

EXPLANATION OF THE PROPOSED AMENDMENTS TO RESOLUTION CONF. 9.24

<p>Proposed revision of Resolution Conf. 9.24 Text proposed for deletion in strike through; Newly proposed text in bold</p>	<p>Explanatory notes</p>
<p>Criteria for amendment of Appendices I and II</p>	
<p>RECALLING that the Conference of the Parties at its eighth meeting, held in Kyoto, Japan, in March 1992, was convinced that the criteria adopted at the first meeting of the Conference of the Parties (Berne, 1976) (Resolutions Conf. 1.1 and Conf. 1.2) did not provide an adequate basis for amending the Appendices, and directed the Standing Committee to undertake, with the assistance of the Secretariat, a revision of the criteria for amending the Appendices (Resolution Conf. 8.20);</p>	<p>The first three preambular paragraphs are outdated and have been replaced by two new ones.</p>
<p>NOTING that this review was carried out in consultation with the Parties and on the basis of initial technical work carried out by IUCN in collaboration with other experts;</p>	
<p>NOTING further that all aspects of this review were addressed by a joint meeting of the Plants and Animals Committees, in association with the Standing Committee, held in Brussels in September 1993;</p>	
<p>RECALLING that Resolution Conf. 9.24, adopted by the Conference of the Parties at its ninth meeting (Fort Lauderdale, 1994) recommended that the text and the annexes of this Resolution be fully reviewed before the 12th meeting of the Conference of the Parties with regard to the scientific validity of the criteria, definitions, notes and guidelines and their applicability to different groups of organisms;</p>	<p>The first new paragraph reflects the reason for the review by quoting the relevant paragraph from the operational part of Resolution Conf. 9.24.</p>
<p>RECALLING that the Conference of the Parties at its 11th meeting (Gigiri, 2000), approved procedures for this review, laid down in Decision 11.2;</p>	<p>The second new paragraph refers to the Decision taken the 11th meeting of the Conference of the Parties, on the process of the review. This process and timetable have been fully adhered to (see document SC45 Doc. 14).</p>
<p>CONSIDERING the fundamental principles in paragraphs 1 and 2 of Article II of the Convention, which specify the species to be included in Appendices I and II;</p>	

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RECOGNIZING that to qualify for inclusion in Appendix I a species must meet biological and trade criteria and be or possibly be affected by trade ;	The simple reference to 'trade criteria' was amended to make the text consistent with the text of the Convention.
RECALLING that Article II, paragraph 2(a), provides for the inclusion of species which may become threatened with extinction in Appendix II, in order to avoid utilization incompatible with their survival;	
RECOGNIZING that for the proper implementation of this provision it is necessary to adopt appropriate criteria, considering both biological and trade factors;	
RECALLING that paragraph 2(b) of Article II provides only for the inclusion in Appendix II of species which must be subject to regulation in order that trade in specimens of certain species included in Appendix II in accordance with Article II, paragraph 2(a), may be brought under effective control;	
CONSIDERING, however, that this provision should also apply where there is a need to bring under effective control trade in specimens of species included in Appendix I;	
<p>RECOGNIZING that the range States of a species subject to an amendment proposal should be consulted following the procedures recommended by the Conference of the Parties, and that the intergovernmental bodies having a function in relation to that species should be consulted as well;</p> <p>RECOGNIZING that the range States of a species subject to an amendment proposal should be consulted by the proponent, or on its behalf by the Secretariat, in accordance with the relevant Resolutions of the Conference of the Parties, and that all Parties shall be consulted by the Secretariat in accordance with Article XV, paragraph 1(a), of the Convention;</p>	Following comments received in the second round of consultation that the paragraph was not clear on who should do what, the text of this paragraph and the one immediately following are amended to better reflect the respective roles of the Secretariat and proponent(s) in relation to required consultations.
<p>NOTING the competence of certain intergovernmental organizations in relation to the management of marine species;</p> <p>RECOGNIZING further that the Secretariat, in accordance with the same Article, shall consult intergovernmental bodies having competence in relation to the management of marine species, and should also consult other intergovernmental bodies having a function in relation to any species subject to a proposal for amendment;</p>	

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RECALLING that the international trade in all wild fauna and flora is under the purview of the Convention;	
EMPHASIZING the importance of Resolution Conf. 3.4, adopted at the third meeting of the Conference of the Parties (New Delhi, 1981), regarding the need to provide to developing countries technical assistance in matters relating to the Convention;	
RECALLING that Objective 2.2 of the Strategic Vision through 2005 is to ensure that decisions to amend the Convention's Appendices are founded on sound and relevant scientific information and meet agreed biological and trade criteria for such amendments;	This paragraph is added because the Chairmen believe that this Resolution should also refer to the relevant guiding principles of the Strategic Vision.
<p>RECOGNIZING that by virtue of the precautionary principle, in cases of uncertainty, the Parties shall act in the best interest of the conservation of the species when considering proposals for amendment of Appendices I and II;</p> <p>RECOGNIZING the importance of the application of the precautionary principle in cases of uncertainty;</p>	Restructuring the various references to the precautionary principle has invoked many comments from Parties and NGOs. Yet the new text gives this principle a stronger emphasis. Because of the way in which this paragraph was formulated, it was giving instructions to the Parties. However, for such instructions to be most effective, they should be included in the operative part and not in the preamble. The proposed wording now recognizes the important role of the precautionary principle in the last paragraph of the preamble, and is followed by clear guidance to the Parties in the first 'RESOLVES' in the operational section.
THE CONFERENCE OF THE PARTIES TO THE CONVENTION	
ADOPTS the following Annexes as an integral part of this Resolution:	
Annex 1: Biological criteria for Appendix I;	
Annex 2a: Criteria for the inclusion of species in Appendix II in accordance with Article II, paragraph 2(a), of the Convention;	
Annex 2b: Criteria for the inclusion of species in Appendix II in accordance with Article II, paragraph 2(b), of the Convention;	
Annex 3: Special cases;	
Annex 4: Precautionary measures;	
Annex 5: Definitions, explanations and guidelines; and	
Annex 6: Format for proposals to amend the Appendices;	

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<p>RESOLVES that when considering any proposal to amend Appendix I or II the Parties shall apply the precautionary principle so that scientific uncertainty should not be used as a reason for failing to act in the best interest of the conservation of the species;</p> <p>RESOLVES by virtue of the precautionary principle and in cases of uncertainty, that when considering a proposal to amend Appendix I or II, the Parties shall act in the best interest of the species concerned and of its conservation, and adopt measures that are proportionate to the anticipated risks to the species;</p>	<p>As already mentioned in the paragraph above, the new text aims to strengthen the wording of this 'RESOLVES' to achieve a stronger and more direct reference to the precautionary principle. The text includes wording suggested by the Criteria Working Group and several Parties and in this latest version also refers to the precautionary principle and to uncertainty.</p>
<p>RESOLVES that, when considering proposals to amend Appendices I and II, the following applies:</p>	<p>Small textual changes have been made in several of the paragraphs under this 'RESOLVES' to make the text of these paragraphs consistent with each other.</p>
<p>a) any species that is are or may be affected by trade should be included in Appendix I in accordance with Article II, paragraph 1, if it they meets at least one of the biological criteria listed in Annex 1;</p> <p>b) a species "is or may be affected by trade" if:</p>	<p>This paragraph is actually a definition and has been moved to Annex 5, at the recommendation of the Criteria Working Group.</p>
<p>i) it is known to be in trade; or</p>	
<p>ii) it is probably in trade, but conclusive evidence is lacking; or</p>	
<p>iii) there is potential international demand for specimens; or</p>	
<p>iv) it would probably enter trade were it not subject to Appendix I controls;</p> <p>e) any species that meets the criteria for inclusion in Appendix II listed in Annex 2a should be included in Appendix II in accordance with Article II, paragraph 2(a);</p>	
<p>b) species should be included in Appendix II under the provisions of Article II, paragraph 2 (a), if they satisfy the criteria listed in Annex 2a;</p>	<p>The newly proposed text makes this paragraph more clear and consistent with the paragraphs a) and c).</p>
<p>c) species should be included in Appendix II under the provisions of Article II, paragraph 2 (b), if they satisfy the criteria listed in Annex 2b;</p>	

