade control measures therein;

CALLS upon all governments and intergovernmental organizations, international aid agencies and non-governmental organizations to provide funds to implement rhinoceros conservation activities, especially efforts to prevent the illegal killing of rhinoceros and to control and monitor the illegal trade in rhinoceros horn;

CALLS for constructive engagement amongst all Parties to the Convention and synergy between the Convention and the IUCN/SSC Rhino Specialist Groups to achieve the aims of this Resolution; and

REPEALS the Resolutions listed hereunder:

Resolution Conf. 3.11 (New Delhi, 1981) – Trade in Rhinoceros Horn; and

Resolution Conf. 6.10 (Ottawa, 1987) – Trade in Rhinoceros Products.

Use of coded-microchip implants for marking live animals in trade

RECOGNIZING the increasingly wide use of coded-microchip implants for the individual identification of animals;

RECOGNIZING also the potential of this method of marking for the regulation of trade in live animals of species included in the appendices to the Convention;

CONCERNED that any such method employed to identify live animals be standardized in its application;

BELIEVING that there is no reason to only limit the use of coded-microchip implants to live animals of species included in Appendix I or high-value species;

NOTING that Management Authorities may permit the movement of travelling exhibitions or circuses without permits or certificates pursuant to Article VII, paragraph 7, of the Convention;

MINDFUL that the provisions of Article VI, paragraph 7, allow a Management Authority to determine appropriate methods of marking specimens for the purposes of assisting in identification;

AWARE that the IUCN/SSC Conservation Breeding Specialist Group has already undertaken an extensive review of the application of coded-microchip implants, and that effective implementation of Article VI, paragraph 7, will result in increasingly wider use of coded-microchip implants for the identification of animals;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS that:

- a) Parties, where possible and appropriate, without excluding the use of other methods, adopt the use of implantable transponders bearing permanent, non-programmable, unalterable and permanently unique codes for the identification of live animals;
- b) Parties take into account the findings of the IUCN/SSC Conservation Breeding Specialist Group regarding frequency, size and sterility of transponder;
- c) microchip transponders be implanted where consistent with the well-being of the specimens concerned*; and
- d) the location of implanted transponders in each animal be standardized according to the advice from the IUCN/SSC Conservation Breeding Specialist Group.

DIRECTS

- a) the Secretariat to consult regularly with the ISO Central Secretariat on the subject, and urge it to resolve current problems with standards ISO 11784 and ISO 11785;
- b) the Management Authority of each Party to enter in contact with all known manufacturers of microchip-implants and application techniques on its territory and inform them about the present

* See Resolution Conf. 10.2 for information on microchip transponders, to be included in permits.

Resolution, urge them to strive towards the production of compatible equipment that can be applied universally and ask them for information about their products compatible with CITES needs and to advise the Secretariat about the results, for information of the Parties; and

- c) the Animals Committee to monitor developments in microchip-implant technology and application techniques and to advise the Secretariat about such developments, for information of the Parties.

Draft amendment to Resolution Conf. 10.2

Insert the following paragraph in the section related to information to be included in permits:

When specimens are marked with microchip transponders, all microchip codes, together with the trade mark of the transponder manufacturer, and, where possible, the location of the microchip in the specimen.

Financing and budgeting of the Secretariat and of meetings of the Conference of the Parties

(PREPARED BY THE SECRETARIAT ON THE BASIS OF THE DRAFT INCLUDED IN DOC. 11.10.3 (REV. 1), ANNEX 6 AND APPROVED AS AMENDED BY THE BUDGET COMMITTEE)

RECALLING Resolution Conf. 10.1 adopted at the 10th meeting of the Conference of the Parties (Harare, 1997);

HAVING REVIEWED the 1997-1998 actual expenditures submitted by the Secretariat (Doc. 11.10.1 (Rev. 1), Annex 1a and Annex 1b);

HAVING REVIEWED the actual expenditures for 1999 presented by the Secretariat (Doc. 11.10.1 (Rev.1), Annex 2);

HAVING NOTED the revised estimates of expenditures for 2000 presented by the Secretariat (Doc. 11.10.2);

HAVING REVIEWED the 2001-2002 budget estimates submitted by the Secretariat (Doc. 11.10.3 (Rev.1), Annex 1a);

HAVING REVIEWED also the 2001-2005 medium-term budget estimates (Doc. 11.10.3 (Rev.1), Annex 2);

RECOGNIZING that regular funding by UNEP ceased after 1983 and that the funding of the Secretariat and of meetings of the Conference of the Parties is now solely the responsibility of the Parties;

ACKNOWLEDGING that the financial amendment to the Convention, adopted in Bonn in 1979, entered into force on 13 April 1987;

RECOGNIZING the continuing need for administrative and financial arrangements between the Parties and the Executive Director of UNEP;

NOTING the considerable increase in the number of Parties to the Convention; the need for greater assistance to the Parties for more effective implementation; the necessity to implement the various Decisions and Resolutions of the Conference of the Parties; and the resulting additional expenditure incurred by the Secretariat;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

ACCEPTS the expenditures for 1997, 1998, 1999 and TAKES NOTE of the estimates of expenditure for 2000;

APPROVES the 2001-2002 budget (Annex 2) including five new posts previously approved by the Standing Committee at its 40th and 42nd meetings and AGREES that during the biennium 2001-2002 funding required for two of these posts will be drawn from the available balance in the CITES Trust Fund, and one of these post may be funded from the biennium budget from costs savings if available.

TAKES NOTE of the 2001-2005 medium-term budget estimates (Annex 3), and expresses concern that there may be significant discrepancies between resources available and expenditures after 2002 due to significant expenditures from the CITES Trust Fund Balance, and further notes Goal 7 of the Strategic Vision to improve realistic planning and forecasting for the Convention.

Further REQUESTS that the Secretariat provides clear indication of the increase of member contributions consequent to each proposed budget.

DIRECTS the Secretariat, in association with the Standing Committee, to identify one-off and discrete programmes that conclude before or soon after 2002 with a view to allocating the freed-up resources to future funding.

REQUESTS that the Executive Director of UNEP, with the approval of the Governing Council of UNEP, extends the Trust Fund until 31 December 2005, to provide financial support for the aims of the Convention in accordance with the Terms of Reference for the Administration of the Trust Fund for the Convention on International Trade in Endangered Species of Wild Fauna and Flora, attached to this Resolution;

DECIDES that the average annual budget for the biennium 2001-2002 represents a 26.53% increase vis-a-vis that of the previous triennium 1998-2000. This increase shall be covered by adjusting the contributions by the Parties by 6.1% and the remaining deficit shall be drawn from the balance of the CITES Trust Fund at the end of each year.

AUTHORIZES the Secretariat, subject to the priorities below, to draw additional funds from the CITES Trust Fund balance at the end of each year, provided that it is not reduced below CHF 1.million at the commencement of any year;

NOTES that Parties in discussions of priorities for the use of additional funds from the Trust Fund balance and any savings from the approved biennium budget gave strong support for use of such funds to implement specific activities to assist Parties in implementation, capacity building, enforcement and regional co-ordination.

DIRECTS the Secretariat, in association with the Standing Committee:

- a) to incorporate such of the above priority tasks into the base operating budget as can effectively be done with the funds available;
- b) to establish the priorities for funding the un-funded or insufficiently funded budget items, referred to in Annex 4 to this Resolution deriving from Resolutions and Decisions adopted at the 11th meeting of the Conference of the Parties, from any available draw down in the Trust Fund balance, or from savings or adjustments to the items within the base operating budget or from external funding. In establishing priorities, first priority should be given to new activities for the Parties.

APPROVES the Terms of Reference for the Administration of the Trust Fund, attached to this Resolution, for the financial period beginning on 1 January 2001 and ending on 31 December 2005;

AGREES:

- a) that contributions to the Trust Fund shall be based on the United Nations scale of assessment, as amended from time to time, adjusted to take account of the fact that not all members of the United Nations are Parties to the Convention;
- b) that any other basis of assessment of contributions shall not be used without the consent of all Parties present and voting at a meeting of the Conference of the Parties;
- c) that any change in the basic scale of contributions which would increase the liability of a Party to contribute, or would impose a new such liability, shall not apply to that Party without its consent, and that any proposal to change the basic scale of contributions from that currently in use shall only be considered by the Conference of the Parties if notice of such proposal has been communicated by the Secretariat to all Parties at least 90 days before the meeting; and
- d) that Parties should pay their contributions to the Trust Fund in accordance with the agreed scale as in the Table attached to this Resolution and, whenever possible, should make special contributions to the Trust Fund above their assessed contributions;

REQUESTS all Parties to pay their contributions as far as possible during the year prior to the one to which they relate or, in any case, promptly by the beginning of the calendar year to which the contributions apply;

APPEALS strongly to those Parties which, for legal or other reasons, have so far been unable to contribute to the Trust Fund to do so;

URGES all Parties that have not yet done so to deposit as soon as possible an instrument of acceptance of the amendments to the Convention adopted on 22 June 1979 and 30 April 1983;

INVITES States not Parties to the Convention, other governmental, inter-governmental and non-governmental organizations, and other sources to consider contributing to the Trust Fund;

INVITES all Parties to support, through their representatives in UNEP, UNDP and the World Bank, the requests of the Secretariat for additional funding of CITES projects by the Global Environment Facility;

DIRECTS the Secretariat to continue to implement the Procedures for Approval of Externally Funded Projects before accepting any external funds from non-governmental sources; and further DECIDES that any approved externally funded project that has not received funding after the end of three years will be deleted from the list of approved projects and any conditionally approved externally funded project will be deleted from the list after 1 year if the conditional issues have not been resolved.

REMINDS the Parties of Resolution Conf. 4.6 (Rev.)* which provides " that any draft resolutions or decisions submitted for consideration at a meeting of the Conference of the Parties that have budgetary and workload implications for the Secretariat must contain or be accompanied by a budget for the work involved and an indication of the source of funding".

APPROVES the Secretariat's reports as amended.

DECIDES that

- a) in respect of servicing the three working languages of the Convention :
 - i) the Budget Committee at meetings of the Conference of the Parties shall be provided with simultaneous interpretation for all three languages;
 - ii) simultaneous interpretation shall continue to be provided at the meetings of the Plants and Animals Committees;
 - iii) the Secretariat shall carry out a review of its document translation services with a view to the efficient and effective translation in all three languages; and
 - iv) costs associated with these items shall be covered by adjusting within the base operating budget by a comparable amount;
- b) in respect to the review of activities in any work unit, the Secretariat shall have the authority to make staffing decisions as necessary to implement the priorities of the Parties within the overall budget and in accordance with the UN rules;
- c) any work for the Secretariat deriving from a new resolution or decision shall only be undertaken if additional funds are approved or if existing work carried out under the Trust Fund is reprioritized at the time such a resolution or decision is adopted by the Conference of the Parties or as authorized by the Standing Committee relative to Annex 4.

Annex 1

Terms of Reference for the Administration of the Trust Fund for the Convention on International Trade in Endangered Species of Wild Fauna and Flora

1. The Trust Fund for the Convention on International Trade in Endangered Species of Wild Fauna and Flora (hereinafter referred to as the Trust Fund) shall be further continued for a period of five years (1 January 2001–31 December 2005) to provide financial support for the aims of the Convention.
2. Pursuant to the Financial Regulations and Rules of the United Nations, the Executive Director of the United Nations Environment Programme (UNEP), with the approval of the Governing Council of UNEP and the Secretary General of the United Nations, shall continue the Trust Fund for the administration of the Convention.
3. The Trust Fund shall cover two financial periods of two and three calendar years respectively: the first financial period begins on 1 January 2001 and ends on 31 December 2002; the second financial period begins on 1 January 2003 and ends on 31 December 2005.
4. The appropriations of the Trust Fund for the first financial period shall be financed from:
 - a) the contributions made by the Parties by reference to the attached Table including contributions from any new Parties which are to be added to the Table;
 - b) contributions from States not Parties to the Convention, other governmental, inter-governmental and non-governmental organizations and other sources; and
 - c) any uncommitted appropriations from any of the financial periods prior to 1 January 2001.
5. The budget estimates covering the income and expenditure for each of the calendar years constituting the financial period to which they relate, prepared in Swiss francs, shall be submitted for approval to the regular meeting of the Conference of the Parties to the Convention. Together with the estimates, prepared in Swiss francs, figures may be provided also in US dollars, for ease of reference and would only be indicative.
6. The estimates for each of the calendar years covered by a financial period shall be specified according to objects of expenditure and shall be accompanied by such information as may be required by, or on behalf of, the contributors and such further information as the Executive Director of UNEP may deem useful and advisable.
7. In addition to the budget estimates for the financial period described in the preceding paragraphs, the Secretary General of the Convention, in consultation with the Standing Committee and the Executive Director of UNEP, shall prepare a medium-term plan as envisaged in Chapter III of Legislative and Financial Texts Regarding the United Nations Environment Programme and the Environment Fund. The medium-term plan will cover the years 2001-2005 inclusive and will incorporate the budget for the 2001-2002 financial period.
8. The proposed budget and medium-term plan, including all the necessary information, shall be dispatched by the Secretariat to all Parties at least 90 days before the date fixed for the opening of the regular meeting of the Conference of the Parties.
9. The budget shall be adopted by a 3/4 majority of the Parties present and voting at the regular meeting.
10. In the event that the Executive Director of UNEP expects that there might be a shortfall in resources, over the year as a whole, he shall consult with the Secretary General of the Convention, who shall seek the advice of the Standing Committee as to its priorities for expenditure.
11. Upon the request of the Secretary General of the Convention, after seeking the advice of the Standing Committee, the Executive Director of UNEP should, to the extent consistent with the Financial Regulations and Rules of the United Nations, make transfers from one object of expenditure

to another. At the end of any calendar year of a financial period, the Executive Director of UNEP may proceed to transfer any uncommitted balance of appropriations to the following calendar year, provided that the total budget approved by the Parties for that financial period shall not be exceeded unless this is specifically sanctioned in writing by the Standing Committee.

