

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

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Twelfth meeting of the Conference of the Parties  
Santiago (Chile), 3-15 November 2002

Strategic and administrative matters

Establishment of Committees

REVIEW OF THE COMMITTEE STRUCTURE

1. This document has been prepared and submitted by the Secretariat.
2. Since the entry into force of the Convention in 1975, the number of committees and working groups that were established has been increasing and their tasks, mandates, membership and working procedures varied from one to the other. They were established by a great many Resolutions. This development was stopped by the adoption at the sixth meeting of the Conference of the Parties in 1987 of Resolution Conf. 6.1, re-establishing existing committees sometimes under a different name, and creating a number of new committees and sub-committees. The Resolution only dealt with committees that operate between meetings of the Conference of the Parties. It has been amended several times since its adoption (in 1994, 1997 and 2000). The current Resolution dealing with this issue is Resolution Conf. 11.1.
3. With the adoption of Resolution Conf. 6.1, the Technical Committee was abolished and its activities distributed among the Standing Committee and the Animals and Plants Committees. As indicated in the document submitted by the United States of America (document CoP12 Doc. 13.2), this has not always provided the desired results.
  1. 4. The Secretariat is of the opinion that in view of the unfortunately diminishing financial resources that are available for committee and working group meetings and of discussions at the World Summit on Sustainable Development on international environmental governance in general and on the negative effects of the proliferation of convention bodies and international meetings in particular – a serious effort is necessary to streamline the mandates and tasks of committees and their relationship to the work of the Secretariat.
5. The separate Animals and Plants Committees have done excellent work since their establishment; but over time their mandates have become almost identical. With very few exceptions, conservation issues falling within the scope of the Convention are equally relevant to animals and plants. The Secretariat is of the opinion that the discussion of all scientific issues in the context of the Convention in one Committee would contribute to an improved coordination and greater overall understanding of scientific matters in the area of international wildlife trade and therefore to a better implementation of the Convention. The Secretariat believes that the creation of one Scientific Committee would not negatively affect the attention given to plant issues. To the contrary, both plant-related and animal-related issues have a lot to gain from being discussed in the wider scientific context. Also, a committee structure that reflects the Parties' organization of their CITES implementation infrastructure would allow a better preparation for and participation of the Management and Scientific Authorities in the work of committees, as well as enhance the ability of regional members on these committees to carry out their important coordinating role.

6. In the light of the above, the Secretariat has carefully considered the options proposed by the United States of America in document CoP12 Doc. 13.2 and supports the proposal from Chile contained in document CoP12 Doc. 13.1. On that basis it has formulated the proposals contained in Annexes 1 and 2 to this document, for a revision of Resolution Conf. 11.1. It provides a choice between two main options:
  - a) to continue the **Standing Committee** of the Conference of the Parties and to create a **Scientific Committee** of the Conference of the Parties, to replace and carry out the tasks of the existing Animals Committee, Plants Committee and Nomenclature Committee; or
  - b) to create, not only the committees referred to in a), but also an **Implementation Committee**.
7. The choice between these two options – and any other options for that matter - will to a large extent need to be made in the light of the budgetary possibilities. If the preference of the Conference of the Parties goes to option a), which is recommended by the Secretariat, the work that would be attributed to the Implementation Committee under option b) would need to be either carried out by sub-committees and working groups, or by the Secretariat in line with option b) under point 10 of document CoP12 Doc. 13.2, as appropriate. This would also be necessary in the case of a *status quo* where the Committee structure is concerned in order to avoid the difficulties encountered in the past, some of which are described in paragraphs 2 and 3 of document CoP12 Doc. 13.2.
8. The Secretariat further proposes the following amendments to Resolution Conf. 11.1:
  - a) For uniformity of approach and to enhance their regional coordinating role, regional representatives on all permanent Committees should be Parties, appointed by the Conference of the Parties on a proposal from the respective regions and following the procedure laid down in Decision 11.5.
  - b) The regional representation on the Scientific [and Implementation] Committee[s] should be in accordance with the relevant provisions that are currently applicable to the Standing Committee (this proposal is also made by Chile in document CoP12 Doc. 13.1).
  - c) The rules of procedure decided by the Standing Committee (including those on the admission of observers) should apply *mutatis mutandis* to the other Committee[s].
  - d) The mandate of the Standing Committee should provide it with a better basis to respond to significant cases of non-compliance and illegal trade.
9. The Secretariat is of the opinion that the proposal in Annex 1 provides the most cost-effective and productive way to deal with the many policy-making, administrative, scientific and technical issues that need to be taken care of between meetings of the Conference of the Parties. As indicated in point 6, however, the Secretariat has provided the proposal in Annex 2 as an alternative to its preferred option.
10. It therefore recommends that Parties adopt the proposal contained in Annex 1 and revisit the issue of the committee structure, in the light of the experience gathered, at its 13th meeting.