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<p>e)d) species should be included in more than one Appendix at the same time, and higher taxa should be included in the Appendices, only if the species or higher taxa concerned satisfy the relevant criteria listed in Annex 3;</p>	
<p>e) entire geographically separate populations should not be included in the Appendices without prior consideration of negative consequences to conservation and management programmes for national populations or to sustainable development programmes involving such populations;</p>	<p>The new paragraph e) has been incorporated to reflect Decision 11.65, which deals with the listing of entire geographically separate populations.</p>
<p>f) species of which all specimens in trade have been bred in captivity or artificially propagated should not be included in the Appendices if there is no negligible probability of trade taking place in specimens of wild origin;</p>	
<p>g) any species included in Appendix I for which sufficient data are available to demonstrate that it they does not meet the criteria listed in Annex 1 should be transferred to Appendix II only in accordance with the relevant precautionary measures listed in Annex 4;</p>	
<p>h) any species included in Appendix II in accordance with Article II, paragraph 2(a), that does not meet the criteria listed in Annex 2a should be deleted only in accordance with the relevant precautionary measures listed in Annex 4; and species included in accordance with Article II, paragraph 2(b), because they look like the species subject to the deletion, or for a related reason, should also be deleted only in accordance with the relevant precautionary measures;</p>	
<p>i) The views, if any, of intergovernmental organizations bodies with competence for the management of the species concerned should be taken into account;</p> <p>RESOLVES that proposals to amend Appendices I and II should be based on the best information available and presented in the format in Annex 6, unless otherwise justified;</p>	<p>The word 'organizations' has been replaced by 'bodies' to make the wording consistent with the text of the Convention.</p>

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<p>RESOLVES that the Convention's Appendices should correctly reflect the conservation and management needs for the species;</p>	<p>The newly proposed text reflects the text of Objective 2.1 in the Strategic Vision and also reflects the views expressed at the first meeting of the CWG. It is consistent with the precautionary principle that Parties should not normally take actions that are not in the best interest of the conservation of the species.</p>
<p>ENCOURAGES proponents that submit proposals to transfer species to Appendix I or to establish zero export quotas for species under review in accordance with the provisions of Resolution Conf. 8.9 (Rev.), to refer to the results of this review and, following consultation with the Animals or Plants Committees and the range State(s), explain in the supporting statement why additional measures are needed;</p>	<p>The idea of this paragraph was proposed in the report of the first meeting of the CWG. The intent of this amendment is to strengthen recognition of Resolution Conf. 8.9 (Rev.), on 'Trade in specimens of Appendix-II species taken from the wild', as an alternative for an Appendix-I listing, because it is aimed at assisting Parties in the wise management of species by applying specific corrective measures. Taking into account the various comments made in the joint meeting and in response to the second circulation of the draft, the currently proposed text more clearly reflects the original intent of the CWG. The new text recognizes the primacy of the text of the Convention over a procedure established by Resolution, as a practical mechanism aimed at assisting Parties in the conservation of species by applying specific corrective measures. The proposed text in no way infringes on the right of Parties to make an amendment proposal. It merely encourages Parties to consult the relevant Committee and range State(s) to ensure that the Review of Significant Trade is not compromised.</p>
<p>RESOLVES that annotations to proposals to amend Appendix I or Appendix II should be made in accordance with the applicable Resolutions of the Conference of the Parties, be specific and accurate as to affected parts and derivatives and should, to the extent possible, be harmonized with existing annotations;</p>	<p>The text of this paragraph has been amended in view of the comments provided and the suggestion by the US. It now also refers to the need for clearer and uniform annotations (see for instance Decision 11.118)</p> <p>This new paragraph also responds to paragraph 15 of the Terms of Reference for the CWG. The reference to 'best scientific evidence' has been deleted as suggested by various Parties.</p> <p><i>Note from the Secretariat: At CoP 11 it was agreed that Resolution Conf. 11.21 should be incorporated into this Resolution, if amended (cf. document Doc. 11.24). The Secretariat's preference would be to include the relevant parts of Resolution Conf. 11.21 as a separate Annex to this one.</i></p>

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<p>ENCOURAGES Parties, when sufficient relevant biological data are available, to include a quantitative evaluation in the supporting statement of the amendment proposal;</p>	<p>This paragraph has been maintained in view of the support by many Parties. The inclusion in amendment proposals of information on stock assessments, population viability assessments, and other quantitative evaluations of suitable biological data to determine the status and/or trends in a wild population should be encouraged. This view was brought forward in the CWG. Furthermore, use of the word “encourage” does not mean that quantitative analyses are mandatory.</p>
<p>RESOLVES that, to monitor the effectiveness of protection offered by the Convention, the status of species included in Appendices I and II should be regularly reviewed by the range States and proponents, in collaboration with the Animals Committee or the Plants Committee, subject to the availability of funds;</p>	
<p>URGES Parties and co-operating organizations to provide financial and technical assistance, when requested, in the preparation of proposals to amend the Appendices, the development of management programmes, and the review of the effectiveness of the inclusion of species in the Appendices. Parties should be open to using other available international mechanisms and instruments for these purposes in the broader context of biodiversity; and</p>	
<p>RECOMMENDS that the text and the annexes of this Resolution be fully reviewed before the twelfth meeting of the Conference of the Parties with regard to the scientific validity of the criteria, definitions, notes and guidelines and their applicability to different groups of organisms; and</p>	<p>The reference that the text and Annexes of this Resolution should be reviewed before the 12th meeting of the Conference of the Parties, has been deleted here, and is now part of the preambular text.</p>
<p>REPEALS the Resolutions Conf. 9.24 (Fort Lauderdale, 1994) - Criteria for Amendment of Appendices I and II. listed hereunder:</p>	
<p>a) Resolution Conf. 1.1 (Berne, 1976) – Criteria for the Addition of Species and Other Taxa to Appendices I and II and for the Transfer of Species and Other Taxa from Appendix II to Appendix I;</p>	
<p>b) Resolution Conf. 1.2 (Berne, 1976) – Criteria for the Deletion of Species and Other Taxa from Appendices I and II;</p>	
<p>c) Resolution Conf. 2.17 (San José, 1979) – Format for Proposals to Amend Appendix I or II;</p>	
<p>d) Resolution Conf. 2.19 (San José, 1979) – Criteria for Addition of Extremely Rare Species to Appendix I;</p>	

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e) Resolution Conf. 2.20 (San José, 1979) – The Use of the Subspecies as a Taxonomic Unit in the Appendices;	
f) Resolution Conf. 2.21 (San José, 1979) – Species Thought to Be Extinct;	
g) Resolution Conf. 2.22 (San José, 1979) – Trade in Feral Species;	
h) Resolution Conf. 2.23 (San José, 1979) – Special Criteria for the Deletion of Species and Other Taxa Included in Appendix I or II without Application of the Berne Criteria for Addition;	
i) Resolution Conf. 3.20 (New Delhi, 1981) – Ten year Review of the Appendices;	
j) Resolution Conf. 4.26 (Gaborone, 1983) – Ten year Review of the Appendices;	
k) Resolution Conf. 7.14 (Lausanne, 1989) – Special Criteria for the Transfer of Taxa from Appendix I to Appendix II; and	
l) Resolution Conf. 8.20 (Kyoto, 1992) – Development of New Criteria for Amendment of the Appendices.	
Annex 1	
<u>Biological criteria for Appendix I</u>	
The following criteria must be read in conjunction with the definitions, notes explanations and guidelines listed in Annex 5.	
A species is considered to be threatened with extinction if it meets, or is likely to meet, <u>at least one</u> of the following criteria.	The re-ordering of the existing criteria was proposed by the CWG. It provides a more logical sequence of the biological criteria for Appendix I, notably the distribution criterion (currently criterion B), the population size criterion (currently criterion A), and then the decline criterion (currently criterion C). Furthermore, knowledge of distribution and habitat is generally more readily available than information addressing the other criteria. Therefore it seemed logical to put this criterion before the others in terms of their sequence. The bold and underlined text was also bold and underlined in Resolution Conf. 9.24.

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A.B. The wild population has a restricted area of distribution and is characterized by <u>at least one</u> of the following:	The bold and underlined text was also bold and underlined in Resolution Conf. 9.24.
i) fragmentation or occurrence at very few locations; or	
ii) large fluctuations in the area of distribution or the number of sub-populations; or	
iii) a high vulnerability due to the species' biology or behaviour (including migration); or	
iv) an observed, inferred or projected decrease in any one of the following:	
– the area of distribution; or	
– the area of habitat; or	Separated from the original fourth indent.
– the number of sub-populations; or	
– the number of individuals; or	
– the area or quality of habitat; or	
– reproductive potential	
– the recruitment.	Originally the CWG suggested including 'recruitment/reproductive success or reproductive potential'. In view of the comments received, this has now been amended to refer to recruitment only.
B.A. The wild population is small, and is characterized by <u>at least one</u> of the following:	The bold and underlined text was also bold and underlined in Resolution Conf. 9.24.
i) an observed, inferred or projected decline in the number of individuals or the area and quality of habitat; or	
ii) each sub-population being very small; or	
iii) a majority of individuals, during one or more life-history phases, being concentrated in one sub-population; or	
iv) large short-term fluctuations in the number of individuals in those life history stages that are of critical importance for the continued survival of the species ; or	The insertion of the reference to life histories in this paragraph is because large short-term fluctuations in the numbers of individuals may be exhibited naturally in small wild populations of species that are highly fecund, and biologically characterized by a reproductive R-strategy. However, such fluctuations in numbers of individuals would be of concern when occurring in life history stages that are of vital importance to the continued survival of the species, and that provide the best indicators of the viability of the population. For some species this