12. Commitments against the resources of the Trust Fund may be made only if they are covered by the necessary income of the Convention.
13. All contributions shall be paid in any convertible currency. The amount of any payment, however, shall be at least equal to the amount payable in Swiss francs on the day the contribution is made. Contributions from States that become Parties after the beginning of the financial period should be made on a pro-rata basis for the balance of the financial period.
14. At the end of each calendar year of a financial period, the Executive Director of UNEP shall submit to the Parties the accounts for the year. He shall also submit, as soon as practicable, the audited accounts for the financial period.
15. The Secretary General of the Convention shall provide the Standing Committee with an estimate of proposed expenditure over the coming calendar year simultaneously with, or as soon as possible after, distribution of the accounts and reports referred to in the preceding paragraphs.
16. The general procedures governing the operations of the Fund of UNEP and the Financial Regulations and Rules of the United Nations shall govern the financial operations of the Trust Fund for the Convention.
17. These Terms of Reference shall be effective for the financial period of 1 January 2001 to 31 December 2005 subject to amendments at the 12th meeting of the Conference of the Parties.

Table

Trust Fund for the Convention on International Trade in Endangered Species of Wild Fauna and Flora

SCALE OF CONTRIBUTIONS FOR THE BIENNIUM 2001 – 2002 in Swiss francs (CHF) and in United States dollars (USD)

(amounts in USD are indicative; the conversion rate used is 1 USD = 1.50 CHF)

Party	UN scale %	Adjusted scale %	Total 2001-2002		Annual contribution	
			CHF	USD	CHF	USD
Afghanistan	0.003	0.00299	400	267	200	133
Algeria	0.086	0.08559	11,454	7,636	5,727	3,818
Antigua and Barbuda	0.002	0.00199	266	177	133	89
Argentina	1.103	1.09770	146,903	97,935	73,451	48,968
Australia	1.483	1.47587	197,513	131,675	98,756	65,838
Austria	0.942	0.93747	125,460	83,640	62,730	41,820
Azerbaijan	0.011	0.01095	1,465	977	733	488
Bahamas	0.015	0.01493	1,998	1,332	999	666
Bangladesh	0.010	0.00995	1,332	888	666	444
Barbados	0.008	0.00796	1,065	710	533	355
Belarus	0.057	0.05673	7,592	5,061	3,796	2,531
Belgium	1.104	1.09869	147,036	98,024	73,518	49,012
Belize	0.001	0.00100	133	89	67	44
Benin	0.002	0.00199	266	177	133	89
Bolivia	0.007	0.00697	932	621	466	311
Botswana	0.010	0.00995	1,332	888	666	444
Brazil	1.471	1.46393	195,915	130,610	97,957	65,305

Party	UN scale %	Adjusted scale %	Total 2001-2002		Annual contribution	
			CHF	USD	CHF	USD
Brunei Darussalam	0.020	0.01990	2,664	1,776	1,332	888
Bulgaria	0.011	0.01095	1,465	977	733	488
Burkina Faso	0.002	0.00199	266	177	133	89
Burundi	0.001	0.00100	133	89	67	44
Cambodia	0.001	0.00100	133	89	67	44
Cameroon	0.013	0.01294	1,731	1,154	866	577
Canada	2.732	2.71887	363,861	242,574	181,930	121,287
Central African Republic	0.001	0.00100	133	89	67	44
Chad	0.001	0.00100	133	89	67	44
Chile	0.136	0.13535	18,113	12,075	9,057	6,038
China	0.995	0.99022	132,519	88,346	66,259	44,173
Colombia	0.109	0.10848	14,517	9,678	7,259	4,839
Comoros	0.001	0.00100	133	89	67	44
Congo	0.003	0.00299	400	267	200	133
Costa Rica	0.016	0.01592	2,131	1,421	1,065	710
Côte d'Ivoire	0.009	0.00896	1,199	799	599	400
Croatia	0.030	0.02986	3,996	2,664	1,998	1,332
Cuba	0.024	0.02388	3,196	2,131	1,598	1,065
Cyprus	0.034	0.03384	4,528	3,019	2,264	1,509
Czech Republic	0.107	0.10649	14,251	9,501	7,125	4,750
Democratic Republic of the Congo	0.007	0.00697	932	621	466	311
Denmark	0.692	0.68867	92,164	61,443	46,082	30,721
Djibouti	0.001	0.00100	133	89	67	44
Dominica	0.001	0.00100	133	89	67	44
Dominican Republic	0.015	0.01493	1,998	1,332	999	666
Ecuador	0.020	0.01990	2,664	1,776	1,332	888
Egypt	0.065	0.06469	8,657	5,771	4,329	2,886
El Salvador	0.012	0.01194	1,598	1,065	799	533
Equatorial Guinea	0.001	0.00100	133	89	67	44
Eritrea	0.001	0.00100	133	89	67	44
Estonia	0.012	0.01194	1,598	1,065	799	533
Ethiopia	0.006	0.00597	799	533	400	266
Fiji	0.004	0.00398	533	355	266	178
Finland	0.543	0.54039	72,319	48,213	36,160	24,106
France	6.545	6.51354	871,694	581,129	435,847	290,565
Gabon	0.015	0.01493	1,998	1,332	999	666
Gambia	0.001	0.00100	133	89	67	44
Georgia	0.007	0.00697	932	621	466	311
Germany	9.857	9.80962	1,312,802	875,201	656,401	437,601
Ghana	0.007	0.00697	932	621	466	311
Greece	0.351	0.34931	46,748	31,165	23,374	15,583
Grenada	0.001	0.00100	133	89	67	
Guatemala	0.018	0.01791	2,397	1,598	1,199	799

Party	UN scale %	Adjusted scale %	Total 2001-2002		Annual contribution	
			CHF	USD	CHF	USD
Guinea	0.003	0.00299	400	267	200	133
Guinea-Bissau	0.001	0.00100	133	89	67	44
Guyana	0.001	0.00100	133	89	67	44
Honduras	0.003	0.00299	400	267	200	133
Hungary	0.120	0.11942	15,982	10,655	7,991	5,327
Iceland	0.120	0.11942	15,982	10,655	7,991	5,327
India	0.299	0.29756	39,822	26,548	19,911	13,274
Indonesia	0.188	0.18710	25,039	16,693	12,519	8,346
Iran (Islamic Republic of)	0.161	0.16023	21,443	14,295	10,721	7,148
Israel	0.350	0.34832	46,615	31,077	23,307	15,538
Italy	5.437	5.41087	724,125	482,750	362,063	241,375
Jamaica	0.006	0.00597	799	533	400	266
Japan	20.573	20.47411	2,740,009	1,826,673	1,370,005	913,336
Jordan	0.006	0.00597	799	533	400	266
Kazakhstan	0.048	0.04777	6,393	4,262	3,196	2,131
Kenya	0.007	0.00697	932	621	466	311
Latvia	0.017	0.01692	2,264	1,509	1,132	755
Liberia	0.002	0.00199	266	177	133	89
Liechtenstein	0.006	0.00597	799	533	400	266
Luxembourg	0.068	0.06767	9,057	6,038	4,528	3,019
Madagascar	0.003	0.00299	400	267	200	133
Malawi	0.002	0.00199	266	177	133	89
Malaysia	0.183	0.18212	24,373	16,249	12,186	8,124
Mali	0.002	0.00199	266	177	133	89
Malta	0.014	0.01393	1,865	1,243	932	622
Mauritania	0.001	0.00100	133	89	67	44
Mauritius	0.009	0.00896	1,199	799	599	400
Mexico	0.995	0.99022	132,519	88,346	66,259	44,173
Monaco	0.004	0.00398	533	355	266	178
Mongolia	0.002	0.00199	266	177	133	89
Morocco	0.041	0.04080	5,461	3,641	2,730	1,820
Mozambique	0.001	0.00100	133	89	67	44
Myanmar	0.008	0.00796	1,065	710	533	355
Namibia	0.007	0.00697	932	621	466	311
Nepal	0.004	0.00398	533	355	266	178
Netherlands	1.632	1.62416	217,357	144,905	108,679	72,452
New Zealand	0.221	0.21994	29,434	19,623	14,717	9,811
Nicaragua	0.001	0.00100	133	89	67	44
Niger	0.002	0.00199	266	177	133	89
Nigeria	0.032	0.03185	4,262	2,841	2,131	1,421
Norway	0.610	0.60707	81,243	54,162	40,621	27,081
Pakistan	0.059	0.05872	7,858	5,239	3,929	2,619
Panama	0.013	0.01294	1,731	1,154	866	577
Papua New Guinea	0.007	0.00697	932	621	466	311

Party	UN scale %	Adjusted scale %	Total 2001-2002		Annual contribution	
			CHF	USD	CHF	USD
Paraguay	0.014	0.01393	1,865	1,243	932	622
Peru	0.099	0.09852	13,185	8,790	6,593	4,395
Philippines	0.081	0.08061	10,788	7,192	5,394	3,596
Poland	0.196	0.19506	26,104	17,403	13,052	8,701
Portugal	0.431	0.42893	57,403	38,269	28,701	19,134
Republic of Korea	1.006	1.00116	133,984	89,323	66,992	44,661
Romania	0.056	0.05573	7,458	4,972	3,729	2,486
Russian Federation	1.077	1.07182	143,440	95,627	71,720	47,813
Rwanda	0.001	0.00100	133	89	67	44
Saint Kitts and Nevis	0.001	0.00100	133	89	67	44
Saint Lucia	0.001	0.00100	133	89	67	44
Saint Vincent and the Grenadines	0.001	0.00100	133	89	67	44
Saudi Arabia	0.562	0.55930	74,850	49,900	37,425	24,950
Senegal	0.006	0.00597	799	533	400	266
Seychelles	0.002	0.00199	266	177	133	89
Sierra Leone	0.001	0.00100	133	89	67	44
Singapore	0.179	0.17814	23,840	15,893	11,920	7,947
Slovakia	0.035	0.03483	4,661	3,107	2,331	1,554
Slovenia	0.061	0.06071	8,124	5,416	4,062	2,708
Somalia	0.001	0.00100	133	89	67	44
South Africa	0.366	0.36424	48,746	32,497	24,373	16,249
Spain	2.591	2.57855	345,082	230,055	172,541	115,027
Sri Lanka	0.012	0.01194	1,598	1,065	799	533
Sudan	0.007	0.00697	932	621	466	311
Suriname	0.004	0.00398	533	355	266	178
Swaziland	0.002	0.00199	266	177	133	89
Sweden	1.079	1.07381	143,706	95,804	71,853	47,902
Switzerland	1.215	1.20916	161,819	107,879	80,910	53,940
Thailand	0.170	0.16918	22,641	15,094	11,321	7,547
Togo	0.001	0.00100	133	89	67	44
Trinidad and Tobago	0.016	0.01592	2,131	1,421	1,065	710
Tunisia	0.028	0.02787	3,729	2,486	1,865	1,243
Turkey	0.440	0.43789	58,601	39,067	29,301	19,534
Uganda	0.004	0.00398	533	355	266	178
Ukraine	0.190	0.18909	25,305	16,870	12,653	8,435
United Arab Emirates	0.178	0.17714	23,707	15,805	11,853	7,902
United Kingdom of Great Britain and Northern Ireland	5.092	5.06752	678,177	452,118	339,088	226,059
United Republic of Tanzania	0.003	0.00299	400	267	200	133
United States of America	25.000	24.87983	3,329,618	2,219,745	1,664,809	1,109,873
Uruguay	0.048	0.04777	6,393	4,262	3,196	2,131
Uzbekistan	0.025	0.02488	3,330	2,220	1,665	1,110