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Establishment of Committees

RECALLING Resolution Conf. 9.1 (Rev.), adopted by the Conference of the Parties at its ninth meeting (Fort Lauderdale, 1994) and amended at its 10th meeting (Harare, 1997) and 11th meeting (Gigiri, 2000), relating to the establishment of committees;

RECOGNIZING that the separate Animals and Plants Committees have done excellent work since their establishment; that over time their mandates have become almost identical and that, with few exceptions, conservation issues falling within the scope of the Convention are equally relevant to animals and plants;

BELIEVING that the discussion of all scientific matters in the context of the Convention in one committee would contribute to an improved coordination and greater overall understanding of scientific issues in relation to international trade in both wild animals and plants and therefore to a better implementation of the Convention;

NOTING that a committee structure that reflects the Parties' organization of their CITES implementation infrastructure would allow a better preparation for and participation of the Management and Scientific Authorities in the work of committees, as well as enhance the ability of regional members on these committees to carry out their important coordinating role;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RESOLVES that:

- a) there shall be a 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 a Scientific Committee of the Conference of the Parties, which shall report to the Conference of the Parties 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 following 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 *mutatis mutandis* to other committees and working groups;
- f) regional representatives on the Standing Committee and the Scientific Committee shall be appointed by the Conference of the Parties on a proposal from the respective regions;
- 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 and the Scientific Committee; and

- h) the Secretariat shall provide secretarial services to the Standing Committee and the Scientific Committee and shall provide such services to other committees and working groups when they can be met from the approved budget of the Secretariat;

ADOPTS the terms of reference and further provisions for the functioning of the Standing Committee and the Scientific Committee laid down in Annexes 1 and 2 respectively of this Resolution; and

REPEALS Resolution Conf. 11.1 (Gigiri, 2000) – 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 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 that the terms of reference of the Standing Committee of the Conference of the Parties shall be as follows:

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;
- 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 to oversee expenditures of fund-raising activities;
- d) provide advice as required to the Scientific Committee and provide direction to and coordination of sub-committees and working groups established by either itself or the Conference of the Parties;
- e) respond to reports from the Secretariat regarding significant cases of non-compliance or illegal trade and make appropriate recommendations within the framework of the policies agreed by the Conference of the Parties regarding non-compliance;
- f) carry out, between meetings of the Conference of the Parties, such interim activities on behalf of the Conference as may be necessary;
- g) draft resolutions for consideration by the Conference of the Parties;
- h) report at each meeting of the Conference of the Parties on the activities it has carried out since the previous meeting;
- i) act as the Bureau at meetings of the Conference of the Parties, until the Rules of Procedure are adopted; and
- j) 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, Central and South America and the Caribbean, and Oceania, according to the following criteria:
      - 1. one representative for each region with up to 15 Parties;
      - 2. two representatives for each region with 16 to 30 Parties;
      - 3. three representatives for each region with 31 to 45 Parties; or
      - 4. four representatives for each region with more than 45 Parties;
    - B. the Depositary Government; and
    - C. the previous host Party and the next host Party;
  - ii) each Party elected as an alternate member for a member described in paragraph A, shall 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
  - iii) 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 a 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 payment, 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 shall 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 30 days from the completion of the travel.

## Annex 2

### Establishment of the Scientific Committee 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;

ALSO RECOGNIZING the need to ensure the continued development of standardized nomenclatural references for animal and plant taxa listed in the Appendices;

#### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RESOLVES that the terms of reference of the Scientific Committee of the Conference of the Parties shall be as follows:

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

- a) provide advice and guidance to the Conference of the Parties, other committees, sub-committees and working groups and the Secretariat, on all scientific matters relevant to international trade in animal and plant species included in the Appendices, which may include proposals to amend the Appendices;
- b) develop and maintain 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) cooperate 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 Depositary Government, for consideration at meetings of the Conference of the Parties;
- i) make available advice on management techniques and procedures for range States requesting such assistance;
- j) deal with issues related to the transport of live animals and plants;
- k) 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;
- l) 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;
- m) ensure that the highest priorities in developing the standard reference lists of animal and plant names and synonyms be:
  - i) species names of animals and plants listed at the species level in the Appendices;
  - ii) generic names of species listed at the genus or family level in the Appendices; and
  - iii) family names of species listed at the family level in the Appendices;

- n) review the existing Appendices with regard to the correct use of zoological and botanical nomenclature;
- o) 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;
- p) ensure that changes in nomenclature recommended by a Party do not alter the scope of protection of the taxon concerned;
- q) make recommendations on nomenclature to the Conference of the Parties, other committees, working groups and the Secretariat;
- r) draft resolutions on scientific matters, for consideration by the Conference of the Parties;
- s) perform any other functions that may be entrusted to it by the Conference of the Parties or the Standing Committee; and
- t) report to the Conference of the Parties and, if so requested, to the Standing Committee, on the activities it has carried out or supervised between meetings of the Conference;

DETERMINES that:

- a) for the tasks to be carried out under points k) to q) above, the Scientific Committee shall designate from two of its members: one zoologist to address nomenclatural issues for animal taxa and one botanist for plant taxa, to coordinate and monitor the input needed from specialists in fulfilling these responsibilities and inform the Committee at each meeting about the progress made;
- b) the membership of the Scientific Committee shall consist of a Party or Parties elected from each of the six major geographic regions consisting of Africa, Asia, Europe, North America, Central and South America and the Caribbean, and Oceania, according to the following criteria:
  - i) one representative for each region with up to 15 Parties;
  - ii) two representatives for each region with 16 to 30 Parties;
  - iii) three representatives for each region with 31 to 45 Parties; or
  - iv) four representatives for each region with more than 45 Parties;
- c) each Party elected as an alternate member for a member described in paragraph b), shall be represented at meetings as a regional member only in the absence of a representative of the member for which it is the alternate;
- d) 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;
- e) any Party shall be entitled to be represented at meetings of the Committee as an observer;
- f) a Chairman and a Vice-Chairman shall be elected by the Committee; and
- g) the admission of observers at meetings of the Committee shall be in accordance with the Rules of Procedure adopted by the Standing Committee;

DETERMINES further the following principles for the payment of travel expenses to regional members of the Scientific Committee:

- a) the Secretariat shall make provisions in its budget for the payment, 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 30 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 Committee.



DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Establishment of Committees

*Preamble as in Annex 1 to this document*

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RESOLVES that:

- a) Standing Committee of the Conference of the Parties – *as in Annex 1 to this document*
- b) Scientific Committee of the Conference of the Parties – *as in Annex 1 to this document*
- c) there shall be an Implementation Committee of the Conference of the Parties, 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;
- d) to f) *as in points c) to e) in Annex 1 to this document*
- g) regional representatives on the Standing Committee, the Scientific Committee and the Implementation Committee shall be appointed by the Conference of the Parties on a proposal from the respective regions;
- h) *as in points g) in Annex 1 to this document; and*
- i) the Secretariat shall, provide secretarial services to the Standing Committee, the Scientific Committee and the Implementation Committee and shall provide such services to other committees and working groups when they can be met from the approved budget of the Secretariat;

ADOPTS the terms of reference for and principles for the composition of the Standing Committee, the Scientific Committee and the Implementation Committee laid down in Annexes 1, 2 and 3 respectively of this Resolution; and

REPEALS Resolution Conf. 11.1 (Gigiri, 2000) – Establishment of Committees.

**Annex 1**

Establishment of the Standing Committee of the Conference of the Parties

*as in Annex 1 to this document*

**Annex 2**

Establishment of the Scientific Committee of the Conference of the Parties

*as in Annex 1 to this document*

## Annex 3

### Establishment of the Implementation Committee of the Conference of the Parties

REALIZING the many problems faced by the Parties concerning the legislative, administrative and technical aspects of the implementation of the Convention;

RECOGNIZING that most of these issues require a level of expertise, which is not available in the Standing and Scientific Committees;

RECOGNIZING the need to facilitate and simplify the practical implementation of the Convention;

#### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RESOLVES that the terms of reference of the Implementation Committee of the Conference of the Parties shall be as follows:

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

- a) provide advice and guidance to the Conference of the Parties, the other committees, working groups and the Secretariat, on all legislative, implementation and technical matters relevant to the international trade in animal and plant species;
- b) cooperate with the Secretariat on the implementation of its programme of work to assist Management Authorities and other agencies with responsibility for the implementation of the Convention;
- c) assist the Secretariat in assessing the information in annual and biennial reports that is of relevance to its work and to improve the level and quality of such reports, as well as their evaluation and usefulness as management tools;
- d) provide advice on new techniques and procedures that may be of relevance to the implementation of the Convention;
- e) draft resolutions on matters falling within its mandate, for consideration by the Conference of the Parties;
- f) perform any other functions that may be entrusted to it by the Conference of the Parties or the Standing Committee; and
- g) report at each meeting of the Conference of the Parties and, if so requested, to the Standing Committee, on the activities it has carried out or supervised since the previous meeting of the Conference;

DETERMINES that:

- a) the membership of the Implementation Committee shall consist of a Party or Parties elected from each of the six major geographic regions consisting of Africa, Asia, Europe, North America, Central and South America and the Caribbean, and Oceania, according to the following criteria:
  - i) one representative for each region with up to 15 Parties;
  - ii) two representatives for each region with 16 to 30 Parties;
  - iii) three representatives for each region with 31 to 45 Parties; or

- iv) four representatives for each region with more than 45 Parties;
- b) each Party elected as an alternate member for a member described in paragraph a), shall be represented at meetings as a regional member only in the absence of a representative of the member for which it is the alternate;
- c) 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;
- d) any Party shall be entitled to be represented at meetings of the Committee as an observer;
- e) a Chairman and a Vice-Chairman shall be elected by the Committee; and
- f) the admission of observers at meetings of the Committee shall be in accordance with the Rules of Procedure adopted by the Standing Committee;

DETERMINES further the following principles for the payment of travel expenses to regional members of the Implementation Committee:

- a) the Secretariat shall make provisions in its budget for the payment, 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 shall 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 30 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.