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	addition is highly relevant, for others all life history stages need to be considered with respect to large short-term fluctuations. It should be noted that the CWG at both its meetings discussed whether the term 'mature individuals' should be used in the criteria, but decided against it because for many species there is an additional practical difficulty of determining which mature individuals to count (e.g. reproductive versus non-reproductive mature individuals).
v) a high vulnerability due to the species' biology or behaviour (including migration).	
C. A marked decline in the number of individuals in the wild, which has been <u>either</u> :	The insertion of 'marked' before decline was suggested by the CWG, and provides a degree of qualification of the decline. It is further expanded upon and defined in the relevant paragraph in Annex 5, Definitions, explanations and guidelines. The issue of any decline in small populations is taken care of in criterion B. i). The inclusion of 'marked' however is considered to be a precautionary approach for large populations that may not meet any of the other criteria. The bold and underlined text was also bold and underlined in Resolution Conf. 9.24.
i) observed as ongoing or as having occurred in the past (but with a potential to resume); or	
ii) inferred or projected on the basis of any one of the following:	
– a decrease in area or quality of habitat; or	The two qualifications have been separated.
– a decrease in area of habitat; or	
– a decrease in quality of habitat; or	
– levels or patterns of exploitation; or	
– threats from extrinsic the human-induced factors such as the effects of pathogens, competitors, parasites, predators, competition/predation by introduced species or the effects of hybridization, introduced species and the effects of toxins and pollutants; or	The changes in this paragraph are based on the consideration that most of the factors mentioned in the current text are not influenced by man. These factors, largely related to natural processes, should not be used as an argument to include a species in Appendix I. This criterion should be restricted to anthropogenic influences.
– <u>a</u> decreasing reproductive potential recruitment .	See criterion A. iv), sixth indent, above.

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<p>D. The status of the species is such that if the species is not included in Appendix I, it is likely to satisfy one or more of the above criteria within a period of five years.</p>	<p>This criterion is deleted and incorporated in the proposed criterion A in Annex 2a. In circumstances when this criterion would apply (i.e. substantial illegal trade in a species that requires to be strictly regulated), it would be more appropriate and practical to opt for inclusion in Appendix II with trade restrictions. In addition, a species that would satisfy this criterion will most probably also satisfy one of the other criteria in this Annex. The former Criterion D is not a biological criterion and its retention here would not only contradict the text in paragraph a) under the first 'RESOLVES', but its retention in Annex 1 would also seriously compromise the scientific veracity of the other criteria in this Annex. Species referred to in this criterion clearly qualify for Appendix II or are already included in it. Speculating that such species will meet the criteria for inclusion in Appendix I within five years, also means that the proponent projects a failure of the Convention in protecting it and that the provisions of Resolution Conf. 8.9 (Rev.) cannot be applied in that time.</p> <p>Several of the comments argue that this criterion is meant to avoid premature transfer to Appendix II. In that case it should be included in Annex 4 where it is already covered by paragraph A. 2.</p>
Annex 2a	
<u>Criteria for the inclusion of species in Appendix II in accordance with Article II, paragraph 2(a), of the Convention</u>	
The following criteria must be read in conjunction with the definitions, explanations and guidelines listed in Annex 5.	
A species should be included in Appendix II when either of the following criteria is met.	The original criteria for the inclusion of species in Appendix II have been replaced by new ones, proposed below.
<p>A. It is known, inferred or projected that unless trade in the species is subject to strict regulation, it will meet at least one of the criteria listed in Annex 1 in the near future.</p>	
<p>B. It is known, inferred or projected that the harvesting of specimens from the wild for international trade has, or may have, a detrimental impact on the species by either:</p>	
<p>i) exceeding, over an extended period, the level that can be continued in perpetuity; or</p>	

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ii) reducing it to a population level at which its survival would be threatened by other influences.	
A species should be included in Appendix II when, on the basis of available trade data and information on the status and trends of the wild population(s), <u>at least one</u> of the following criteria is met:	The new text of the paragraph, as proposed by the CWG, is clearer in pointing out that available information plays an important role in deciding whether a species should be listed in Appendix II. Clearly, information about trade volume in a species is useless unless it can be linked in a meaningful way to the conservation status and biological characteristics of the species. The proposed language has the effect of avoiding the inclusion in Appendix II of species that do not require CITES controls to ensure that trade is not detrimental to the conservation of the species. After the second consultation, the phrase “trade data” has been added to address the concerns of several respondents.
A. It is known, or can be inferred or projected, that the regulation of trade in the species is necessary to avoid it becoming eligible for inclusion in Appendix I in the near future; or	This criterion was originally proposed by the CWG, and is slightly reworded to fit in the former biological criterion D for incorporating species in Appendix I (in Annex 1). The language is more direct and more specific. This criterion provides a mechanism to include in Appendix II species that require trade controls in order to avoid a situation that necessitates listing the taxon directly in Appendix I in the near future.
B. It is known, or can be inferred or projected, that regulation of trade in the species is required to ensure that the harvest of specimens from the wild is sustainable and is not reducing wild populations to a level at which their survival would be threatened by other influences.	The wording for the new criterion B is an adaptation of the text proposed in the report of the first meeting of the CWG. In view of the many comments on the earlier proposed new criteria B and C, this new text permits Parties to propose Appendix-II listings of species for which trade regulation is required to ensure sustainable utilization. This was also the intent of the text originally proposed by the CWG. After the second round of consultation it has been further amended to include text proposed by the USA and FAO, thus addressing concerns expressed in other comments.
Annex 2b	
<u>Criteria for the inclusion of species in Appendix II in accordance with Article II, paragraph 2(b), of the Convention</u>	
Species should may be included in Appendix II in accordance with Article II, paragraph 2(b), if they satisfy either one of the following criteria is met :	To create a certain flexibility in the application of the “look-alike” provisions in cases where very large numbers of species or specimens in commercial trade would require listing, “should” is replaced by “may”, as proposed in the CWG. Some additional minor editorial changes are made to make the text consistent with the same one in Annex 2a.

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<p>A. The specimens resemble specimens of a species included in Appendix II under the provisions of Article II, paragraph 2(a), or in Appendix I, such that a non-expert, with reasonable effort, is unlikely to be able to distinguish between them.</p>	
<p>B. The species is a member of a taxon of which most of the species are included in Appendix II under the provisions of Article II, paragraph 2(a), or in Appendix I, and the remaining species must be included to bring trade in specimens of the others under effective control.</p>	
<p>A. The specimens of the species in the form in which they are traded resemble specimens of a species included in Appendix II under the provisions of Article II, paragraph 2 (a), or in Appendix I, such that a non-expert, with reasonable effort, is unlikely to be able to distinguish between them; or</p>	<p>The formulation of the new paragraph A (including amendments suggested after the second round of consultation) indicates that a proponent asking for the inclusion of 'species' under the provisions of Article II, paragraph 2(b) (for look-alike reasons) should explain in reasonable detail why the specimens (in the sense of the CITES definition, thus including all parts and derivatives) can not be easily differentiated by a non-expert. Such an explanation will also provide the Conference of the Parties with a clear indication of possible enforcement problems and costs resulting from the adoption or non-adoption of the proposal.</p>
<p>B. There are compelling reasons other than those given in criterion A above to ensure that effective control of trade in currently listed species is achieved.</p>	<p>The original paragraph B went beyond the provisions of paragraph 2(b) of Article II because it provided a mechanism that would allow for automatic higher taxon listings where this might not be necessary to achieve the intent of this paragraph. The proposed alternative text provides sufficient flexibility for the inclusion of species to assure the application of effective trade controls when necessary. This criterion reinforces the precautionary approach by providing a mechanism by which a species can be included in Appendix II pursuant to Article II of the Convention. This leaves it to the CoP to determine whether the reasons provided warrant the support of the proposal.</p>
Annex 3	
<u>Special cases</u>	
<u>Split-listing</u>	
<p>Listing of a species in more than one Appendix should be avoided in general in view of the enforcement problems it creates. When split-listing does occur, this should generally be on the basis of national or continental populations, rather than subspecies. Split listings that place</p>	<p>The text of the original first paragraph is separated into two new paragraphs. The new formulations state more clearly the possible benefits and disadvantages of split-listing.</p>