Party	UN scale %	Adjusted scale %	Total 2001-2002		Annual contribution	
			CHF	USD	CHF	USD
Vanuatu	0.001	0.00100	133	89	67	44
Venezuela	0.160	0.15923	21,310	14,207	10,655	7,103
Viet Nam	0.007	0.00697	932	621	466	311
Yemen	0.010	0.00995	1,332	888	666	444
Zambia	0.002	0.00199	266	177	133	89
Zimbabwe	0.009	0.00896	1,199	799	599	400
Total	100.483	100.000	13,382,800	9,225,000	6,691,400	4,612,500

Annex 2

Budget estimates for the biennium 2001-2002

(expressed in Swiss francs using exchange rate of USD 1.00 = CHF 1.50)

Budget line	Description	2001		2002	
		CHF	USD	CHF	USD
1	PERSONNEL COMPONENT				
1100	Professional Staff				
	15 posts	3,242,000	2,161,000	3,274,000	2,183,000
12	Consultants				
1201	Translation of documents	4,000	3,000	102,000	68,000
1202	General Consultancy	40,800	27,000	40,800	27,000
1203	Technical Assistance	24,000	16,000	24,000	16,000
12	Total, Consultants	68,800	46,000	166,800	111,000
13	Administrative Support				
1301-9	9 Support staff	1,103,000	735,000	1,114,000	743,000
1320	Temporary assistance/overtime	80,800	54,000	81,600	54,000
1321	Salary/travel of Conference staff	0	0	424,000	283,000
13	Total, Administrative Support	1,183,800	789,000	1,619,600	1,080,000
16	Travel on Official Business				
1601	Travel of staff - General	210,400	140,000	212,000	141,000
1602	Travel of staff to CoP and SC	24,000	16,000	255,000	170,000
1603	Travel of staff to seminars	52,800	35,000	52,800	35,000
16	Total, Travel on Official Business	287,200	191,000	519,800	346,000
1	TOTAL, PERSONNEL COMPONENT	4,781,800	3,187,000	5,580,200	3,720,000
2	SUB-CONTRACT COMPONENT				
2101	Nomenclature studies - animals	8,000	5,000	8,000	5,000
2102	Nomenclature studies - plants	21,600	14,000	21,600	14,000
2103	Significant trade - animals	60,800	41,000	60,800	41,000
2104	Significant trade - plants	60,800	41,000	60,800	41,000
2105	National legislation	16,000	11,000	16,000	11,000
2106	Identification manual - animals	64,800	43,000	64,800	43,000
2107	Identification manual - plants	48,000	32,000	48,800	33,000
2108	Technical publications	10,400	7,000	10,400	7,000
2109	Trade monitoring and technical support, WCMC	181,000	121,000	223,000	149,000
2110	CITES Web site	101,000	67,000	102,000	68,000
2111	CITES List server	12,000	8,000	12,000	8,000
2112	CITES, Checklist w/annot. Append.	73,000	49,000	74,000	49,000

Budget ine	Description	2001		2002	
		CHF	USD	CHF	USD
	and reserv.				
2113	Assistance to Scientific Authorities	150,000	100,000	150,000	100,000
2	TOTAL, SUB-CONTRACTS COMPONENT	807,400	539,000	852,200	569,000
3	TRAINING COMPONENT				
32	Group Training				
3201	Seminars	40,800	27,000	40,800	27,000
3202	Training courses	40,800	27,000	40,800	27,000
32	Total, Group Training	81,600	54,000	81,600	54,000
33	Meetings				
3301	Standing Committee	99,000	66,000	99,000	66,000
3302	Plants Committee	90,000	60,000	90,000	60,000
3303	Animals Committee	90,000	60,000	90,000	60,000
3304	Criteria Working Group	131,000	87,000	134,000	89,000
3305	African Elephant Panel of Experts	0	0	45,000	30,000
33	Total, Meetings	410,000	273,000	458,000	305,000
3	TOTAL, TRAINING COMPONENT	491,600	327,000	539,600	359,000
4	EQUIPMENT AND PREMISES COMPONENT				
41	Expendable Equipment				
4101	Office supplies	64,000	43,000	66,400	44,000
41	Total, Expendable Equipment	64,000	43,000	66,400	44,000
42	Non-expendable Equipment				
4201	Non-expendable equipment	84,800	57,000	84,800	57,000
42	Total, Non-expendable Equipment	84,800	57,000	84,800	57,000
43	Premises				
4301	Maintenance of the Office	121,600	81,000	122,400	82,000
43	Total, Premises	121,600	81,000	122,400	82,000
4	TOTAL, EQUIPMENT AND PREMISES COMPONENT	270,400	181,000	273,600	183,000
5	MISCELLANEOUS COMPONENT				
51	Operation and Maintenance of Equipment				
5101	Maintenance of Computers	8,000	5,000	8,000	5,000
5102	Maintenance of Photocopiers	56,800	38,000	56,800	38,000
51	Total, Operations and Maintenance of Equipment	64,800	43,000	64,800	43,000

Budget ine	Description	2001		2002	
		CHF	USD	CHF	USD
52	Reporting/Printing Costs				
5201	CoP-related documents	32,800	22,000	153,000	102,000
5202	Documents not related to CoP	40,800	27,000	40,800	27,000
5203	Permits on security paper	25,000	17,000	25,000	17,000
5204	Other publications	20,000	13,000	20,000	13,000
5205	Newsletter	23,000	15,000	24,000	16,000
52	Total, Reporting/Printing costs	141,600	94,000	262,800	175,000
53	Sundry				
5301	Communications (telephone, fax, etc.)	121,600	81,000	122,400	82,000
5302	Logistics for CoP	0	0	153,000	102,000
5303	Logistics for regional seminars	17,600	12,000	17,600	12,000
5304	Other (bank charges, etc.)	16,000	11,000	20,800	14,000
53	Total, Sundry	155,200	104,000	313,800	210,000
54	Hospitality				
5401	Hospitality	8,000	5,000	8,000	5,000
54	Sub-total Hospitality	8,000	5,000	8,000	5,000
5	TOTAL, MISCELLANEOUS COMPONENT	369,600	246,000	649,400	433,000
	TOTAL DIRECT OPERATIONAL COSTS	6,720,800	4,480,000	7,895,000	5,264,000
	Programme Support Costs (13%)	874,000	582,000	1,026,000	684,000
	GRAND TOTAL	7,594,800	5,062,000	8,921,000	5,948,000

Annex 3 Trust fund for the Convention on International Trade in Endangered Species of Wild Fauna and Flora estimated financial requirements for the operations of the secretariat for the medium term plan 2001-2005

(amounts in USD are indicative; rate used: 1 USD = 1.50 CHF)

Budget line	Description	2001		2002**		2003		2004**		2005	
		CHF	USD	CHF	USD	CHF	USD	CHF	USD	CHF	USD
11	Professional staff	3,242,000	2,161,000	3,274,000	2,183,000	3,340,000	2,227,000	3,373,000	2,249,000	3,441,000	2,294,000
12	Consultants	68,800	46,000	166,800	111,000	71,000	47,000	172,000	115,000	73,000	49,000
13	Administrative support	1,183,800	789,000	1,619,600	1,080,000	1,220,000	813,000	1,669,000	1,112,000	1,256,000	838,000
16	Travel (staff)	287,200	191,000	519,800	346,000	296,000	197,000	536,000	357,000	305,000	203,000
20	Sub-contracts	807,400	539,000	852,200	569,000	832,000	555,000	878,000	585,000	857,000	571,000
32	Training	81,600	54,000	81,600	54,000	84,000	56,000	84,000	56,000	87,000	58,000
33	Meetings	410,000	273,000	458,000	305,000	422,000	282,000	472,000	315,000	435,000	290,000
40	Equipment and premises	270,400	181,000	273,600	183,000	279,000	186,000	282,000	188,000	287,000	191,000
51	Operation and maintenance	64,800	43,000	64,800	43,000	67,000	45,000	67,000	45,000	69,000	46,000
52	Reporting	141,600	94,000	262,800	175,000	146,000	97,000	271,000	180,000	150,000	100,000
53	Sundry	155,200	104,000	313,800	210,000	160,000	107,000	323,000	216,000	165,000	110,000
54	Hospitality	8,000	5,000	8,000	5,000	8,000	5,000	8,000	5,000	8,000	5,000
	TOTAL DIRECT OPERATIONAL COSTS	6,720,800	4,480,000	7,895,000	5,264,000	6,925,000	4,617,000	8,135,000	5,423,000	7,133,000	4,755,000
	Programme support Costs (13%)	874,000	582,000	1,026,000	684,000	900,000	600,000	1,058,000	705,000	927,000	618,000
	GRAND TOTAL	7,594,800	5,062,000	8,921,000	5,948,000	7,825,000	5,217,000	9,193,000	6,128,000	8,060,000	5,373,000

* Budget estimates for the triennium 2003-2005 were calculated based on 1.5% increase per annum. The financing of this budget will require an increase in contributions by 27% per annum for the triennium 2003-2005 over the contributions approved for the biennium 2001-2002 if the accumulated Trust Fund balance does not exceed CHF 1 million.

** COP year

Annex 4 (Rev.) Budget items approved but not funded by the base operating budget

FOR THE BIENNIUM 2001-2002

(in Swiss francs)

New budget lines

	Description	Average cost per year
	Professional post	190'000
	Support staff post	120'000
	Working Group on Strategic Plan	
	Conservation of and control of trade in Tibetan antelope (Com.11.5 (Rev.))	
	Conservation of and trade in freshwater turtles and tortoises in Asia and other Regions (Com.11.7)	
	Establishment of a Mahogany Working Group of the Conference of the Parties (Com.11.8)	
	Analysis of the use of musk (Com.11.12)	
	Financing conservation of species of wild fauna and flora (Com.11.33)	

Insufficiently funded budget lines

Budget line	Description	Average cost per year
	Professional post	190'000
1320	Temporary assistance/overtime	20'000
1601	Travel of staff-General	50'000
1603	Travel of staff to seminars	13'000
5102	Maintenance of Photocopiers	15'000
5301	Communications	30'000
	TOTAL	318'000

Regarding trade in bear specimens

(PREPARED BY A WORKING GROUP TO REPLACE PARAGRAPH 35 OF DOCUMENT DOC. 11.29 AND APPROVED BY COMMITTEE II)

Directed to the Parties

- a) Parties should send reports to the Secretariat by 31 July 2001 documenting any action taken to implement Resolution Conf. 10.8 (or any revision) for submission to the Standing Committee.
 - 1. Parties should report to the Secretariat on whether their national legislation or legislation within their nation controls trade in bear parts and derivatives, as well as in products labelled containing parts and derivatives of bear, and whether such controls apply to all CITES-listed bear species.
 - 2. Parties should identify for the Secretariat what specific penalties exist for violations of existing national laws and other laws within the country to regulate the bear parts trade.
- b) Parties are encouraged to share forensic technology to assist Parties lacking sufficient identification capabilities for bear parts and derivatives, including in products labelled as containing parts and derivatives of bear.
- c) Parties should consider, where appropriate, introducing measures within their nation to facilitate implementation of CITES with respect to the trade in bear parts and derivatives including for products labelled as containing parts and derivatives of bear.
- d) Parties are encouraged to evaluate the recommendations of the CITES Tiger Missions Technical Team and CITES Political Missions, and, where appropriate, apply these recommendations to the conservation of bears and trade in bear specimens, particularly with respect to Appendix I-listed bear species.

Directed to the Standing Committee

The Standing Committee shall:

- a) include the international illegal trade in bear parts and derivatives as an issue at its 45th and 46th meetings with a view to identifying additional legislative and enforcement measures that may be necessary to stop the international illegal trade in bears and bear parts and derivatives;
- b) report to the 12th meeting of the Conference of the Parties on progress made in bear range and consumer States in implementing the provisions of the Convention with respect to the bear trade, specifically focusing on the recommended measures in Resolution Conf. 10.8 for demonstrably reducing the international illegal trade in bear parts and derivatives as well as in products labelled as containing parts and derivatives of bear.

Regarding *Tursiops truncatus ponticus*

(PREPARED BY A WORKING GROUP OF COMMITTEE I)

Directed to the Secretariat

The Secretariat should:

Request that range States for Black Sea bottlenose dolphins, *Tursiops truncatus ponticus*, provide the following, to assist the Animals Committee in its work:

- a) number of dolphins taken from the wild per year (including age, sex, capture methods, capture mortality);
- b) number of dolphins exported per year;
- c) population status, if available;
- d) any non-detriment findings issued by scientific authorities for these dolphins; and
- e) number of dolphins killed incidental to fishing operations, if any, and if available.

