

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

Thirteenth meeting of the Conference of the Parties
Bangkok (Thailand), 2-14 October 2004

Strategic and administrative matters

Review of permanent committees

STANDARD NOMENCLATURE AND THE OPERATION OF THE NOMENCLATURE COMMITTEE

1. This document has been submitted by Mexico.

General background

2. Following a proposal from the Nomenclature Committee (NC), the Conference of the Parties adopted at its 12th meeting (CoP12, Santiago, 2002) the *Checklist of CITES species*, compiled by the UNEP World Conservation Monitoring Centre, 2001 and its updates accepted by the Nomenclature Committee as the standard reference for species included in the Appendices (Resolution Conf. 12.11).
3. As a result, some concerns have been raised by some Parties regarding the status of 'taxon-based' checklists in relation to the UNEP-WCMC checklist and regarding the functioning of the Nomenclature Committee and the process by which the Conference of the Parties approves and adopts new references and checklists.
4. During the 19th meeting of the Animals Committee (Geneva, August 2003), Switzerland presented document AC19 Doc. 20.1, regarding the Role of standard taxonomic and nomenclatural references, and amendment of the Appendices as a consequence of nomenclatural changes. The document stated that the adoption of a new standard reference for the whole order Psittaciformes [see document CoP12 Doc. 10.3 (Rev. 1)] has led to a split-listing, and six subspecies of *Amazona ochrocephala* are now included in Appendix I. The case illustrates the implications of nomenclatural and taxonomic changes and therefore Switzerland suggested to review the terms of reference of the NC, to restructure and formalize the process whereby CITES nomenclature is changed (i.e. reviewing the process of adaptation of new or updated nomenclatural reference) and the process whereby new reference is presented to the CoP (format, deadlines, documentation pertaining to the new taxa, and extensive information regarding the impact on implementation). Some other remarks presented in this document are considered below.
5. Another document (AC19 Doc. 20.2) was also presented at AC19 in relation to standard taxonomy and nomenclature for birds. In this document Mexico stated that it was inappropriate that, for certain taxa, alternative references be used that are not peer-reviewed, do not originate from a collegial body and are not fully recognized worldwide. It also cited document CoP12 Doc. 10.3 (Rev. 1), in which the NC advised that, as long as the amendments to a taxonomic status were under discussion within the scientific community, these changes should not be adopted.
6. According to the normal procedure, stated under Article XV of the Convention, species can be included in, transferred between or deleted from the Appendices only after relevant proposals have been submitted in due time and evaluated by the Parties, and the CoP has formally accepted the proposal by a two-thirds majority. In the follow-up to taxonomic changes adopted by the Parties with only a simple majority, new taxa can be included in, transferred between or deleted from the Appendices without equivalent documentation and without the proper evaluation and decision process.

7. Nomenclatural changes and the consequent amendments to the Appendices may have a great practical and administrative impact: legislation may need to be amended or adjusted, Identification Manual sheets as well as instruction and training documentation revised, information material reissued, computer software adjusted, data files corrected or re-written, administrative procedures changed and often complex administrative problems solved (e.g. specimens imported, registered and filed under the 'old' denomination may have to be re-exported under a new denomination). Often Parties are not aware or are not made aware of the consequences of something that comes in the inconspicuous disguise of a 'taxonomic change'. Therefore it is very important that, before new standard references are accepted and become established, they be carefully examined to see what changes they contain and what impact such changes on the implementation of CITES they would have.
8. Derived from the concerns mentioned above, during its 13th meeting (PC13, Geneva, August 2003), the Plants Committee created a Working Group to look into these nomenclatural issues, considering their relevance to the working programme and the issues discussed by the Committee. As a result, the botanist of the Nomenclature Committee submitted document PC14 Inf. 4 at PC14 (Windhoek, February 2004), taking into account the concerns discussed and debated during the last two meetings of the NC. This document resulted from a series of formal recommendations from the Parties to be considered by the Conference of the Parties for future amendments to Resolutions Conf. 11.1 (Rev. CoP12) and Conf. 12.11. The main ideas presented in that document, and some additional ones, are presented below:
 - a) The 'taxon-based' plant checklists should have at least equal status as the UNEP-WCMC *Checklist of CITES species* and be included as an annex to the Resolution on Standard Nomenclature; and
 - b) References and checklists recommended by CITES Nomenclature Committee should be put forward at a meeting of the Conference of the Parties for formal approval and adoption.