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some populations of a species in the Appendices, and the rest outside the Appendices, should normally not be permitted.	
Listing of a species in more than one Appendix should be avoided unless it relates to the transfer of a population from Appendix I to Appendix II in accordance with the precautionary measures contained in paragraph A of Annex 4 to this Resolution or to the retention of certain national or regional populations in Appendix II when the majority of the populations of the species concerned meet the criteria for inclusion in Appendix I.	
When split-listing does occur, this should generally be on the basis of national or regional populations, and should not result in some populations being excluded from the Appendices if enforcement problems are created by doing so.	The newly proposed text caters for all possibilities and there is no need to mention migratory species specifically (as was suggested by some Parties), particularly because it is not defined which species are covered by this term. The reference to regional populations also covers continental ones.
For species outside the jurisdiction of any State, listing in the Appendices should use the terms used in other relevant international agreements, if any, to define the population. If no such international agreement exists, then the Appendices should define the population by region or by geographic co-ordinates.	
Taxonomic names below the species level should not be used in the Appendices unless the taxon in question is highly distinctive and the use of the name would not give rise to enforcement problems.	
<u>Higher taxa</u>	
If all species of a higher taxon are included in Appendix I or II, they should be included under the name of the higher taxon. If some species in a higher taxon are included in Appendix I or II and all the rest in the other Appendix, the latter species should be included under the name of the higher taxon, with an appropriate annotation made in accordance with the provisions of Resolution Conf. 11.21.	The reference to this Resolution is appropriate, but see also the Note of the Secretariat to the fifth 'Resolves' of the operative part.
Annex 4	Annex 4
<u>Precautionary measures</u>	
A. When considering proposals to amend the Appendices, the Parties shall, in the case of uncertainty, either as regards the status of a species or as regards the impact of trade on the conservation of a	This paragraph has been deleted, because it is redundant in view of the changes proposed to the preamble and the operative part. Noting the views expressed by some Parties after the second round of consultation

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<p>species, act in the best interest of the conservation of the species.</p>	<p>the precautionary principle is reinstated and reinforced in the preamble and in the operative section (first 'RESOLVES'). The purpose of this Annex 4 is to provide specific measures to apply the precautionary principle when amending the Appendices, as is also reflected in the title of this Annex. (See also the changes to paragraph A.2. below).</p>
<p>A.B-1. No species listed in Appendix I shall be removed from the Appendices unless it has been first transferred to Appendix II, with monitoring of any impact of trade on the species for at least two intervals between meetings of the Conference of the Parties.</p>	
<p>2. Species included in Appendix I should only be considered for transfer transferred to Appendix II if they do not satisfy the relevant criteria in Annex 1. Even if such species do not satisfy the relevant criteria in Annex 1, they should be retained in Appendix I unless they satisfy one of the following criteria, and only when one of the following precautionary safeguards is met:</p>	<p>The proposed changes improve the language of this paragraph, and reinforces the application of a precautionary approach to counteract the proposed deletion of the original paragraph A of Annex 4. The proposed text is consistent with the text of operative paragraph g) under the second 'RESOLVES' in the operative section.</p>
<p>a) the species is not in demand for international trade, nor is its transfer to Appendix II likely to stimulate trade in, or cause enforcement problems for, any other species included in Appendix I; or</p> <p>b) the species is likely to be in demand for trade, but its management is such that the Conference of the Parties is satisfied with:</p>	
<p>i) implementation by the range States of the requirements of the Convention, in particular Article IV; and</p>	
<p>ii) appropriate enforcement controls and compliance with the requirements of the Convention; or</p>	
<p>c) an integral part of the amendment proposal is an export quota approved by the Conference of the Parties, based on management measures described in the supporting statement of the amendment proposal, provided that effective enforcement controls are in place; or</p>	

Proposed revision of Resolution Conf. 9.24 Text proposed for deletion in strike through ; Newly proposed text in bold	Explanatory notes
<p>d) an integral part of the amendment proposal is an export quota approved by the Conference of the Parties for a specified period of time, based on management measures described in the supporting statement of the amendment proposal, provided that effective enforcement controls are in place; or</p>	<p>This paragraph has been deleted because from the comments received it was clear that many found it an unnecessary burden for a Party to prepare a proposal for each meeting of the Conference of the Parties. If necessary the proponent or the CoP can decide whether or not to specify a period of time.</p>
<p>d) a ranching proposal is submitted consistent with the applicable Resolutions of the Conference of the Parties and is approved.</p>	
<p>3. No proposal for transfer of a species from Appendix I to Appendix II with an export quota shall be considered from a Party that has entered a reservation for the species in question, unless that Party agrees to remove the reservation within 90 days of the adoption of the amendment.</p>	<p>The reference to an 'export quota' has been deleted from this paragraph at the recommendation of the CWG. For any transfer from Appendix I to Appendix II, the proponent should withdraw its reservation.</p>
<p>4. No species should be deleted from Appendix II if such deletion would be likely to result in it qualifying for inclusion in the Appendices in the near future.</p>	<p>Originally this paragraph was proposed for deletion by the CWG. In view of the many supporting comments received the paragraph has been retained.</p>
<p>5. No species should be deleted from Appendix II if, within the last two intervals between meetings of the Conference of the Parties, it has been subject to a recommendation under the provisions of Resolution Conf. 8.9 (Rev.) to improve its conservation status.</p>	<p>This paragraph needs to be considered together with paragraph h) under the second 'RESOLVES' in the operative part of the Resolution. The intent of the new text is to be more prescriptive by providing the guiding precautionary measures in accordance with the mentioned paragraph h).</p>
<p>B.C.The following review procedures shall apply when a species is transferred to Appendix II pursuant to paragraphs BA2c) and B2d) above.</p>	
<p>1. Where the Plants Committee, the Animals Committee or a Party becomes aware of problems in compliance with the management measures and export quotas of another Party, the Secretariat shall be informed and, if the Secretariat fails to resolve the matter satisfactorily, it shall inform the Standing Committee which may, after consultation with the Party concerned, recommend to all Parties that they suspend trade with that Party in specimens of CITES-listed species, and/or request the Depositary Government to prepare a proposal to transfer the population back to Appendix I.</p>	

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Text proposed for deletion in strike through ; Newly proposed text in bold	
<p>2. If, on review of a quota and its supporting management measures, the Animals or Plants Committee encounters any problems with compliance or potential detriment to a species, the relevant Committee shall request the Depositary Government to prepare a proposal for appropriate remedial action.</p>	
<p>C.D. With regard to quotas established pursuant to paragraph B.2d) above.</p> <p>1. If a Party wishes to renew, amend or delete such a quota established pursuant to paragraph B.2d) above, it shall submit an appropriate proposal for consideration at the next meeting of the Conference of the Parties;</p>	<p>Because of the deletion of the old paragraph B.2d, the original text had to be amended accordingly. The first paragraph covers the provisions for making changes to quotas established by the Conference of the Parties. The second paragraphs caters for the situation when the Party concerned has not submitted a proposal as referred to in subparagraph 1.</p>
<p>2. When a quota has been established for a limited period of time, after that period the quota will become zero until a new quota has been established.</p>	
<p>D.E. Species that are regarded as possibly extinct should not be deleted from Appendix I if they may be affected by trade in the event of their rediscovery; these species should be annotated in the Appendices as "p.e." (i.e. possibly extinct).</p>	
Annex 5	
<u>Definitions, explanations and guidelines and notes</u>	<p>The title of this Annex has been slightly changed to better reflect the contents of the various paragraphs below.</p>
<p>Species</p>	<p>The text of this definition was proposed by the CWG, and was slightly amended following comments received after the second round of consultations.</p>
<p>In Article I of the Convention the term species is defined as "any species, subspecies or geographically separate population thereof".</p>	
<p>Species and subspecies refer to the biological concept of a species, and do not require any further definition. The two terms also cover varieties.</p>	
<p>'Geographically separate population' refers to parts of a species or a subspecies within particular geographical boundaries. This can also refer to populations or subpopulations, or, for the sake of convenience, to 'stocks' as the term is understood in fisheries management.</p>	

<p style="text-align: center;">Proposed revision of Resolution Conf. 9.24</p> <p>Text proposed for deletion in strike through; Newly proposed text in bold</p>	<p style="text-align: center;">Explanatory notes</p>
<p>Until now, the Conference of the Parties has interpreted 'geographically separate populations' as populations delimited by geopolitical boundaries, whereas they have rarely used the other option of geographical boundaries.</p>	
<p><u>Affected by trade</u></p>	<p>This section was moved from the operative part of this Resolution to this Annex.</p>
<p>A species "is or may be affected by trade" if:</p>	
<p>i) it is known to be in trade; or</p>	
<p>ii) it is probably in trade, but conclusive evidence is lacking; or</p>	
<p>iii) there is potential international demand for specimens; or</p>	
<p>iv) it would probably enter trade were it not subject to Appendix I controls;</p>	<p>This paragraph is deleted because it concerned a listing criterion, and is not a definition of a species 'that is or may be affected by trade'.</p>
<p>1. it is known to be in trade, and that trade has or may have a detrimental impact on the status of the species; or</p>	<p>In view of the many comments received, 'has' was changed to 'has or may have'. The word 'has' was maintained because Article II, paragraph 1, of the Convention describes two conditions: 'are or may be affected...'. This requires the use of the more definitive 'has' as well as the probable 'may have'. The reference to detriment is appropriate and fully reflects the purpose of the Strategic Vision: "To ensure that no species of wild fauna or flora becomes or remains subject to unsustainable exploitation because of international trade." Furthermore, an Appendix-I listing where trade is not detrimental is inconsistent with Objective 2.1 of the Strategic Vision.</p>
<p>2. it is suspected to be in trade, or there is potential international demand for the species that may be detrimental to its survival in the wild.</p>	<p>The former paragraphs ii) and iii) have been incorporated into this paragraph which addresses instances in which conclusive evidence of trade in the species is lacking but suspected to exist, and in which potential trade or the international demand may be detrimental to the conservation of the species. The new text is based on recommendations from the CWG.</p>
<p><u>Area of distribution</u></p>	
<p>Area of distribution of a species is defined as the area contained within the shortest continuous imaginary boundary which can be drawn to encompass all the known, inferred or projected sites of occurrence, excluding cases of vagrancy and introductions outside its natural range (though inferring and projecting area of occurrence should be</p>	<p>The changes were proposed by the CWG to make the definition more clear.</p>