Request that Parties which have imported these dolphins provide details (numbers, sex, holding facility, and mortalities) on the imported animals.

Urges Parties not to allow any export (or re-export) of live dolphins without evidence from the Management Authority at the destination that the animals will be received and maintained in proper facilities.

Co-ordinate measures with the relevant international organization on these matters, specifically the Bern Convention, the Bucharest Convention, the Bonn Convention and ACCOBAMS.

Directed to the Animals Committee

The Animals Committee should:

Evaluate issues pertaining to the conservation and trade in *Tursiops truncatus ponticus* (Black Sea bottlenose dolphin);

Evaluate the information received through the request from the Secretariat (above) and

Request range states to co-operate with experts to examine the genetics of this population and evaluate its distinctiveness, through the collection and analysis of tissue samples.

Movement of sample reptile skins an other related products

(PREPARED ON THE BASIS OF THE DRAFT INCLUDED IN DOC. 11.52, ANNEX)

Directed to the Secretariat

Directs the Secretariat, in consultation with the Animals Committee, the IUCN/SSC Crocodile Specialist Group and the World Customs Organization to:

- a) review the ways in which Parties could streamline procedures for issuing export or re-export documents for samples and product samples made of crocodilian or other reptile skins; and
- b) prepare a proposal for consideration at the 12th meeting of the Conference of the Parties regarding the amendment of relevant resolutions in effect and/or draft a new resolution.

Regarding *Guaiacum* spp.

(prepared on the basis of the United States of America's intervention on Prop. 11.62)

Directed to the Plants Committee

The Plants Committee shall:

- 11.xx a) Undertake a review of the genus *Guaiacum* to:
- i) clarify the current taxonomy of this genus as it is most widely understood;
 - ii) resolve how species within the genus may be distinguished from each other when in trade;
 - iii) assess the status in the wild, status in trade and threats to the species; and
- b) based on the results of this review, recommend proposals for these species to amend the appendices, as appropriate.

Regarding *Aquilaria* spp.

(PREPARED BY THE UNITED STATES OF AMERICA ON THE BASIS OF DISCUSSIONS IN COMMITTEE I)

Directed to the Plants Committee

11.xx The Plants Committee shall continue its review of the genus *Aquilaria* to:

- a) resolve how species within the genus may be distinguished from each other when in trade, particularly when traded as agarwood;
- b) identify measures other than improved identification that might improve accurate reporting of trade in *Aquilaria malaccensis*; and
- c) determine whether additional species in the genus should be listed in Appendix II of the Convention, either due to similarity of appearance or because their biological and trade status cause them to qualify for listing in Appendix II on their own merits.

If it is determined, as a result of this review, that additional species should be listed in Appendix II, the Plants Committee shall recommend which species should be included in Appendix II under the provisions of Article II.2.(a) and which species should be included in Appendix II under the provisions of Article II.2.(b).

Guidelines for a procedure to register and monitor operations breeding Appendix-I animal species for commercial purposes

(PREPARED BY A WORKING GROUP OF COMMITTEE II
ON THE BASIS OF THE DRAFT INCLUDED IN DOCUMENT DOC. 11.48, ANNEX 3)

RECOGNIZING that Article VII, paragraph 4, of the Convention provides that specimens of Appendix-I animal species bred in captivity for commercial purposes shall be deemed to be specimens of species included in Appendix II;

RECOGNIZING ALSO that the provisions of Article III of the Convention remain the basis for permitting trade in specimens of Appendix-I species of animals that do not qualify for the exemptions of paragraphs 4 and 5 of Article VII;

NOTING that import of wild-caught specimens of Appendix-I species for purposes of establishing a commercial captive-breeding operation is precluded by Article III, paragraph 3(c), of the Convention, as explained further in Resolution Conf. 5.10 adopted at the fifth meeting of the Conference of the Parties (Buenos Aires, 1985);

RECALLING that Resolution Conf. 10.16, adopted at the tenth meeting of the Conference of the Parties (Harare, 1997), establishes the definition of "bred in captivity" and provides the basis for determining whether or not an operation is eligible to be considered for registration;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

DETERMINES that:

- a) the term "bred in captivity for commercial purposes", as used in Article VII, paragraph 4 of the Convention, shall be interpreted as referring to any specimen of an animal bred to obtain economic benefit, including profit, whether in cash or kind, and is directed toward sale, exchange or provision of a service or any other form of economic use or benefit; whereas
- b) for Appendix I species, Article VII, paragraph 5 of the Convention shall be interpreted as referring to a specimen of an animal bred for non-commercial purposes where each donation, exchange or loan is not for profit and is conducted between two operations involved in a cooperative conservation program that provides for the participation and support of one or more range States for the species concerned.

AGREES to the following procedure to register a captive breeding operation for each Appendix -I listed animal species bred for commercial purposes and included in the Annex 3 to this resolution comprising a list of species that are critically endangered in the wild and/or known to be difficult to keep or breed in captivity.

AGREES ALSO that determination of whether or not to apply the Article VII, paragraph 4 exemptions for the export of specimens of Appendix I animals bred in captivity for commercial purposes that are not included in Annex 3 of this resolution remains the responsibility of the Management Authority of the exporting Party on the advice of the Scientific Authority that each operation complies with the provisions of Resolution Conf. 10.16.

RESOLVES that:

- a) an operation may only be registered according to the procedure in this resolution, if specimens produced by that operation qualify as “bred in captivity” according to the requirements of Resolution Conf. 10.16;
- b) the first and major responsibility for approving captive-breeding operations under Article VII, paragraph 4, shall rest with the Management Authority of each Party, in consultation with the Scientific Authority of that Party;
- ~~c) prior to the establishment of captive-breeding operations for exotic species, an assessment of ecological risks should be completed, in order to prevent any negative effects on the ecosystem and the native species;~~
- d) the Management Authority shall provide the Secretariat with appropriate information to obtain, and to maintain, the registration of each captive-breeding operation as set out in Annex 1;
- e) the Secretariat shall notify all Parties of each application for registration following the procedure set out in Annex 2;
- f) Parties shall strictly implement the provisions of Article IV of the Convention with respect to specimens of species included in Appendix I originating from operations that breed such specimens in captivity for commercial purposes;
- ~~g) Parties shall restrict imports of captive bred specimens of Appendix I species for primarily commercial purposes, as defined in Resolution Conf 5.10, to those produced by operations included in the Secretariat’s Register and shall reject any document granted under Article VII, paragraph 4, of the Convention, if the specimens concerned do not originate from such an operation and if the document does not describe the specific identifying mark applied to each specimen;~~
- ~~h) comparable documentation granted under the Convention by States that are not Parties to the Convention shall not be accepted by the Parties without prior consultation with the Secretariat;~~
- i) registered captive-breeding operations shall ensure that an appropriate and secure marking system is used to clearly identify all breeding stock and specimens in trade, and shall undertake to adopt superior marking and identification methods as these become available;
- j) the Management Authority, in collaboration with the Scientific Authority, shall monitor the management of each registered captive breeding operation under its jurisdiction and advise the Secretariat in the event of any major change in the nature of the operation or in the type(s) of products being produced for export, in which case the Animals Committee shall review the operation to determine if it should remain registered;
- k) any Party within whose jurisdiction an operation is registered may unilaterally request the removal of that operation from the Register without reference to other Parties by so notifying the Secretariat, and, in this case, the operation shall be removed immediately;
- l) any Party believing that a registered operation does not meet the requirements of Resolution Conf. 10.16 may, after consultation with the Secretariat and the Party concerned, propose that the Conference of the Parties delete the operation from the Register by a two-thirds vote of the Parties as described in Article XV of the Convention; and that, once deleted, such an operation may only be reinstated in the Register by satisfying the procedure outlined in Annex 2; and
- m) the Management Authority shall satisfy itself that the captive-breeding operation will make a continuing meaningful contribution according to the conservation needs of the species concerned; and

URGES that Parties, prior to the establishment of captive-breeding operations for exotic species, undertake an assessment of the ecological risks, in order to safeguard against any negative effects on local ecosystems and native species.

AGREES further that:

- a) Parties shall restrict imports of captive-bred specimens of Appendix -I species in Annex 3 of this Resolution for primarily commercial purposes, as defined in Resolution Conf 5.10, to those produced by operations included in the Secretariat's Register and shall reject any document granted under Article VII, paragraph 4, of the Convention, if the specimens concerned do not originate from such an operation and if the document does not describe the specific identifying mark applied to each specimen; and
- b) comparable documentation granted under the Convention by States that are not Parties to the Convention shall not be accepted by the Parties without prior consultation with the Secretariat.

REPEALS the Resolutions listed hereunder:

- a) Resolution Conf. 4.15 (Gaborone, 1983) – Control of Captive-Breeding Operations in Appendix-I Species;
- b) Resolution Conf. 6.21 (Ottawa, 1987) – Control Procedures for Commercial Captive-Breeding Operations; and
- d) Resolution Conf. 7.10 (Lausanne, 1989) – Format and Criteria for Proposals to Register the First Commercial Captive-Breeding Operation for an Appendix-I Animal Species.

Annex 1

Information to be provided to the Secretariat by the Management Authority on operations to be registered

1. Name and address of the owner and manager of the captive-breeding operation.
2. Date of establishment.
3. Species bred (Appendix I only).
4. Details of the number and age (if known or appropriate) of males and females that comprise the parental breeding stock.
 - Evidence of legal acquisition of each male and female, including receipts, CITES documents, capture permits etc.
5. Operations located within range States must produce evidence that the parental stock was obtained in accordance with the relevant national laws (e.g. capture permits, receipts etc.), or if imported, in accordance with the provisions of the Convention (e.g. receipts, CITES documents etc.).
6. Operations located in non-range States and established with parental stock acquired within the country where the operation is located must produce evidence that the parental stock:
 - a) are pre-Convention specimens (e.g. relevant dated receipts);
 - b) have been derived from pre-Convention specimens (e.g. relevant dated receipts); or
 - c) were acquired from the range State(s) in accordance with the provisions of the Convention (e.g. receipts, CITES documents etc.).
7. Current stock (numbers, by sex and age, of progeny held in addition to parental breeding-stock above).
8. Information on the percentage mortalities in the different age groups and, where possible, between males and females.
9. Documentation showing that the species has been bred to second-generation offspring (F2) at the facility and a description of the method used.

10. If the operation has only bred the species to the first generation, documentation showing that the husbandry methods used are the same as, or similar to, those that have resulted in second-generation offspring elsewhere.
 11. Past, current and expected annual production of offspring, together with information on the percentage of:
 - a) females producing offspring each year; and
 - b) abnormalities in the annual production of offspring (including an explanation of probable cause).
 12. An assessment of the anticipated need for, and source of, additional specimens to augment the breeding stock to increase the genetic pool of the captive population in order to avoid any deleterious inbreeding.
 13. Type of product exported (e.g. live specimens, skins, hides, and/or other body parts).
 14. Detailed description of the marking methods (e.g. bands, tags, transponders branding etc.) used for the breeding-stock and offspring and for the types of specimens (e.g. skins, meat, live animals etc.) that will be exported.
 15. Description of the inspection and monitoring procedures to be used by the CITES Management Authority to confirm the identity of the breeding-stock and offspring and to detect the presence of unauthorized specimens held at or incorporated with the operation or provided for export.
 16. Description of the facilities to house the current and expected captive stock, including security measures to prevent escapes and/or thefts. Detailed information should be provided on the number and size of breeding and rearing enclosures, egg incubation capacity, food production or supply, availability of veterinary services and record-keeping.
 17. Description of the strategies used by the breeding operation, or other activities, that contribute to improving the conservation status of wild population(s) of the species.
 - 18. Assurance that the operation shall be carried out at all stages in a humane (non-cruel) manner.**
-

Annex 2 Procedure to be followed by the Secretariat before registering new operations

1. For all applications:
 - a) review each application for registration to verify that it meets the requirements of Annex 1; and
 - b) notify all Parties of each application for registration and provide full information (specified in Annex 1) on the operation to any Party that so requests.
2. For applications involving species not yet on the Secretariat's Register, in addition to determining compliance with the requirements of Annex 1, refer such applications concurrently to members of the Animals Committee and, if necessary, appropriate experts for advice on their suitability.
3. Any Party wishing to do so, must comment on the registration of an operation within a period of 90 days from the date of notification by the Secretariat.
4. If any Party objects to the registration, or where a Party, member of the Animals Committee and/or expert expresses concern about the application, the Secretariat shall facilitate a dialogue with the Management Authority of the Party submitting the application and allow a further 60 days for resolution of the identified problem(s).
5. If the objection is not withdrawn or the identified problem(s) resolved, the application shall be postponed until it is decided by a two-thirds majority vote at the following meeting of the Conference of the Parties, or by postal procedures equivalent to those set forth in Article XV of the Convention.