With regard to the amendment of Resolutions Conf. 11.1 (Rev. CoP12) and Conf. 12.11:

- a) A provision should be made to include alternative representatives on the Nomenclature Committee;
- b) An opportunity for regional input to the Committee should be ensured. One way to achieve this may be to incorporate regional representatives of the Animals and Plants Committees into the NC;
- c) Participation of the Parties that may be affected by the adoption of a new list or an update of previously adopted ones, should be ensured through an official or formal procedure;
- d) Any proposal for adopting or amending checklists or references should be distributed at least 150 days prior to the relevant meeting of the Conference of the Parties. Therefore it is very important to define and specify the procedures to compile, revise, and distribute the minutes of the NC meetings. The minutes shall be circulated among the Parties before the next meeting, according to adopted Rules of Procedure, in the same way as it is established for the other Committees. The agenda, working documents and the proposals for amendment or adoption of new reference lists should be published in time by the Secretariat on its website in the three working languages;
- e) The implications of the adoption of any checklist reference should be clearly outlined in the relevant proposal to allow the Conference of the Parties to make an informed decision on its adoption;
- f) A detailed procedure (terms of reference) for the operation of the NC should be elaborated. In this procedure the activities and attributions of the NC should be clearly described, as well as the role of the regional representatives, the Parties, and the Secretariat, in the adoption (selection and updating) of the standard nomenclature lists for the different taxa included in the Appendices. This way, the NC would have an efficient, transparent and consistent working

system for decision-making, such as the one in place for the Animals and Plants Committees; and

- g) Apparently there is a contradiction between both Resolutions and it is not clear whether all nomenclatural changes need to be adopted by the Conference of the Parties, or whether the NC has the capacity to make those changes on its own initiative.

Proposal for resolution

- 9. Based on the concerns mentioned before, some modifications to Resolutions Conf. 12.11 and Conf. 11.1 (Rev. CoP12) are presented in the Annexes to this document for consideration by the Conference of the Parties. The changes proposed aim at establishing a more transparent process for the adoption and updating of standard taxonomy and CITES species checklists, as well as at allowing Parties to participate actively in this process. At the same time, we are looking for the establishment of an efficient and comprehensive process that enables the evaluation of the impact of nomenclatural changes on the implementation of the Convention by the Parties, similar to that of the Animals and Plants Committees.

COMMENTS FROM THE SECRETARIAT

- A. The Secretariat does not fully share the concerns of the proponents of this document and believes that the current wording of Resolutions Conf. 11.1 (Rev. CoP12) and Conf. 12.11 does not present significant difficulties in interpretation.
- B. Many of the points raised are covered in the Report of the NC (CoP13 Doc. 9.3.1).
- C. A number of the recommendations proposed by Mexico do not seem practical and some may have significant financial implications. Nevertheless, if concerns persist, these questions would be best addressed in a holistic review of the work of the scientific committees as recommended by the Secretariat in its comments on document CoP13 Doc. 11.1.

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Proposal for modification of Resolution Conf. 12.11 on Standard nomenclature

NB: Text to be deleted is ~~crossed-out~~. Proposed new text is underlined.

RECALLING Resolution Conf. 11.22, adopted by the Conference of the Parties at its 11th meeting (Gigiri, 2000);

NOTING that biological nomenclature is dynamic;

AWARE that the names of the genera and species of several families are in need of standardization and that the current lack of a standard reference with adequate information decreases the effectiveness of the implementation of CITES in conserving the many species that are listed in the Appendices;

RECOGNIZING that the taxonomy used in the Appendices to the Convention will be most useful to the Parties if standardized by nomenclatural references;

AWARE that the Nomenclature Committee has identified names of taxa used in the Appendices to the Convention that should be changed to reflect accepted use in biology;

NOTING that these changes should be adopted by the Conference of the Parties to the Convention;

RECOGNIZING that there are several taxa included in the Appendices of which domesticated forms exist, and that in several cases the Parties have chosen to discriminate between the wild form and the domesticated form by applying a name that differs from the name cited in the standard nomenclature for the protected form;

RECOGNIZING that, in the case of new proposals for listing in the Appendices, the Parties should use adopted standard references whenever available;

CONSIDERING the great practical difficulties involved in recognizing many of the subspecies at present listed in the Appendices when they appear in trade, and the need to weigh ease of subspecies identification against reliability of information on geographic source, for enforcement purposes;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

AGREES that species of fungi are covered by the Convention;

RECOMMENDS that:

- a) a subspecies be proposed for inclusion in the Appendices only if it is generally recognized as a valid taxon, and easily identifiable in the traded form;
- b) where there are identification difficulties, the problem be approached by either including the entire species in Appendix I or Appendix II or by circumscribing the range of the subspecies warranting protection and listing the populations within this area on a country basis;
- c) where there are domesticated forms of listed taxa, the Nomenclature Committee recommend names for the wild and domestic forms;
- d) when submitting a proposal to amend the Appendices to the Convention, the proponent identify the reference used to describe the entity being proposed;
- e) upon receiving proposals to amend the Appendices to the Convention, the Secretariat seek, where appropriate, the advice of the Nomenclature Committee on the correct names to use for the species or other taxa in question;