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<p>Text proposed for deletion in strike through; Newly proposed text in bold</p> <p>undertaken carefully, and in a precautionary manner). The area within the imaginary boundary should, however, exclude significant areas where the species does not occur, and so in defining an area of distribution, account should be taken of discontinuities or disjunctions in the spatial distribution of species. For migratory species, the area of distribution is the smallest area essential at any stage for the survival of that species (e.g. colonial nesting sites, feeding sites for migratory taxa, etc.). For some species in trade where for which data exist were available to make an estimate, a figure of less than 10,000 km² has been found to be an appropriate guideline (not a threshold) of what constitutes a restricted area of distribution. However, this figure is presented only as an example, since it is impossible to give numerical values that are applicable to all taxa. There will be many cases where this numerical guideline does not apply.</p>	
<p><u>Decline</u></p> <p>A decline is a reduction in the number of individuals, or a decrease of the area of distribution, the causes of which are either not known or not adequately controlled. It need not necessarily still be continuing. Natural fluctuations will not normally count as part of a decline, but an observed decline should not be considered part of a natural fluctuation unless there is evidence for this. A decline that is the result of a harvesting programme that reduces the population to a planned level, not detrimental to the survival of the species, is not covered by the term "decline". For some species in trade where data exist to make an estimate, a decrease of 50% or more in total within 5 years or two generations, whichever is the longer, has been found to be an appropriate guideline (not a threshold) of what constitutes a decline. A guideline (not a threshold) of what constitutes a decline in a small wild population could be 20% or more in total within ten years or three generations, whichever is the longer. However, both these figures are presented only as examples, since it is impossible to give numerical values that are applicable to all taxa. There will be many cases where these numerical guidelines do not apply.</p>	<p>The CWG has proposed many changes to the original definition of 'decline', as explained below.</p>
<p>A decline is a reduction in the abundance, or area of distribution, of a species. Decline can be expressed in two different ways: (i) the overall long-term extent of decline or (ii) the recent rate of decline. The long-</p>	<p>At its second meeting the CWG agreed to a new definition of decline, providing the following explanation: The current use of "decline" in Annex 1 Resolution Conf. 9.24 is unclear</p>

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<p>Text proposed for deletion in strike through; Newly proposed text in bold</p> <p>term extent of decline is the total estimated or inferred percentage reduction from a baseline level of abundance or area of distribution. The recent rate of decline is the percentage change in abundance or area of distribution over a recent time period. The estimated or inferred baseline for extent of decline should extend as far back into the past as possible.</p>	<p>as to whether the extent of decline or the rate of decline is referred to, while the current Annex 5 discusses the rate of decline only. The CWG2 discussed this in detail, and agreed to recommend to the Parties the inclusion of the concepts of both “historical extent of decline” and “recent rate of decline”. The proposed explanation of “decline” provides guidelines for the range of percentage historical extent of decline and the range of recent rate of decline, that are of particular concern and reflect risks to the status of species in the wild. The worst scenario is the case of a large historical extent of decline combined with a high recent rate of decline, and therefore both should be considered. However, each in isolation can also be cause for concern. For example, if a species has already been heavily reduced, there is a threat of extinction even if it is not currently declining. Further, a 50% decline in recent years should be of far greater concern for a species that has already declined to, for example, 10% of historical levels than it would be for a previously unexploited population. A historical extent of decline in the range of 5%-30%, depending on the biology of the species, is recommended as a cause for concern for the long-term viability of a species. For a given species, the percentage that triggers concern may fall outside this range, depending on vulnerability factors, as discussed elsewhere in Annex 5. The Working Group believes these guidelines may have broad applicability, although they are drawn from the literature on exploited marine species and would benefit from evaluation for other taxa.</p> <p>In view of the many comments received after the second round of consultation, small additional amendments have been made, explained below in relation to the relevant paragraphs.</p>
<p>A general guideline for a marked historical extent of decline is a percentage decline of 5%-30% of the baseline, depending on the reproductive biology of the species. The extremes of 5% and 30% will be applicable to only a relatively small number of species, but some species may even fall outside of these extremes. However, both these figures are presented only as examples, since it is impossible to give numerical values that are applicable to all taxa because of differences in their biology*.</p> <p>* <i>Application of decline for resources exploited by fisheries: In marine and large freshwater bodies, a narrower range of 5-20% is deemed to be more appropriate in most cases, with a range of 5-10% being applicable for species with high</i></p>	<p>The word ‘reproductive’ was inserted before ‘biology’. After the second round of consultations the last sentence was added, to explain that the numerical values are not universally applicable.</p> <p>This text was provided by FAO, and is included as a footnote, as an example for a possible scenario for specific cases.</p>

<p style="text-align: center;">Proposed revision of Resolution Conf. 9.24</p> <p>Text proposed for deletion in strike through; Newly proposed text in bold</p>	<p style="text-align: center;">Explanatory notes</p>
<p>productivity, 10-15% for species with medium productivity and 15-20% for species with low productivity. Nevertheless some species may fall outside this range.</p> <p>In general, historical extent of decline should be the primary criterion for consideration of listing in Appendix I. However, in circumstances where information to estimate extent-of-decline is limited, rate-of-decline over a recent period could itself still provide some information on extent-of-decline.</p> <p>For listing in Appendix II, the historical extent of decline and the recent rate of decline should be considered in conjunction with one another. The higher the historical extent of decline, and the lower the productivity of the species, the more important a given recent rate of decline is.</p> <p>A general guideline for a marked recent rate of decline is the rate of decline that would drive a population down within approximately a 10-year period from the current population level to the historical extent of decline guideline (i.e. 5-20% of baseline for exploited fish species). There should rarely be a need for concern for populations that have exhibited an historical extent of decline of less than 50%, unless the recent rate of decline has been extremely high.</p> <p>Even if a population is not declining appreciably, it could be considered for listing in Appendix II if it is near the extent-of-decline guidelines recommended above for consideration for Appendix I-listing. A range of between 5% and 10% above the relevant extent-of-decline might be considered as a definition of 'near'.</p> <p>A recent rate-of-decline is important only if it is still occurring, or may resume, and is projected to lead to the species reaching the applicable point for that species in the Appendix I extent-of-decline guidelines within approximately a 10-year period. Otherwise the overall extent-of-decline is what is important. When sufficient data are available, the recent rate-of-decline should be calculated over approximately a 10-year period. If fewer data are available, annual rates over a shorter period could be used. If there is evidence of a change in the trend, greater weight should be given to the more recent consistent trend. In most cases, listing would only be considered if the decline is projected to continue.</p>	
<p>A general guideline for a marked recent rate of decline is a percentage decline of 50% or more in the last 10 years or three generations, whichever is the longer. If the population is small, a percentage decline of 20% or more in the last 5 years or 2 generations (whichever is the longer) may be more appropriate. However, these figures are presented only as examples, since it is impossible to give numerical values that are applicable to all taxa because of differences in their biology.</p>	<p>After the second round of consultation the reference to a number of generations was added. Also the last sentence was added, to explain that the numerical values are not universally applicable.</p>
<p>The historical extent of decline and the recent rate of decline should be considered in conjunction with one another. In general, the higher the historical extent of decline, and the lower the productivity of the species, the more important a given recent rate of decline is.</p>	

Proposed revision of Resolution Conf. 9.24	Explanatory notes
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<p>In estimating or inferring the historical extent of decline or the recent rate of decline, all relevant data should be taken into account. A decline need not necessarily be ongoing. If data are available only for a short period and the extent or rate of decline based on these data are cause for concern, the guidelines above (extrapolated as necessary or relevant) should still apply. However, natural fluctuations should not normally count as part of a decline, but an observed decline should not necessarily be considered part of a natural fluctuation unless there is evidence for this. A decline that is the result of a harvesting programme that reduces the population to a planned level, not detrimental to the survival of the species, is not covered by the term “decline”.</p>	
<u>Extended period</u>	
<p>The meaning of the term extended period will vary according to the biological characteristics of the species. Selection of the period will depend upon the observed pattern of natural fluctuations in the abundance of the species and on whether the number of specimens removed from the wild is consistent with a sustainable harvesting programme that is based on these natural fluctuations.</p>	
<u>Fluctuations</u>	
<p>Large fFluctuations occur in a number of species where the in population size or area of distribution are considered large when they vary widely, rapidly or frequently. Where data exist to make an estimate, one order of magnitude has been found to be an appropriate guideline (not a threshold) for population size. Similarly, fluctuations can be considered ‘short term’ if the period of fluctuation is about two years. varies widely, rapidly and frequently, with a variation greater than one order of magnitude. For some species in trade where data exist to make an estimate, a figure of two years or less has been found to be an appropriate guideline (not a threshold) of what constitutes a short term fluctuation. However, this figure is presented only as an example, since it is impossible to give numerical values that are applicable to all taxa. There will be many cases where this numerical guideline does not apply.</p>	<p>Since the original section on ‘Large fluctuations’ covered both ‘large fluctuation’ and ‘short-term fluctuation’ it has been moved under the new heading ‘Fluctuations’. The new text was proposed by the CWG and has not been amended.</p>