6. For applications involving species already on the Secretariat's Register, refer such applications to experts for advice on their suitability only in cases where there are significant new aspects or other reasons for concern.
7. When satisfied that an application meets all requirements in Annex 1, publish the name and other particulars of the operation in its Register.
8. When an operation is not accepted for registration, provide the relevant Management Authority with a full explanation of the reasons for rejection and indicate the specific conditions that must be met before it can be resubmitted for further consideration.

(PREPARED BY A WORKING GROUP OF COMMITTEE II
ON THE BASIS OF DOCUMENT DOC. 11.48, ANNEX 2)

Directed to the Animals Committee

~~Instructs the Animals Committee to~~ examine the complex issues related to the origin of founder breeding stock and the relationship between *ex situ* breeding operations and *in situ* conservation of the species and, in collaboration with interested organizations, identify possible strategies and other mechanisms by which registered *ex situ* breeding operations may contribute to enhancing the recovery and/or conservation of the species within the countries of origin, and report its findings to the 12th meeting of the conference of the parties;

Directed to the Secretariat

Circulate, as a matter of urgency, a Notification seeking nominations from range-State Parties of Appendix I species under their jurisdiction that are critically endangered in the wild and/or known to be difficult to breed or keep in captivity for consideration by the Animals Committee for inclusion in Annex 3 of Resolution Conf. 8.15 (Rev).

Universal labelling system for the identification of caviar

(PREPARED BY THE STURGEON WORKING GROUP OF COMMITTEE II)

AWARE that all living species of sturgeon and paddlefish (*Acipenseriformes*) are listed in Appendix I and II of CITES, but concerned that certain parts and derivatives of some sturgeon species may be subject to some illegal trade;

RECOGNIZING that illegal trade has in the past threatened the survival of certain populations of sturgeons and has undermined the efforts of producer countries to manage their sturgeon resources on a sustainable basis;

RECOGNIZING that Resolution Conf. 10.12 adopted at the tenth meeting of the Conference of the Parties (Harare, 1997) directed the Secretariat in consultation with the Animals Committee to explore the development of uniform marking system for sturgeon parts and derivatives to assist in subsequent identification of the species;

RECALLING that Article VI, paragraph 7, of the Convention provides that specimens of species listed in the appendices may be marked to assist in identifying them;

NOTING that, in order to assist the Parties in identifying legal caviar in trade, marking should be standardized and that particular specifications for the design of labels are fundamental and should be generally applied;

CONSIDERING that the labelling of all caviar in international trade would be a fundamental step towards the effective regulation of international trade of sturgeon and sturgeon products;

RECOGNIZING, however, that the Animals Committee, at its 14th meeting (Antananarivo, 1999) decided to recommend only, at this stage, the adoption of universal markings system for the export of caviar from producing countries to the initial of import; and

NOTING that strategies for the uniform marking of caviar should take into account marking systems currently in place and should not prevent producers countries and legitimate processing and trading industries from marking the caviar in trade in a further developed way;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS:

- a) the introduction of uniform marking system for any primary container (tin, jar, or box into which caviar is directly packed) of more than 249 grams of caviar entering international trade from the countries of origin, based on the application of non reusable labels on each primary container;
- b) that for export of primary containers containing less than 250 grammes of caviar, the non-reusable labels, refer to in paragraph a) above, be affixed only to the secondary containers that also include a description of the content;
- c) that the non-reusable label include, at a minimum, grade of the caviar (beluga, sevruga, or ossetra); a standard species code as provided in Annex 1; and a unique serial number for the shipment, consisting of the ISO two letter code for the country of origin, the year of harvest, and a unique

number for the primary container that corresponds to the processing plant and lot identification number for the caviar:

Beluga/HUS/RU/2000/xxxx/yyyy

- d) that the information, referred to in paragraph c) above should be clearly marked on all secondary containers containing one or more primary containers of caviar;
- e) that, in order to facilitate tracking and monitoring of caviar exports, the same information that is on the label affixed to the secondary container be given on the export permit;
- f) that, in the event of mismatches of information within such a permit, the Management Authority of the importing Party immediately contact its counterpart in the exporting Party to establish whether this was a genuine error arising from the volume of information required by this Resolution, and that if this is the case, every effort be made to avoid penalizing those involved in such transactions;
- g) that the Management Authority of the exporting, re-exporting, and importing Parties should provide to the Secretariat, when directed by the Standing Committee or agreed to between the range State and the CITES Secretariat, a copy of each export permit for caviar immediately after issuance or upon receipt, as appropriate;
- h) that Parties accept shipments of caviar imported directly from countries of origin only if they are accompanied by appropriate documents relaying the information referred to in paragraph b), d) or e) and if the related processed products are labelled as directed in this Resolution;
- i) that Parties establish where legally possible a system of registration or licensing or both for importers and exporters of caviar; and
- j) the preceding set of procedures shall take effect as soon as possible for export quotas for the year 2001;

URGES all Parties that trade (export, import and re-export) in caviar to report promptly to the Secretariat the volumes involved each year.

DECISION OF THE CONFERENCE OF THE PARTIES

Decision 11.xx

DIRECTS to the Secretariat

- a) to explore, in collaboration with the Animals Committee and the relevant Parties, mechanisms for the effective and secure labelling of caviar that is subject to repackaging and re-export, together with appropriate administrative control procedures and report its findings and recommendations to COP 12.
- b) to develop, in collaboration with interested Parties, a molecular markers system for application, as appropriate, at the national or international level in order to identify Acipenseriformes species and their products in trade;
- c) to monitor, in collaboration with the Animals Committee, implementation of the universal labelling system for caviar and report deficiencies in the system to the next COP.

Species	Code
<i>Acipenser baerii</i>	BAE
<i>Acipenser baerii baicalensis</i>	BAI
<i>Acipenser brevirostrum</i>	BVI
<i>Acipenser dabryanus</i>	DAB
<i>Acipenser fulvescens</i>	FUL
<i>Acipenser gueldenstaedtii</i>	GUE
<i>Acipenser medirostris</i>	MED
<i>Acipenser mikadoi</i>	MIK
<i>Acipenser naccarii</i>	NAC
<i>Acipenser nudiventris</i>	NUD
<i>Acipenser oxyrinchus</i>	OXY
<i>Acipenser oxyrinchus desotoi</i>	DES
<i>Acipenser persicus</i>	PER
<i>Acipenser ruthenus</i>	RUT
<i>Acipenser schrencki</i>	SCH
<i>Acipenser sinensis</i>	SIN
<i>Acipenser stellatus</i>	STE
<i>Acipenser sturio</i>	STU
<i>Acipenser transmontanus</i>	TRA
<i>Huso dauricus</i>	DAU
<i>Huso huso</i>	HUS
<i>Polyodon spathula</i>	SPA
<i>Psephurus gladius</i>	GLA
<i>Pseudoscaphirhynchus fedtschenkoii</i>	FED
<i>Pseudoscaphirhynchus hermanni</i>	HER
<i>Pseudoscaphirhynchus kaufmanni</i>	KAU
<i>Scaphirhynchus platyrhynchus</i>	PLA
<i>Scaphirhynchus albus</i>	ALB
<i>Scaphirhynchus suttkusi</i>	SUS

Com. 11.30 Suggested changes to Doc. 11.11.4.2 and Doc. 11.39, Annex

(PREPARED BY A WORKING GROUP OF THE SUBCOMMITTEE
ON FAUNA OF THE NOMENCLATURE COMMITTEE)

Following discussions in the meeting of the Subcommittee on Fauna of the Nomenclature Committee, and the adoption of Proposal 11. 46, the following changes to existing documents are proposed:

1. To Doc. 11.11.4.2
 - a) In point 5, add after onwards: "for skins newly exported from range states"
 - b) Add to point 6 the following subparagraph: "For worked skins and pieces thereof that have been imported before August 1, 2000 it is sufficient for re-exports and re-imports, to use the indication *Tupinambis* spp."
2. To Doc. 11. 39, Annex
 - a) Under Adopts a) Mammal Species of the World, add that the section on the genus *Balaenoptera* is repealed and replaced by that on the genus *Balaenoptera* in Rice, D.W., 1998: Marine mammals of the World. Systematics and distribution. Special Publication Number 4: i-ix, 1-231. – The Society for Marine Mammals.
 - b) Under Adopts delete points g) and s) and renumber remaining points.
 - c) Under adopts point i) Snake species of the world, insert information in Inf. 11.6 and Inf.11.9 (only part on Snake checklist).
 - d) Under adopts point j) Amphibian species of the world, insert as an additional Standard Reference for the genus *Mantella*, the following publication: Vences, M., F. Glaw & W. Böhme, 1999: A review of the genus *Mantella* (Anura, Ranidae, Mantellinae): taxonomy, distribution and conservation of Malagasy poison frogs. – *Alytes* 17(1-2): 3-72.

Further the Nomenclature Committee, would like to propose the following draft decision regarding the continually update website on Amphibian Species of the World (D.R. Frost) directed to the Secretariat:

The Secretariat shall:

1. Make a print-out of the Standard Reference D.R. Frost. Amphibian Species of the World, 7 months before every second Conference of the Parties, starting with CoP 12, and submit that for review and adoption by the Nomenclature Committee.
2. After adoption of the printed version by the Nomenclature Committee, send a Notification to Parties to announce the accepted Standard Reference on Amphibians per the date of distribution of the Notification, and with the Notification provide the pertinent pages with species of Amphibians on CITES to the Parties, either as a hard copy or as a CD ROM, whichever is most cost-effective.
3. Make allowance in its yearly budget from 2004 onwards for distribution of the information mentioned under point 2.

Com. 11.31 (Rev. 1) Draft decision of the Conference of the Parties

Regarding trade in time-sensitive research samples

(PREPARED BY A WORKING GROUP
ON THE BASIS OF DOCUMENT DOC. 11.45.1 AND APPROVED BY COMMITTEE II)

Draft decision directed to the Animals Committee and the Standing Committee in regards to Agenda Item 11.45.1, entitled "regarding the diagnostic samples, samples for identification, research and taxonomic purposes and cell cultures and serum for biomedical research"

- a) The Animals Committee (in consultation with the Plants Committee, if necessary) shall examine the issues related to the international transfer of samples of species included in the CITES appendices. The terms of reference for this work shall be the following:

examine the following issues with regard to the need to establish or recommend procedures for expeditious transfer of biological samples in specified situations:

- i) identification of the various types of samples transferred internationally for purposes of research;
 - ii) categorization of purposes for which samples are transferred internationally, in terms of their commercial, non-commercial, and strict conservation elements, e.g., veterinary and diagnostic samples;
 - iii) categorization of the institutions and other recipients of such samples; and
 - iv) evaluation of the need for expedited transfer of samples in each of the categories;
- b) Based on the results of the above-described examinations the Animals Committee shall submit its conclusion to the Standing Committee which shall:
- i) make recommendations regarding the need and opportunities for capacity-building with regard to enforcement and implementation, in the light of current approaches in national and regional legislation;
 - ii) develop recommendations for the 12th meeting of the Conference of the Parties regarding the issues examined by the working group;
 - iii) ensure that the recommendations provided have been made in close consultation with the Convention on Biological Diversity, for consistency with the provisions of the Convention; and
 - iv) examine and evaluate different procedural and legal options for addressing these issues in compliance with CITES;
- c) The deliberations on these issues should include input from relevant organizations and experts. Specifically, deliberations and decisions should be made in close consultation with the Convention on Biological Diversity secretariat.

Doc. 11.30, Annex 2, Pages 18-19, No. 83.

- a) REMAINS AS IS
- b) MOVE OLD (b) TEXT TO (c) AND ADD FOLLOWING NEW TEXT. The Standing Committee should continue to review, via a targeted program, the progress of tiger range and consumer States, particularly those reviewed under the Technical and Political Missions. This review would include control of the illegal tiger trade legislative and enforcement measures taken by States, and implementation of the Mission recommendations.
- c) MOVE OLD (c) TEXT TO (d) AND ADD FOLLOWING REVISED (b) TEXT. The Standing Committee should report to the 12th meeting of the Conference of the Parties upon the progress made by the Parties visited by the Technical and Political Missions. Such a report may contain recommendations regarding appropriate measures should no progress be made.
- d) DELETE OLD (d) TEXT AND ADD FOLLOWING REVISED (c) TEXT. All Parties, non-Parties, international organizations, and non-governmental organizations are encouraged to provide financial support to tiger conservation in India. However, India should be encouraged to demonstrate that measures are or will be in place to allow the efficient disbursement of funds for tiger conservation.
- e) MOVE OLD (d) TEXT TO (f) AND ADD FOLOWING NEW TEXT. The mission particularly re-affirms the recommendation of the Technical Team that India should establish a specialized unit to combat wildlife crime and illicit trade. The mission urges India to determine how the Union, working with the States, could investigate serious incidents of wildlife crime and co-ordinate action at Union and States levels. At the same time, India should also review how to issue specific instructions to State police mangers to increase action against wildlife crime and that responses be monitored.
- f)-r) PLACE OLD (e) TEXT HERE, RE-LETTER ALL SUBSEQUENT OLD TEXT
AND MOVE, FROM e)-q) TO f)-r).
- g) THIS IS OLD f) OR NEW g) WITH DELETED SECOND SENTENCE ("~~...In doing so,...~~TRAFFIC").
- j) THIS IS OLD l) OR NEW j) WITH LAST SENTENCE DELETED ("~~...The mission believes...for the first Task Force.~~")
- o) THIS IS OLD n) OR NEW o) WITH DELETED WORD "primary" IN FIRST SENTENCE ("~~...China remains a primary destination...~~")

DRAFT DECISION OF THE 11th MEETING OF THE CONFERENCE OF THE PARTIES

Conservation of and Trade in Tigers

To Revise Resolution Conf. 9.13 (rev)

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

CHANGE URGES: a) TO:

- a) all Parties and non-Parties, especially tiger range and consumer States, to adopt comprehensive legislation and enforcement controls as a matter of urgency, with the aim of eliminating trade in tiger parts and derivatives, in order to demonstrably reduce the illegal trade in tiger parts and derivatives by the 12th meeting of the Conference of the Parties:

DRAFT DECISION OF THE ELEVENTH MEETING OF THE CONFERENCE OF THE PARTIES

Conservation of and Trade in Tigers

To replace Dec. 10.66

NOTE TO SECRETARIAT: Incorporate all appropriate recommendations of the mission reports as COP11 decisions, including revised 83 b) and c).

Tiger Enforcement Task Force (TETF)

The TETF is an enforcement group with the objective of combating illicit trade in tigers and tiger parts and derivatives, as defined by the 11th Conference of the Parties. The TETF operates in accordance with the basic principles and rules specific to the enforcement activities performed.

1. The activities of the TETF will be coordinated by the CITES Secretariat Enforcement Unit following agreement with the participating Parties. The Secretariat will arrange for the secretarial and administrative support.
2. The TETF will consist of middle to senior officials drawn from law enforcement agencies and/or Customs authorities of CITES Parties of Tiger Range and Consumers states for the length of time agreed upon by participating Parties.
3. The TETF will provide technical advice on wildlife crime and illicit trade, and intelligence support to Parties to the Convention. Only country representatives will be responsible for operations within their territory.
4. The TETF will, when targeting wildlife crime and illicit trade in tiger, ensure that the relevant CITES Management Authorities are kept informed, on a need to know basis, of its activities and maintain ongoing liaison with such authorities.
5. The CITES Secretariat Enforcement Unit will report upon the work of the TETF to each meeting of the Standing Committee that will be responsible for the dissemination of information useful for the Parties.
6. The TETF will, when appropriate, liaise and cooperate with ICPO-Interpol, the World Customs Organization and appropriate regional law enforcement groups.
7. The TETF will establish and maintain a network and lines of communication for the handling of intelligence data relating to wildlife crime and illicit trade in tiger to the law enforcement agencies of the Parties.
8. The TETF will be tasked with disseminating information relating to developments in law enforcement and forensic science techniques, relevant to tiger to all CITES Parties that can benefit from such information. To this end, the TETF may engage in and/or support specific training at international, regional and national levels in cooperation with the relevant CITES Management Authorities and/or law enforcement agencies.
9. The TETF should where appropriate and relevant, seek to draw upon the wildlife trade knowledge of the TRAFFIC International network offices and other sources.
10. The TETF will not disclose intelligence obtained during its activities to any individual or organization, other than ICPO-Interpol, the World Customs Organization, relevant CITES Management Authorities and/or governmental law enforcement agencies of a CITES Party.
11. The TETF will, when appropriate, be expected to provide advice to Parties, the CITES Secretariat, the Animals Committee, and the Standing Committee, that will assist in the development of project proposals, strategies, Resolutions and Decisions to assist in the enforcement and implementation of the Convention at international, regional national and levels. The TETF will be expected to responds to requests for expert advice from the CITES Secretariat, the Standing Committee and the Conference of the Parties.
12. The number and level of activities of the TETF is subject to the availability of funding. Any participating Party may withdraw from the working group by informing the other participating Parties of their intent, 90 days before the withdrawal.

13. Any participating Party may withdraw from the working group by informing the other participating Parties of their intent, 90 days before the withdrawal.

Party and NGO comments on the CITES tiger high-level political missions Doc. 11.30, Annex 2 (Rev. 1)

1. This Annex has been compiled by the Chairman of the COP11 ad hoc Tiger Working Group, Dr. Rosemarie Gnam of the United States, with the agreement of that Group.
2. During the meetings of the ad hoc Tiger Working Group, The Chairman offered the opportunity to provide written comments to Doc. 11.30. This was given to: the three Parties of the Political Mission; the United States, which funded Indian projects referred to in the Political Mission Report; and the non-governmental organizations cited in the Political Mission report (Annex 2). These comments follow.

2. China responded with the following:

All Parties, non-Parties, international organizations, and non-government organizations are encouraged to provide financial support for habitat, conservation, and enforcement in tiger range and consumer countries.

3. India responded with the following:

Para 1. No comments

Para 2. No comments

Para 3. No comments

Para 4. No comments

Para 5. No comments

Para 6. No comments

Para 7. The Special Enforcement & Co-ordination Committee has been meeting under the Chairmanship of Secretary (E&F) regularly. The Committee met at least twice during the year 1999 and an emergency meeting was also held immediately after the Ghaziabad seizure. We are not aware of the basis on which the conclusion of the Committees not meeting has been drawn.

Madhya Pradesh Tiger Foundation Society is a fund raising society with altogether different objectives and is in no way replication of the enforcement and co-ordination committees.

Because of the federal nature of constitution of India Co-ordination Committee at Government of India level can not oversee enforcement measures taken by various state agencies and each state need a Co-ordination cell of its own. Such an arrangement cannot be termed as proliferation of bureaucracy.

Para 8 & 9. It is difficult for a person from the developed world to understand that in developing countries the money is a scarce resource and the responsibilities of State Governments are multifaceted ranging from education, health and employment. sometimes, the wage and means positions of the States are so adverse that they cannot meet the salary of their staff. under such circumstances, they find it difficult to withdraw the money from the Reserve Bank in spite of their best intentions. It is in this background the innovative mechanisms of flow of funds is being worked out.

Para 10. The Mission is not aware of the culture of the country. We discussed the problems openly and in a transparent manner. During the discussions, one may get a feeling that lots of tensions existed but the loss of temper or heated exchanges are sometimes necessary to arrive at a consensus.

Para 11. There is no dispute between the number of tiger mortality pointed out by the non-governmental organizations and Government of India. This was made amply clear to the Mission. Most of the non-governmental organizations have no infrastructure to collect the poaching figures at ground level. Their assessments are based on the information provided by the State Government officials only. Too much maligning of the State Governments by the non-governmental organizations on the basis of the information provided by the State Government Officials only tends to make them defensive and force them not to talk much about poaching figures. The figures of tiger population in India being around 3,000-3,500 are quite realistic. Non Governmental Organizations for their own reasons may have different perceptions.

Par 12. Exceptions do not make the rules. One abrasion should not have been given undue weight by the Mission. The Mission should have verified these facts from Government of India. before incorporating it in this report. Government of India had already asked the state Government to inquire into the credibility of post mortem report much before the said committee member could know about it.

Par 13. India has a federal structure. The forest officers working in a particular State are under the administrative control of the State Government and Government of India cannot penalize the State Government Officials. However, the need for transparency and submission of correct information has been emphasized to the highest authorities of the State.

Para 14. In recent years, W.W.F. India has contributed significantly towards tiger conservation. Traffic India has played a key role in Khaga seizures.

Para 15. Presence or absence of guide maps in a nearby hotel does not reflect by any way the status of conservation. Such trifling things should not have been of concern to the Mission.

Para 16. The Governments have to work within the prescribed norms. Officers of forest guard level are not provided with any vehicle in any department of the Government, as their jurisdiction is too small. However, the vehicles available to senior officers are used when forest guard's services are drafted for patrolling. The other points raised in this paragraph are again matters of availability of resource and the Mission has not been able to appreciate the difference between the availability of resources in developed countries and developing countries.

Par 17. Government of India is trying to provide improved infrastructure, but in countries like India the financial involvement of such a process are quite substantial and the objectives can be achieved only in a phased manner. Even at present, the State Governments and Government of India are spending to the tune of 25 to 30 million US\$ per year towards tiger conservation. The contribution from overseas towards these ventures is totally insignificant.

Para 18. Vehicles are under the control of the State Government and the Foreign Donors have not taken Government of India in confidence while donating the vehicles. Therefore, stray cases might have happened but that should not be taken as a rule.

Para 19. No comments

Para 20. The Mission has not reached any definite conclusion on the issue and, therefore, no comments are required.

Para 21. The contents of Para 21 are not admitted. The government of India is carrying out Joint Forest Management and Eco-development programmes in Panna and other Tiger Reserves to win over the confidence of the local people and to convince them to contribute towards protection of wildlife. The vehicles, weapons and tools are not kept in the stores. According to legal procedures such articles become Government Property only after legal procedures are complete.

Para 22. Regulated grazing is allowed within sanctuaries according to the provisions of the Wild Life (Protection) Act. A country with 2% of the geographical area of the world and 18 % livestock populations cannot afford to exclude grazing from sanctuaries totally. Not only that, even the External Funding Agencies are also against total closure of protected areas from grazing. The needs of the people and conservation have to be harmonized.

Para 23. Home Ministry, Government of India has issued specific directions to the State Governments to give adequate priority to wildlife crimes. The co-ordination committees with police officers and forest officers and members of the enforcement agencies at State level have been created to muster co-operation between two agencies. The police and wildlife officers are both empowered to take cognizance of wildlife offences and question of any competition between them does not arise.

Para 24. Not accepted, the observations are based on hearsay. Mission should not have made such sweeping remarks.

Para 25. The relocation of lions is totally outside the purview of the Mission and they were not expected to make any comments in that regard. Furthermore, Members of the Mission have no expertise on relocation of larger cats.

Para 26 & 27. Eco-tourism perhaps was not the mandate of the Mission. Even otherwise, the Ministry of Environment & forests is not responsible for looking after tourism in any form. If the Mission had any desire to discuss the issue, they should have invited the representative of the Tourism Ministry also. The Ministry of Environment & Forests, however, is trying to develop a model of eco-tourism in consultation with the Tourism Ministry.

Para 28. The contents of Para 28 are not based on facts. The Joint Forest Management and Eco-development programmes are aimed at ensuring greater involvement of the local communities in park management.

Para 29. No comments

Para 30. No comments

Para 31. The Mission has not been able to evaluate the remarks in proper perspective. We are already carrying out technical consultation with competent experts about the use of GPS for control of poaching. Israel has considerable experience in this regard. The observations made are unwarranted and uncalled for so the remarks about secretary in the para should be deleted.

Para 32. The Members of the Mission should have been aware that the decisions in Government are taken collectively in consultation with all concerned Ministries and no responsible Secretary can make any commitment whether a particular proposal will be accepted or rejected and within what period it will be placed before a visiting mission. The Minister of Law and Justice normally can comment about the desirability of legal angle only. The financial implications will have to be looked into by the Finance Ministry.

Para 33. The Mission had not taken any appointment with the Minister. However, every effort was made to organize Mission's meeting with the Minister which could not materialize because of his pre-occupation. Mission should take it in the right spirit.

Para 34. No comments.

Para 35. The sweeping remarks of the Mission about all officials in India being complacent, apathetic and bureaucratic are unfortunate, and unexpected.

Para 36. Not admitted as stated. There is a greater co-ordination between wildlife officials and other investigating agencies now. Specialized training have started only during the year 1999 and it would take some time for the benefits of the training being reflected on ground level.

Para 37. The committee under reference had given 56 recommendations of which 34 have been complied. Creation of a separate agency would require huge amount of money and creation of large number of posts which Government of India could not immediately sanction. However, the matter is still being pursued. Central Bureau of Investigation has been authorized to tackle all serious Wild life crimes including intelligence gathering and developing a database.

Para 38. No comment

Para 39. Inadequacy of enforcement outside P.A. is not controverted but again it is linked with inadequacy of resource.