Proposed revision of Resolution Conf. 9.24	Explanatory notes
Text proposed for deletion in strike through ; Newly proposed text in bold	
<u>Fragmentation</u>	
<p>Fragmentation refers to the case where most individuals within a taxon are found in small and relatively isolated sub-populations, which increases the probability that these small sub-populations will become extinct and the opportunities for re-establishment are limited. For some species in trade where data exist to make an estimate, an area of distribution of 500 km² or less for each subpopulation has been found to be an appropriate guideline (not a threshold) of what constitutes fragmentation. However, this figure is presented only as an example, since it is impossible to give numerical values that are applicable to all taxa. There will be many cases where this numerical guideline does not apply.</p>	
<u>Generation</u>	See below.
<p>Generation is measured as the average age of parents in the population; except in the case of species that breed only once in a lifetime, this will always be longer as the age at maturity.</p>	
<u>Generation length</u>	
<p>Generation length is the average age of parents of the current cohort (i.e. newborn individuals in the population). Generation length therefore reflects the turnover rate of breeding individuals in a population. Generation length is greater than the age at first breeding and less than the age of the oldest breeding individual, except in taxa that breed only once. Where generation length varies under threat, the more natural, i.e. pre-disturbance, generation length should be used.</p>	Rather than using the original vague definition, the definition as used by IUCN has been included here.
<u>Large fluctuations</u>	
<p>Large fluctuations occur in a number of species where the population size or area of distribution varies widely, rapidly and frequently, with a variation greater than one order of magnitude. For some species in trade where data exist to make an estimate, a figure of two years or less has been found to be an appropriate guideline (not a threshold) of what constitutes a short term fluctuation. However, this figure is presented only as an example, since it is impossible to give numerical values that are applicable to all taxa. There will be many cases where this numerical guideline does not apply.</p>	Moved under 'Fluctuations'.

Proposed revision of Resolution Conf. 9.24	Explanatory notes
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<u>Near future</u>	
<p>Refers to a time period in which it can be projected or inferred that a species would satisfy one (or more) of the criteria in Annex I unless it is included in Appendix II. Clearly this period will be taxon- and case-specific, however 5-10 years may be considered a useful guideline. However, this figure is presented only as an example, since it is impossible to give numerical values that are applicable to all taxa. There will be many cases where this numerical guideline does not apply.</p>	<p>This text was proposed by the CWG. The last sentence was added, to explain that the numerical values are not universally applicable.</p>
<u>Population issues</u>	<p>Under this heading all paragraphs related to population have been brought together for easier reference. The CWG has proposed considerable changes to the old definitions.</p>
<p>Population</p> <p>Population refers to is measured as the total number of individuals of the species (as species is defined in Article I of the Convention and in this Annex) in a defined area. In the case of species biologically dependent on other species for all or part of their life cycles, biologically appropriate values for the host species should be chosen. For some species in trade where data exist to make an estimate, a figure of less than 5,000 individuals has been found to be an appropriate guideline (not a threshold) of what constitutes a small wild population. However, this figure is presented only as an example, since it is impossible to give numerical values that are applicable to all taxa. There will be many cases where this numerical guideline does not apply.</p>	<p>Small textual changes have been made to clarify the text. Elements of the old definition related to 'population size' have been moved to new definitions below.</p>
Sub-population	
<p>Sub-populations are defined as geographically or otherwise distinct groups in the population between which there is little limited genetic exchange. For some species in trade where data exist to make an estimate, a figure of less than 500 individuals has been found to be an appropriate guideline (not a threshold) of what constitutes a very small sub population. However, this figure is presented only as an example, since it is impossible to give numerical values that are applicable to all taxa. There will be many cases where this numerical guideline does not apply.</p>	<p>Elements of the old definition related to 'population size' have been moved to a new definition below.</p>

Proposed revision of Resolution Conf. 9.24	Explanatory notes
Text proposed for deletion in strike through ; Newly proposed text in bold	
Population size	
When providing details on the size of a population or sub-population, it should be made clear whether the information presented relates to an estimate of the total number of individuals or to the effective population size (i.e. individuals capable of reproduction, excluding individuals that are environmentally and behaviourally or otherwise reproductively suppressed in the wild).	To make this definition clearer, the reference to the 'estimated total number of individuals' was added. The text between brackets was taken from two bullet points of the definition proposed by the CWG and was included here to clarify that two types of estimates can be made.
In the case of species biologically dependent on other species for all or part of their life cycles, biologically appropriate values for the host or co-dependent species should be chosen.	
In case estimates of effective population size are provided the following aspects should be taken into account: <ul style="list-style-type: none"> · Where the total population is characterized by natural fluctuations, these fluctuations, should be considered in relation to the size of the effective population. 	Taken from one of the earlier bullet points of the definition proposed by the CWG.
<ul style="list-style-type: none"> · In population with skewed adult or breeding sex ratios ensure that this bias is taken into account in the estimate. 	
<ul style="list-style-type: none"> · Reproducing units within a clone should be counted as individuals, except where such units are unable to survive alone. 	
<ul style="list-style-type: none"> · In the case of species that naturally lose all or a subset of individuals at some point in their life cycle, the estimate should be made at the appropriate time, when individuals are available for breeding. 	
Small wild population	
For some species in trade where data exist to make an estimate, a figure of less than 5,000 individuals has been found to be an appropriate guideline (not a threshold) of what constitutes a small wild population. However, this figure is presented only as an example, since it is impossible to give numerical values that are applicable to all taxa. There will be many cases where this numerical guideline does not apply.	Taken from the old definition of population.

Proposed revision of Resolution Conf. 9.24	Explanatory notes
Text proposed for deletion in strike through ; Newly proposed text in bold	
Very small wild sub-population	
For some species in trade where data exist to make an estimate, a figure of less than 500 individuals has been found to be an appropriate guideline (not a threshold) of what constitutes a very small sub-population. However, this figure is presented only as an example, since it is impossible to give numerical values that are applicable to all taxa. There will be many cases where this numerical guideline does not apply.	Taken from the old definition of population.
<u>Possibly extinct</u>	
A species is presumably possibly extinct when exhaustive surveys in known and/or suspected habitat, and at appropriate times (diurnal, seasonal, annual), throughout its historic range have failed to record an individual. Before a species can be declared possibly extinct, surveys should take place over a time-frame appropriate to the species' life cycle and life form.	
<u>Recruitment</u>	
Recruitment is the total number of individuals added annually to any particular demographic class of a population by either sexual or asexual reproduction.	Slightly amended to add 'annually to any particular', to replace 'to a given'. Although immigration of individuals may have a role for populations, this generally is negligible as compared to the intrinsic recruitment of a population (i.e. reproduction).and is therefore not included in this definition.
<u>Sub populations</u>	Moved under 'Population issues'.
Sub populations are defined as geographically or otherwise distinct groups in the population between which there is little exchange. For some species in trade where data exist to make an estimate, a figure of less than 500 individuals has been found to be an appropriate guideline (not a threshold) of what constitutes a very small sub population. However, this figure is presented only as an example, since it is impossible to give numerical values that are applicable to all taxa. There will be many cases where this numerical guideline does not apply.	
<u>Threatened with extinction</u>	
Threatened with extinction is defined by Annex 1. The vulnerability of a species to threats of extinction depends on its population demographics, biological characteristics, such as body size, trophic	

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level, life cycle, breeding structure or social structure requirements for successful reproduction, and vulnerability due to aggregating habits, natural fluctuations in population size (dimensions of time and magnitude), residency/migratory patterns. This makes it impossible to give numerical threshold values for population size or area of distribution that are applicable to all taxa.	
<u>Vulnerability</u>	This definition was introduced by the CWG. Although the criteria A.3. and B.5. only refer to 'the species' biology and behaviour', this definition explains vulnerability in a more comprehensive manner. The 'modifying factors', as proposed by FAO, are included here under 'vulnerability'.
Vulnerability can be defined as the susceptibility to harmful effects which increase the risk of extinction.	
There are a number of taxon- or case-specific biological and other factors that are likely to affect the extinction risk associated with a given percentage decline, small population size or restricted area of distribution. These can be, but are not limited to, any of the following:	
· Life history (e.g., low fecundity, slow growth rate, high age at first maturity, long generation time)	
· Low absolute numbers or biomass or restricted area of distribution	
· Population structure (age/size structure, sex ratio)	
· Behavioural factors (e.g., social structure, migration, aggregating behaviour)	
· Density (for sessile or semi-sessile species)	
· Specialized niche requirements (e.g., diet, habitat, endemism)	
· Species associations such as symbiosis and other forms of co-dependency	
· Fragmentation and habitat loss	
· Reduced genetic diversity	
• Dependence (prone to continuing decline even in the absence of exploitation)	
· Endemism	

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Text proposed for deletion in strike through ; Newly proposed text in bold	
· Threats from disease or invasive species	
· Rapid environmental change (e.g., climate regime shifts)	
· Selectivity of removals (that may compromise recruitment)	

Annex 6

Almost all recommendations for insertions, deletions and rewording that were formulated by the joint AC/PC meeting and the CWG were taken into account, and amendments are included in the revised Annex 6 below without further detailed explanations. Where appropriate the sequence of the paragraphs in some of the sections has been changed to make them consistent with the sequence of the listing criteria, and to reflect text changes in the main body of the Resolution and in Annexes 1-5.