Para 40. No money has been received by Government of India from any foreign funding agency including non-governmental organizations in the last twenty five years. Therefore the conclusion is likely to block anticipated flow of fund from U.S., E.U. and U.K. and hamper the catalytic role of NGOs towards tiger conservation.

Para 41. The Project Tiger conservation programme was lauded as greatest successful conservation programme globally. The present crisis is only due to financial constraints. The international resources should be made available to the maximum for strengthening the

4. Japan responded with the following:

The amendment of the Cabinet Order under the Law for Conservation of Endangered Species of Wild Fauna and Flora (LCES), which regulates domestic trade,, came into effect April 1, 2000. This amendment enables us to regulate internal trade in tiger bone and its derivatives, as well as tiger fur, skin, and so on. As was cited in Doc. 11.30, Japan has been conducting public awareness campaigns on this measure, through the governmental information, posters, television, and radio. We continue to make our best effort to implement the above mentioned regulation effectively.

5. The United States responded with the following on India's conservation programs:

No 7. Non-government organizations, which are closely aligned with Indian State forest departments, such as the Madhya Pradesh Tiger Foundation Society (MPTFS), are extremely useful in transfer of tiger conservation funds from international donors to field projects.

Nos. 8 and 9. The Government of India must be encouraged to improve its mechanisms for transfer of its own funds from the central government to state governments and on to the field. Failure of the central and state government funds to reach the field greatly reduces the impact of international efforts to strengthen tiger conservation.

No. 15. A Wildlife Institute of India (W11)/ Fish and Wildlife Service collaborative project being carried out with active support of the Madhya Pradesh Forest Department is addressing interpretation and ecotourism at Panna Tiger Reserve. The State and W11 should receive encouragement for what they are attempting to accomplish at Panna rather than being used as a bad example.

No. 25. While it is true that there are problems with tiger conservation in Madhya Pradesh that need to be addressed now, the lion translocation project is still warranted. It is not helpful to deride the State for cooperating because they are having difficulty meeting their tiger conservation responsibilities.

Nos. 40 and 83b. Recommendations to refrain from providing assistance to Indian tiger conservation will embarrass and anger officials whose cooperation is required to bring about the changes need to allow efficient disbursement of funds. A better approach would be to offer assistance and incentives in the streamlining of policy and administrative procedures so that conservation funds may reach their intended targets in a timely manner.

No. 83d. Despite its many problems, India is making a considerable effort at tiger conservation. Traded sanctions are not warranted and may actually increase resistance to measures such as establishment of an Indian specialized wildlife crimes unit increased enforcement and financial control measures.

No. 64. Captive breeding of tigers for release to the wild is an unnecessary diversion of effort and funds away from the critical conservation issues. Tigers must have habitat of adequate size, abundant prey, effective anti-poaching law enforcement, and local support for their conservation. With these elements in place the remaining wild tiger populations in China will expand to fill the available habitat making release of captive-bred tigers is pointless.

The Service's Rhinoceros and Tiger Conservation Fund has provided a grant to the Wildlife Conservation Society for a workshop directed at development of a recovery plan for China's Siberian tigers (now scheduled for Fall 2000 in China). The hope is that a science based approach can be adopted that can be supported by the Chinese Government and international donors. Item 64 works against this effort by encouraging an unnecessary and dangerous methodology, which some cases could result in release of captive-bred tigers of unknown pedigree.

6. The two non-governmental organizations, the TRAFFIC Network and WWF, will submit text to the Chair.

Paras. 2 and 14. WWF and the TRAFFIC Network commend the work of the Tiger Missions and endorse most of the recommendations. However, we note that Para. 14 of Doc. 11.30, Annex 2, appears to be based on incomplete information. Since 1997, WWF has provided more than US\$1 million to support tiger conservation initiatives in India, including support for 19 tiger reserves and protected areas, purchase of equipment for patrolling and managing these areas, reward and incentive schemes for park and reserve managers, addressing problems associated with tiger-livestock conflict, and other projects. In addition, significant enforcement assistance has been provided by TRAFFIC India, including initiation of the seizure of tiger skins and other products referenced in Para. 2 of Doc. 11.30 Annex. 2. WWF and the TRAFFIC Network are fully committed to supporting tiger conservation and trade control efforts in India and the work of the CITES Secretariat and Tiger Missions. We recommend that, in the future, clear terms of reference be developed to guide both technical and political missions.

Improvement of the effectiveness of the Convention: Financing conservation of species of wild fauna and flora

[PREPARED ON THE BASIS OF DOCUMENT DOC. 11.12.4, ANNEX (REV. 2)]

1. The Standing Committee shall form a working group to:
 - a) inventory existing funding mechanisms made available by the Parties specifically for the conservation of wild fauna and flora;
 - b) analyse operating mechanisms of these instruments, taking into account:
 - i) the origin of the funds and the way they are collected;
 - ii) principles followed in allocating these funds;
 - iii) structures of administration and control;
 - iv) amounts already involved;
 - v) probable trends concerning these sources of financing; and
 - vi) evaluation of the overall effectiveness of the funds for the conservation of wild fauna and flora; and
 - c) evaluate the potential funding of these mechanisms for the purpose of improving implementation of the Convention, especially for enforcement assisting and supporting range States *in situ* conservation, for implementation of the provisions of Article IV, paragraph 3, and for implementation of the Strategic Plan.
2. The Parties shall provide the working group with all relevant information on ongoing funds or those being established in territories under their jurisdiction.
3. The Standing Committee shall take all measures necessary to report the Parties of the result of this analysis at the meeting of the Standing Committee during the second half of 2001 the results of which shall be only for the discretionary use of the Parties.
4. To ensure maximum use of available funds, especially GEF, the CITES Secretariat, in co-operation with the Secretariat of the Convention on Biological Diversity, shall approach the Secretariat of the Global Environment Facility (GEF) to study the projects for the sustainable management of species of wild fauna and flora included in the appendices of CITES eligible for financing from GEF.
5. The CITES Secretariat shall report to the Standing Committee on progress, at its meeting to be held during the second half of 2001.

Regarding the implementation of the Quito Declaration

The Republic of Ecuador, on behalf of the Central, South America and the Caribbean region, submit to the consideration of the eleven meeting of the Conference of the Parties the following draft Decisions:

Directed to the Parties

1. The Conference of the Parties recognize the Quito Declaration (Annex 1) as the document containing the basic principles for action regarding the Central, South America and the Caribbean region.

Directed to the Secretariat

1. Identify a co-ordinating mechanism to work jointly with UNEP/ROLAC and others MEA's to implement the Quito Declaration (see Annex 1).
 2. Identify financial resources for the purpose of implementing the actions that derive from the Quito Declaration, especially those referring to:
 - a) organization of regional meetings, at least one regional meeting before each meeting of the Conference of the Parties;
 - b) support to the different activities carry out by the regional representatives regarding CITES implementation.
-

Annex 1

Quito Declaration

The representatives of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) of the Region of Central, South America and the Caribbean having met in Quito, Ecuador, from 29 February to 2 March 2000,

Recognizing the importance of the CITES Convention as a valuable instrument to protect the species of wild fauna and flora in the region and to guarantee their sustainable use,

Considering that from 10 to 20 April 2000, the XI meeting of the Conference of the Parties to the Convention will be held in Nairobi, Kenya,

CONCLUDE AND RECOMMEND TO

- EMPHASIZE the need to enhance co-operation amongst neighbouring countries or countries belonging to the same sub-region in order to coordinate the efforts against illegal trade, recognizing that one of the threats that affect wildlife species of the region is the illicit trade.
- PROMOTE, when appropriate, the adoption or enhancement in each country of effective legislation. The purpose of this legislation is to regulate the trade of CITES-listed species and to penalize offenders engaging in illicit activities. To this end, the Parties commit themselves to review their legislation and, if necessary, proceed to its amendment, in order to ensure effective implementation of the Convention.

- PROMOTE the development of exchange programmes to share well-founded scientific information, in order to conserve the species protected under CITES. This information will be compiled by competent regional institutions, with the help, if necessary, of international experts. The Parties recognize that up-to-date and accurate information is essential to arrive at non-detriment findings regarding the survival of species, at the same time recognizing the benefits derived from management plans or pilot projects of an experimental nature.
- PROMOTE capacity building programmes at a national and regional level, aimed at officials responsible for the implementation of the CITES Convention, at different levels and institutions.
- PROMOTE the creation of a regional fund for the purpose of financing programmes for compilation and exchange of scientific data, population studies and management plans for wild species. The Parties commit themselves to collaborate closely with the CITES Secretariat, as well as with international and regional organizations, in fund-raising activities that will allow them to carry out such studies and programmes.
- CONSIDER regional co-operation as a special priority for the protection of wildlife. For this reason, the Parties commit themselves to strengthening the existing mechanisms of regional cooperation with the purpose of establishing harmonized policies and co-ordinating mechanisms to carry out activities related to the application within CITES in the region.
- ESTABLISH or, where appropriate, improve co-ordination mechanisms among relevant government agencies. In this sense, the Parties shall endeavour to ensure permanent consultations amongst institutions responsible for the environment, for external trade, for foreign affairs, for agriculture, as well as customs and police agencies, the judiciary and other competent authorities.
- RECOMMEND that all efforts be made to ensure the continuity and periodicity of regional meetings.

The representatives of the Parties to the CITES Convention at the First CITES Regional Meeting for Central, South America and the Caribbean (Quito, March 2000) wish to express their special thanks to the Ecuadorian government for its important contribution in organizing and hosting this regional meeting, as well as to the CITES Secretariat for its support throughout the whole process. Financial support from the Netherlands and Spain is gratefully acknowledged.

Adopted in San Francisco de Quito (Ecuador), 2 March 2000, in two identical copies, in Spanish and in English.

Victoria Lichstein
ARGENTINA
Regional Representative

Dimas Botello
PANAMA
Regional Representative

Danilo Silva
ECUADOR
Chairman of the Meeting

Definition of the term 'appropriate and acceptable destinations'

(PREPARED ON THE BASIS OF DOCUMENT COM. 11.14* AND APPROVED BY COMMITTEE II)

RECALLING that, at the ninth meeting of the Conference of the Parties, the South African population of southern white rhinoceros (*Ceratotherium simum simum*) was transferred to Appendix II of the Convention subject to an annotation stating, in part, "For the exclusive purpose of allowing international trade in live animals to appropriate and acceptable destinations and hunting trophies";

RECALLING ALSO that, at the 10th meeting of the Conference of the Parties, the African elephant (*Loxodonta africana*) populations of Botswana, Namibia and Zimbabwe were transferred to Appendix II of the Convention subject to an annotation stating, in part, "For the exclusive purpose of allowing export of live animals to appropriate and acceptable destinations";

NOTING that the term "appropriate and acceptable destinations" is yet to be fully defined;

NOTING FURTHER that the Parties have not indicated whether the determination was to be made by the exporting or the importing country;

RECOGNIZING that there are annotations currently existing that contain live animals, and that similar annotations may be adopted in future;

NOTING FURTHER that appropriate and acceptable destinations for live animals should be those that ensure that the animals are humanely treated;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

AGREES that, where the term "appropriate and acceptable destinations" appears in an annotation to the listing of a species in Appendix II of the Convention with reference to the export or international trade of live animals, this term shall be defined to mean destinations where the Scientific Authority of the state of import is satisfied that the proposed recipient of a living specimen is suitably equipped to house and care for it.

* The original reference in the document circulated during the meeting of the Conference of the Parties, namely Doc. 11.26, was wrong.