Format for proposals to amend the Appendices

The following provides information and instructions for the submission of a proposal to amend the Appendices and the appropriate supporting statement. Proponents should be guided by the need to provide to the Conference of the Parties sufficient information, of sufficient quality and in sufficient detail (~~to the extent available~~), to allow ~~it the Conference~~ to judge the proposal against the criteria established for the proposed action. **Parties are reminded that proposals should normally be limited to 12 pages (exclusive of references cited). If the proposal is longer than 12 pages, the proponent should provide translations into the working languages of the Convention.** This means that the relevant published and unpublished sources of information should be used, but acknowledges that **although** for some species the amount of scientific information will be limited. **Where research has been undertaken specifically to obtain information for the proposal, it should be presented in sufficient detail to be assessed by the Parties.** Furthermore, this means that it may not be possible to address all elements of the ~~proposal~~ ~~format~~.

A. Proposal

The proponent should indicate the ~~intent of the specific action~~ **amendment to the Appendices being proposed** and **any relevant annotations or qualifications** ~~the relevant criteria against which the proposal is to be judged.~~

- Inclusion in Appendix I **or transfer from Appendix II to Appendix I. Specify which of the criteria in Annex 1 of the Resolution are satisfied**
- Inclusion in Appendix II
 - in accordance with Article II 2(a)
 - **specify which of the criteria in Annex 2a of the Resolution are satisfied**

- in accordance with Article II 2(b)
 - for reasons of look-alike ~~a-like~~ problems **(criterion A of Annex 2b)**. In this case, the names of the similar species already included in the Appendices should be given in section ~~C7~~ **11**, “Additional remarks”
 - for other reasons (such as those referred to in Annexes **2a**, **paragraph B** and/or 3 to this Resolution)
- Transfer from Appendix I to Appendix II in accordance with a precautionary measure specified in Annex 4 to this Resolution. **Specify which of the criteria in Annex 2 of this Resolution are satisfied; specify why the criteria in Annex 1 of this Resolution are no longer satisfied; specify which of the measures in Annex 4 of this Resolution are satisfied or implemented**
- Deletion from Appendix II. **Specify why the criteria in Annex 2 of this Resolution are not satisfied**
- Other action (provide explanation) (e.g. **amendment of a quota**)

Annotations

If a specific annotation to the listing in the Appendices is proposed, the proponent should:

- **ensure that the proposed annotation is in compliance with the applicable Resolution;**
- **indicate the practical intent of the annotation;**
- **harmonize new annotations with existing annotations; and**
- **be specific and accurate as to affected parts and derivatives.**

B. Proponent

The proponent may only be a Party to the Convention, in accordance with Article XV of the Convention.

C. Supporting statement

1. Taxonomy

The proponent should provide sufficient information to allow the Conference of the Parties to identify clearly the taxon that is the subject of the proposal.

1.1 Class

1.2 Order

1.3 Family

1.4 Genus, species or subspecies, including author and year

If the species concerned is included in one of the standard lists of names or taxonomic references adopted by the Conference of the Parties, the name provided by that reference should be entered here. If the species concerned is not included in one of the adopted standard references, the proponent should provide references as to the source of the name used.

1.5 Scientific synonyms

The proponent should provide information on other scientific names or synonyms under which the species concerned may be known currently, especially if these names are used in the trade in the species.

1.6 Common names (including, where appropriate, trade names)

~~The proponent should provide information on other scientific names or synonyms under which the species concerned may be known currently, especially if these names are used in the trade in the species.~~

1.7 Code numbers

If the species concerned is already included in the Appendices, refer to the code numbers in the CITES Identification Manual.

2. Overview

Provide a brief overview of key elements of the proposal. Parties should cite key sections of the supporting statement. Also explain how the species complies with the criteria in this Resolution.

3. Species characteristics ~~Biological Parameters~~

The information required in this section is a summary of ~~the principal results of~~ surveys, literature searches, and ~~other~~ **relevant** studies. The references used must be listed in section ~~8~~ **12** of the proposal. It is understood that the quality of ~~the~~ information available will vary a lot, ~~but~~ ~~But~~ these instructions indicate the type of information that is required. **If the proposal relates to a geographically separate population or subspecies, it should consider, where relevant, the biological species in its entirety for to provide the appropriate context.**

~~3.1~~ **3.1** Distribution

~~Specify Give an estimate of the currently known range of the species, and specify the references used. Specify the types of habitats occupied and, if possible, the extent of each habitat type over the range of the species.~~ If possible, provide information to indicate whether or not the distribution of the species is continuous and, if it is not, indicate to what degree it is fragmented.

3.2.2 ~~Habitat availability~~

Specify the types of habitats occupied by the species and, when relevant, the degree of habitat specificity and the extent of each habitat type over the range of the species. ~~Give information on the nature, rate and extent of habitat loss and/or degradation, if possible with information from at least three points in time, and give the basis for future projections.~~

3.3 Biological characteristics

Provide a summary of general biological and life history characteristics of the species (e.g. reproduction, recruitment, survival rate, migration, sex ratio, regeneration or reproductive strategies).

3.4. Morphological characteristics

Provide a general description of the morphological diagnostic characteristics of the species, including colour, and information on morphological features by which the species can be differentiated from taxonomically closely related species.

3.5 Role of the species in its ecosystem

If available, provide information about the role of this species in its ecosystem, and other relevant ecological information, as well as the potential impact of this proposal on that role.

4. Status and trends

This section includes qualitative and quantitative information that allow past and present trends to be evaluated pursuant to the criteria. The sources used must be referenced in section 12 of the proposal. It is understood that the quality of the information available will vary. The instructions below indicate the type of information that should be provided if possible. If the proposal relates to a geographically separate population or subspecies, it should consider, when relevant, the biological species in its entirety to provide the appropriate context. If available, the proposal should include any relevant quantitative analyses, stock assessments, etc. The proposal should note whether conclusions are based on observations, inferences or projections.

4.1 Habitat trends

Give information on the nature, rate and extent of habitat change (e.g. loss, degradation or modification), noting when applicable the degree of fragmentation and discernable changes in the quality of habitat. Where appropriate, the relationship between habitat and population trends should be described.

4.2 ~~2.1~~ Population size ~~status~~

Give an estimate of the current total population or number of individuals differentiated by relevant age classes where possible, or other indices of population abundance, based on the most recently available data. Provide information on the source of the data used. ~~with:~~

~~i) date and nature of census; and ii) justification for any inferences made about total population size and/or number of individuals. Where appropriate provide Give the number of sub-populations, and where possible their estimated sizes., and the date and method of census. Give an estimate of, or information on, the size of the population in captivity.~~

4.3 Population structure

Provide basic information on the current structure of the population and any past or current changes over time in that structure (e.g. social structure, population demographics, proportion of mature individuals or sex ratio).

4.4 ~~2.4~~ Population trends

Basic, quantitative ~~and referenced~~ **and qualitative** information, **when available**, should be provided on **current whether the population of the species is increasing, stable or declining, and past trends in the species's abundance (provide sources)**. The period over which these trends, if any, ~~have~~ been measured should be indicated. If the species naturally undergoes marked fluctuations in population size, information should be provided to demonstrate that the trend transcends natural fluctuations. If generation-time has been used in estimating the trend, state how the generation-time has been estimated.