Revision of Resolution Conf. 10.10

(DRAFT AMENDMENT FROM THE SECRETARIAT)

Trade in elephant specimens

~~RECALLING Resolution Conf. 9.16, adopted by the Conference of the Parties at its ninth meeting (Fort Lauderdale, 1994);~~

~~NOTING that the African elephant *Loxodonta africana* was transferred from Appendix II to Appendix I at the seventh meeting of the Conference of the Parties (Lausanne, 1989) but some populations were transferred back to Appendix II, under certain conditions, at the 10th meeting (Harare, 1997);~~

NOTING that the Asian elephant, *Elephas maximus*, is has been included in Appendix I since 1973;

NOTING also that the African elephant, *Loxodonta africana*, was transferred from Appendix II to Appendix I at the seventh meeting of the Conference of the Parties (Lausanne, 1989) but some populations were transferred back to Appendix II, under certain a set of conditions, at the 10th meeting (Harare, 1997) and at the 11th meeting (Nairobi, 2000);

RECOGNIZING that elephant range States are the best protectors of their elephants but that the majority of them lack adequate enforcement capacity to improve ensure the security of their elephant populations;

FURTHER AWARE that monitoring systems should encompass capacity-building in range States, to provide information to facilitate elephant management, and to prioritize and guide enforcement initiatives and protection efforts;

CONVINCED that the enhancement of elephant security in Africa and Asia would be facilitated by cooperation, data-sharing and mutual assistance between and among range States;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

Regarding definitions

AGREES that:

- a) the term 'raw ivory' include all whole elephant tusks, polished or unpolished and in any form whatsoever, and all elephant ivory in cut pieces, polished or unpolished and howsoever changed from its original form, except for 'worked ivory'; and
- b) 'worked ivory' be considered readily recognizable and that this term shall cover all items made of ivory for jewellery, adornment, art, utility or musical instruments (but not including whole tusks in any form, except where the whole surface has been carved), provided that such items are clearly recognizable as such and in forms requiring no further carving, crafting or manufacture to effect their purpose;

Regarding marking

RECOMMENDS that whole tusks of any size, and cut pieces of ivory that are both 20 cm or more in length and one kilogram or more in weight, be marked by means of punch-dies or, where this is not practicable, with indelible ink, using the following formula: country-of-origin two-letter ISO code, serial number for the year in question/the last two digits of the year and the weight in kilograms (e.g. KE 00/127/14). This number is to be placed at the 'lip mark', in the case of whole tusks, and highlighted with a flash of colour;

* During the meeting this document was provided in English only, marked with the date 19.04.00 and without number.

Regarding control of internal ivory trade

RECOMMENDS to those Parties in whose jurisdiction there is an ivory carving industry that is not yet structured, organized or controlled and to those Parties designated as ivory importing countries, that comprehensive internal legislative, regulatory and enforcement measures be adopted to:

- a) register or license all importers, manufacturers, wholesalers and retailers dealing in raw, semi-worked or worked ivory products; and
- b) introduce recording and inspection procedures to enable the Management Authority and other appropriate government agencies to monitor the flow of ivory within the State, particularly by means of:
 - i) compulsory trade controls over raw ivory; and
 - ii) a comprehensive and demonstrably effective reporting and enforcement system for worked ivory;

Regarding monitoring of illegal hunting of and trade in elephant specimens

AGREES that:

- a) ~~a comprehensive, international monitoring system shall be established under the supervision and direction of the Standing Committee with the objectives of~~ **The systems known as Monitoring the Illegal Killing of Elephants (MIKE) and the Elephant Trade Information System (ETIS) established under the supervision of the Standing Committee, shall continue and be expanded with the following objectives:**
 - i) measuring and recording ~~current~~ levels and trends **and changes in levels and trends** of illegal hunting and trade in ivory in ~~African and Asian~~ **elephant** range States, and in trade entrepots;
 - ii) assessing whether and to what extent observed trends are ~~a result of~~ **related to** changes in the listing of elephant populations in the CITES appendices and/or the resumption of legal international trade in ivory; and
 - iii) establishing an information base to support the making of decisions on appropriate ~~remedial action in the event of any problems with compliance or potential detriment to the species; and~~ **management, protection and enforcement needs; and**
 - iv) **building capacity building in range States;**
- b) this monitoring system shall be in accordance with the framework outlined in Annex 1 for monitoring of illegal trade in ivory and other elephant specimens and in Annex 2 for monitoring of illegal hunting in elephant range States;
- c) **information on illegal killing of elephants and trade in their products from other credible law enforcement and professional resource management sources ~~of from sites not implementing MIKE~~ should also be ~~considered~~ taken into consideration;**

Regarding assistance to elephant range States

RECOMMENDS that Parties assist range States to improve their capacity to manage and conserve their elephant populations through improved law enforcement, surveys and monitoring of wild populations;

Regarding quotas for and trade in raw ivory

RECOMMENDS that:

- a) each State that has a population of African elephants and wishes to authorize export of raw ivory establish, as part of its management of the population, an annual export quota for raw ivory expressed as a maximum number of tusks;
- b) each export quota be communicated to the CITES Secretariat in writing by 31 December for the next calendar year;
- c) Parties ensure that significant amounts of confiscated ivory are notified separately to the Secretariat and are not incorporated in quota submissions;
- d) the CITES Secretariat assist in the implementation of the quota system by: reviewing information submitted on each quota, together with any information received about the status of the population in question; discussing any concern with the relevant State; and, if there is no cause for concern, communicating the current quota to the Parties not later than 31 January of each year;

- e) the Secretariat maintain its Ivory Trade Control Procedures Manual and that the Parties follow the procedures for quota submissions documented in this Manual;
- f) if the quota is not submitted by the deadline, the State in question have a zero quota until such time as it communicates its quota in writing to the Secretariat and the Secretariat in turn notifies the Parties;
- g) no export, re-export or import of raw ivory be authorized unless it is marked in accordance with this Resolution or in accordance with the Secretariat Manual;
- h) Parties accept raw ivory from producer States only where the export permit was issued in a year for which a quota for the State in question has been communicated to the Parties in accordance with this Resolution;
- i) Parties may accept raw ivory from a producer non-party State only if a quota for that State has been reviewed by the Secretariat and communicated to the Parties and if the Secretariat has received from the State an annual report on its ivory trade, and if the State meets all the other conditions in this Resolution and Article X of the Convention (as interpreted by Resolutions of the Conference of the Parties);
- j) in compiling their annual reports, producer party and non-party States that have authorized the export of raw ivory relate such exports to their quota for any given year, providing the Secretariat with as much relevant information as possible, including, as a minimum, the number of whole or substantially whole tusks and their individual weights and identification numbers;
- k) all Parties maintain an inventory of the stock of raw ivory held within their territory, and that they inform the Secretariat of the level of this stock each year before 31 January, indicating the source of the ivory; and
- l) Parties assist the Secretariat to ensure that the duties set out in this Resolution are carried out; and

Regarding resources required for implementation of this Resolution

APPEALS to all governments, non-governmental conservation organizations and other appropriate agencies to provide funds for the resources required in the Secretariat and producer States to ensure that the recommendations in this Resolution can be effectively implemented; and

REPEALS Resolution Conf. 9.16 (Fort Lauderdale, 1994) – Trade in African Elephant Ivory.

Annex 1 Monitoring of illegal trade in ivory and other elephant specimens

1. Introduction

In order to monitor and record levels of illegal trade in ivory and other elephant specimens on a global basis, there is a need for a system to collect and compile law enforcement data on seizures and confiscations. The Conference of the Parties recognizes the Bad Ivory Database System (BIDS) established by TRAFFIC for this purpose in 1992. ~~Currently, BIDS contains the details of more than 4,000 ivory seizures, representing nearly 100 tonnes of ivory from over 40 countries around the world since 1989.~~

~~The Conference of the Parties further recognizes that BIDS has been useful in assessing ivory trade developments since its seventh meeting (Lausanne, 1989). The African Elephant Range State Dialogue Meeting (Dakar, 1996) agreed that illegal trade in ivory is a concern and improvements in enforcement and management capacity should be a priority for all African elephant range States. It also agreed that all CITES Parties should provide information about ivory seizures to TRAFFIC for inclusion in its database.~~

- ~~1. Although further development and refinement are necessary, BIDS is designated as the appropriate instrument for monitoring the pattern and measuring the scale of illegal trade in ivory and other elephant specimens.~~
- 2. **Through further development and refinement of BIDS, the Elephant Trade Information System (ETIS) was developed to monitor the pattern and scale of illegal trade in ivory and other specimens.**

3. Scope

~~BIDS~~ ETIS will include the details of law enforcement records for seizures or confiscations of elephant ivory and other elephant specimens which have occurred anywhere in the world since 1989. ETIS will also include subsidiary information on law enforcement effort, legal and illegal elephant product markets and background economic data.

4. Methods

Data and information on illegal trade in elephant ivory and other elephant specimens will be collected by TRAFFIC ~~using a refined version of the existing BIDS.~~ **through a process in collaboration with the CITES Secretariat.** In this regard, a standardized methodology for the collection of data will be developed, including, but not limited to, information on:

- source of information
- date of seizure
- type of transaction
- country of seizure
- country of origin
- country of export
- country of destination/import
- type of ivory and quantity
- mode of transport
- *modus operandi*
- profile of offenders/suspects
- status of cases in the courts
- law enforcement effort.

A data collection format ~~will be~~ **has been** designed by TRAFFIC and circulated to all Parties by the CITES Secretariat ~~within 90 days of this Resolution taking effect.~~

5. Data collection and compilation

~~BIDS~~ ETIS will be managed and coordinated by TRAFFIC ~~from an appropriate location in Africa and Asia.~~

All Parties should provide information on seizures and confiscations of ivory or other elephant specimens in the prescribed format to ~~TRAFFIC~~ **the Secretariat** within 90 days of their occurrence. In addition, law enforcement agencies in States not-party are also requested to provide such information.

TRAFFIC will ~~oversee~~ **assist the relevant Parties with the** collection of data, ensure data quality and consistency, and provide training in data collection and information management techniques to designated officials around the world as appropriate.

6. Data analysis and interpretation

The analysis and interpretation of data will be coordinated by TRAFFIC in association with the CITES Secretariat and institutions involved with monitoring the illegal hunting of elephants (see Annex 2).

7. Reporting

TRAFFIC will produce a comprehensive report to each meeting of the Conference of the Parties.

8. Intersessional remedial action

In the event that there is a need for urgent intersessional action, TRAFFIC will report to the Standing Committee via the Secretariat as appropriate.

9. Funding

A funding mechanism will be established to ensure that ~~BIDS~~ ETIS is fully operational.

Annex 2

Monitoring of illegal hunting in elephant range States

1. Introduction

In order to address the concerns of many elephant range States, it is necessary to establish a system through which the impact of CITES decisions with respect to elephants and trade in elephant specimens can be ~~measured~~ **assessed**. Of primary importance is the establishment of a simple

system of international reporting of incidents of illegal hunting as a baseline against which levels and trends and changes in these levels and trends can be detected.

It is recognized that such measurement must consist of two elements. The first of these is the monitoring of parameters relevant to the issue, such as the pattern and scale of illegal killing, the pattern and scale of illegal trade in ivory, the effort and resources being applied to detection and/or prevention and the monetary value of illegally traded ivory, as well as other factors that might affect these parameters, such as civil strife, the flow of illegal arms and ammunition, loss of habitat and drought.

The second element is the ~~determination of whether or not there is a causal relationship between changes in these~~ **establishment of correlations between relevant** parameters and the decisions of the Conference of the Parties with regard to elephants.

The overall aim of this system is to provide information needed for range States and other Parties to CITES to make appropriate management and enforcement decisions, and to build institutional capacity within the range States for the long-term management of their elephant populations.

2. Scope and methodology

The monitoring system will include elephant range States in both Africa and Asia and trade entrepôts.

It will be based on a standardized methodology for the reporting of illegal hunting by CITES Management Authorities in range States and for monitoring in specific sites or areas. **A Relevant databases** and **a standard reporting protocols** will be established by the CITES Secretariat in consultation with **the range States involved in implementing MIKE** IUCN/SSC and TRAFFIC, ~~for approval by the Standing Committee and the MIKE Technical Advisory Group (TAG).~~

Sites will be selected on the basis of representative sampling (since it is neither possible nor practical to cover all range States) and will include a variety of habitat types, geographical regions and protected and non-protected areas. The sites ~~for inclusion~~ **included** in the system **are selected collaboratively with** the range States, **the CITES Secretariat and other relevant experts.** ~~representation within the IUCN/SSC African Elephant Specialist Group (AfESG) and the Asian Elephant Specialist Group (AsESG).~~

For countries wishing to include in the monitoring system sites other than the selected ones, it will be possible and desirable to contribute data voluntarily on additional sites.

3. Data collection, and compilation and reporting

Data collection will cover the following topics:

- elephant population data/trends
- incidence and patterns of illegal hunting
- measures of the effort and resources employed in detection and prevention of illegal hunting and trade.

Data and information on illegal **hunting and illegal** trade in ivory will be collected **through active communication with range States through the implementation of MIKE and ETIS** ~~by TRAFFIC using a refined version of their existing BIDS (Bad Ivory Database System) (see Annex 1).~~

The CITES Secretariat will request/sub-contract technical support from **appropriate experts, and with advice of the TAG to:** ~~AfESG and AsESG~~ to:

- a) select sites for monitoring as representative samples;
- b) develop a standardized methodology for data collection analysis;
- c) provide training to designated officials in countries with selected sites and to CITES Management Authorities of elephant range States;
- d) collate and process all data and information from all sources identified; and
- e) provide a report to the CITES Secretariat for transmission to the Standing Committee and Parties to CITES.

4. **The CITES Secretariat will provide a an updated report on information collected, as part of this monitoring programme, to each meeting of the Conference of the Parties.**

5. Funding

Substantial funding will be required for the above activities.