4.5 ~~2.5~~ Geographic trends

Provide information, when available on current and past trends in the species' distribution, indicating the period over which these trends, if any, have been measured. Give data on the nature, rate and extent of decrease in range area or number of sub-populations, if possible with information from at least three points in time. If relevant Give data on the degree and periodicity of fluctuations in the area of distribution.
~~range area or number of sub-populations, if possible with information from at least three points in time.~~

~~2.6~~ Role of the species in its ecosystem

~~Give information about the specific relationship that exists between this species and others living in the same ecosystem. Indicate the possible consequences of depletion of the population of the species proposed for listing, for those depending on or associated with it.~~

5. ~~2.7~~ Threats

Specify the nature, intensity and **if possible relative importance extent** of **human-induced** threats (e.g. habitat loss and/or degradation; over-exploitation; ~~and effects of competition/predation by introduced species and effects of hybridization~~, toxins and pollutants; etc.), ~~if possible with information from at least three points in time, and give the basis for future projections.~~

6.3. Utilization and trade

6.3.1 National utilization

Specify the types and extent of all known uses of the species, indicating trends if possible. Give data on the level of exploitation, indicating trends if possible. Specify the purposes of exploitation. Provide details of harvest methods. Assess the importance of the offtake and the relationship between national and international trade. Indicate the extent to which utilization is from captive-bred, artificially propagated, or wild specimens.

Provide details of any stockpiles known to exist, and the measures that might be taken to dispose of them.

~~Where applicable, provide details of commercial captive breeding or artificial propagation operations for the species in question, including the size of captive stock and the production, and the extent to which these operations are either contributing to a conservation programme or meeting a demand that would otherwise be met by specimens from the wild.~~

6.3.2 Legal international trade

Quantify the level of international trade, identifying the source of statistics used (e.g. Customs statistics, CITES annual report data, FAO data, industry reports, etc.). Provide justification for inferences made about trade levels. Provide information about the nature of the trade (e.g. primarily for commercial purposes, primarily live specimens, primarily parts and derivatives, primarily of captive-bred or artificially propagated specimens, etc.) and about how the proposed amendment is expected to affect the nature of the trade.

6.3 Parts and derivatives in trade

To the extent possible, list parts and derivatives, including types of products in trade, Customs tariff codes specific to those parts and derivatives, and major importing and exporting countries that trade in those parts and derivatives.

6.3.4 Illegal trade

To the extent possible, quantify the level of illegal trade, ~~including nationally and internationally, trade,~~ and **describe its provide details of the nature of this trade.** Assess the relative importance of this trade **in relation** to legal offtake for national use or legal international trade. Provide information on how the proposed amendment is expected to affect the nature of the trade.

6.3.5 Actual or potential trade impacts

Discuss the importance of current and/or future exploitation for international trade relative to overall use (domestic included) as a threat to the species in question.

~~Comment on the actual or potential trade impacts of the proposed amendment on the species in question, and on the reason for believing that trade might become a threat to the survival of the species in question, or on whether trade may be beneficial to the survival of the species in question. Where applicable, include information on the actual or potential ecological impacts of the change in trade controls.~~

~~3.5 Captive breeding or artificial propagation for commercial purposes (outside country of origin)~~

~~To the extent possible, provide information on the extent of captive breeding or artificial propagation outside the country or countries of origin.~~

~~4. Conservation and Management~~

~~7. 4.1 Legal status instruments~~

~~7.1 4.1.1 National~~

~~Provide details of legislation relating to the conservation of the species, including its habitat, either specifically (such as endangered-species legislation) or generally (such as legislation on wildlife and accompanying regulations). Indicate the nature of legal protection (i.e. is the species totally protected, or whether harvesting is regulated or controlled). Provide an assessment of the effectiveness of this legislation in ensuring the **conservation protection** and/or **wise** management of the species.~~

~~Provide similar information relating to legislation governing the management of trade in the species in question. Provide an assessment of the effectiveness of this legislation in controlling illegal trade in the species.~~

~~7.2 4.1.2 International~~

~~In preparing proposals to amend the Appendices, consult in advance with the relevant competent intergovernmental organizations responsible for the conservation and management of the species, and take their views fully into account.~~

~~Provide details of international instruments relating to the species in question, including the nature of the protection afforded by such instruments. Provide an assessment of the effectiveness of these instruments in ensuring the conservation **protection** and/or **wise** management of the species.~~

~~Provide similar information **on relating to** international instruments relating to the management of trade in the species in question. Provide an assessment of the effectiveness of these instruments in controlling illegal trade in the species.~~

8. ~~4.2~~ Species management

8.1 Management measures

Provide details of programmes in place in the range States to manage populations of the species in question (e.g. controlled harvest from the wild, captive breeding or artificial propagation, reintroduction, ranching, quota systems, etc.). Include, where appropriate, details such as planned harvest rates, planned population sizes procedures for the establishment and implementation of quotas, and mechanisms for ensuring that wildlife management advice is taken into account.

Where applicable, provide details of any mechanisms used to ensure a return from utilization of the species in question to conservation and/or management programmes (e.g. pricing schemes, community ownership plans, export tariffs, etc.).

8.2 ~~4.2.1~~ Population monitoring

Provide details of programmes in place in the range States to monitor the status of wild populations and the sustainability of offtake from the wild. ~~Such programmes might be under the auspices of government or through non governmental organizations or scientific institutions. Indicate the extent to which non governmental monitoring programmes link to governmental decision making.~~

~~4.2.2~~ Habitat conservation

~~Provide details of programmes in place in the range States to protect the habitat of the species in question, both inside and outside protected areas. Provide details about the nature of the protection offered by the programmes in question.~~

~~4.2.3~~ Management measures

~~Provide details of programmes in place in the range States to manage populations of the species in question (e.g. controlled harvest from the wild, captive breeding or artificial propagation, reintroduction, ranching, quota systems, etc.). Include, where appropriate, details such as planned harvest rates, planned population sizes, mechanisms for ensuring that the advice of those responsible for management of the species is taken into account, mechanisms and criteria for the establishment of quotas, etc.~~

~~Where applicable, provide details of any mechanisms used to ensure a return from utilization of the species in question to conservation and/or management programmes (e.g. pricing schemes, community ownership plans, export tariffs, etc.).~~

8.3 ~~4.3~~ Control measures

8.3.1 ~~4.3.1~~ International trade

Provide information ~~on regarding~~ measures in place, in addition to CITES, to control the movement of specimens of the species in question across international borders. Include information about marking schemes in place, if any.

8.3.2 ~~4.3.2~~ Domestic measures

Provide information ~~on regarding~~ controls in the range States aimed at ensuring a sustainable harvest from the wild of the species in question. Include information on education, compliance and enforcement activities as appropriate and an assessment of the effectiveness of the programmes.

8.4 Captive breeding and artificial propagation

Where applicable, provide details of commercial captive-breeding or artificial propagation operations, including plantations, for the species in question within the country in question, including the size of captive stocks and the production, and the extent to which these operations are either contributing to a conservation programme or meeting a demand that would otherwise be met by specimens from the wild. Discuss any management implications of captive-breeding or artificial propagation programmes. Also provide information on the extent of captive-breeding or artificial propagation outside the country or countries of origin to the extent possible.

8.5 Habitat conservation

Provide information, where available, regarding the number, size and type of protected areas relevant to the habitat of the species, and on habitat conservation programmes outside protected areas.

8.6 Safeguards

In the case of proposals to transfer species from Appendix I to Appendix II or deletion from Appendix II, or proposals involving substantive annotations, provide information on any relevant safeguards.

If the proposed amendment is likely to lead to an increase in trade in the species concerned, explain why this would not result in unsustainable trade in similar species.

9. ~~5-~~ Information on similar species

Give the names of species of which specimens in trade look very similar. ~~Provide details on state~~ **Provide details on state** how they may be distinguished, **including, in particular, details on those commodities or parts and derivatives most common in trade**, and explain whether or not it is reasonable to expect an informed non-expert to be able to make a firm identification. ~~Outline measures that would need to be taken to handle~~ **Provide details on how to resolve** potential difficulties in distinguishing ~~between specimens of this the species proposed for listing from those of and~~ **between specimens of this the species proposed for listing from those of and** similar species, **in particular those specimens most common in trade.**

~~If the proposed amendment would be likely to lead to an increase in trade in the species concerned, explain why this would not result in unsustainable trade in similar species.~~

10. ~~6.~~ Other Comments Consultations

Provide details of the consultation undertaken to secure comments on the proposal from the range States of the species, either through direct contact or via the CITES Secretariat. Comments received from each country should be provided. Where comments were sought but not received in sufficient time to enable their inclusion in the supporting statement, this should be noted, as well as the date of the request.

In cases of proposals to transfer Appendix-II species that are subject to actions pursuant to Resolution Conf. 8.9 (Rev.) to Appendix I the proponent should consult the affected range State(s) and, as appropriate, the Animals Committee or Plants Committee. The proponent should state the reasons to justify why the amendment proposal was made.

In cases of consultation with Parties via the CITES Secretariat, information from range States and non-range States should be separated.

In the case of species that are also managed through other international agreements or intergovernmental bodies, provide details of the consultations undertaken to obtain the comments of those organizations or bodies, and indicate how those comments have been addressed in the supporting statement. Where comments were sought but not received in sufficient time to enable their inclusion in the supporting statement, this should be noted, as well as the date of the request.

11. ~~7.~~ Additional remarks

12. ~~8.~~ References