- f) the Secretariat, in consultation with the Nomenclature Committee, may make orthographic changes in the lists of species included in the Appendices to the Convention, without consulting the Conference of the Parties, however it shall inform the Parties on those changes;
- g) ~~the Secretariat inform the Parties whenever the name of a taxon to be used in the Appendices to the Convention changes, provided that:~~
 - ~~i) the change has been recommended or agreed to by the Nomenclature Committee; and~~
 - ~~ii) the change will not alter the scope of protection for fauna or flora under the Convention;~~
- g) whenever the name of a taxon to be used in the Appendices to the Convention changes, the Secretariat, in consultation with the Nomenclature Committee, shall verify that this change will not alter the scope of protection for fauna or flora species covered by the Convention;
- h) whenever the scope of a taxon is redefined as a result of a taxonomic revision, the Nomenclature Committee ~~advise the Secretariate~~ evaluate the implications of such a revision and make a recommendation to the Conference of the Parties on the name to be listed in the Appendices or on alternative actions, including amendments to the Appendices, required to ensure that the original intent of the listing is retained;
- i) if there is conflict regarding the choice of taxonomic authority for taxa for which no standard references have been adopted by the Conference of the Parties, countries authorizing export of animals or plants (or parts or derivatives thereof) of such taxa inform the CITES Secretariat and prospective importing countries of their preferred published taxonomic authority. 'Taxonomic authority' means a recent published paper or monograph that reviews the nomenclature of the taxon being exported and that has been reviewed by professionals in the pertinent discipline. In cases where specimens of the taxon are exported from several countries and the exporting countries do not agree, or the exporting and importing countries do not agree, on the taxonomic authority, the ~~zoologist and the botanist of the Nomenclature Committee should determine the most appropriate taxonomic authority~~ make a recommendation to the Conference of the Parties, following the procedure for adoption and updating of standard nomenclature references under Resolution Conf. 11.1 (Rev. CoP13) Annex 3, regarding the 'Establishment and Operation of the Nomenclature Committee'; ~~and~~
- j) the Secretariat be provided the citations (and ordering information) of checklists that will be nominated for standard references at least six months before the meeting of the Conference of the Parties at which such checklists will be considered. The Secretariat shall include such information in a Notification to the Parties so that Parties can obtain copies to review if they wish before the meeting; and
- k) while adopting, modifying or updating the name of a taxon to be used in the Appendices to the Convention and applying any of the recommendations above, an evaluation of the implications on the implementation of the Convention be made;

ADOPTS the *Checklist of CITES species*, compiled by the UNEP World Conservation Monitoring Centre, 2001 and its updates ~~accepted by the Nomenclature Committee~~ as the standard reference for species included in the Appendices. Updating of this list shall be made by following the procedure for adoption and updating of standard nomenclature references under Resolution Conf. 11.1 (Rev. CoP13) Annex 3, regarding the 'Establishment and operation of the Nomenclature Committee';

AGREES that taxon-based checklists adopted by the Conference of the Parties have equal status as the Checklist of CITES species compiled by the UNEP World Conservation Monitoring Centre, 2001 and its updates and that it should be provided as an Annex to this Resolution, being then an official nomenclature reference for the taxa included in the Appendices of the Convention;

AGREES that the adoption of a standard checklist or reference by the Conference of the Parties does not by itself change the status vis-à-vis CITES of any entity, whether it is listed in the Appendices or not, and the status of the entity remains as intended in the proposal adopted by the Conference unless specifically changed by the adoption of a further amendment proposal;

URGES Parties to assign to their Scientific Authorities the principal responsibility for:

- a) interpretation of the listings;
- b) consultation with the CITES Nomenclature Committee as appropriate;
- c) identification of nomenclatural issues that may warrant further review by the appropriate CITES committee and preparation of proposals to amend the Appendices if appropriate; and
- d) supporting and cooperating in the development and maintenance of the checklists; and

REPEALS Resolution Conf. 11.22 (Gigiri, 2000) – Standard nomenclature.

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Proposal for modification of Resolution Conf. 11.1 (Rev. CoP12) on Establishment of Committees

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

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

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

Regarding the establishment of committees

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

RESOLVES that:

- a) there shall be a permanent Standing Committee of the Conference of the Parties, which shall be the senior Committee, and shall report to the Conference of the Parties;
- b) there shall be an Animals Committee, a Plants Committee and a Nomenclature Committee, which shall report to the Conference of the Parties at its meetings and, if so requested, to the Standing Committee between meetings of the Conference of the Parties;
- c) the Conference of the Parties may appoint additional committees as the need arises;
- d) the Conference of the Parties or the Standing Committee may appoint working groups with specific terms of reference as required to address specific problems. These working groups shall have a defined life span which shall not exceed the period until the next meeting of the Conference of the Parties, at which time it may be renewed if necessary. They shall report to the Conference of the Parties and, if so requested, to the Standing Committee;
- e) the Rules of Procedure to be adopted by the Standing Committee shall apply to other Committees as far as is practicable;
- f) regional representatives shall be elected by the Conference of the Parties as members of the Standing Committee;
- g) to the extent possible, the Secretariat shall make provision for the payment, if requested, of reasonable and justifiable travel expenses of members of the Standing Committee, the Animals Committee and, the Plants Committee, and the Nomenclature Committee;
- h) all committees established by the Conference of the Parties shall be listed in annexes to this Resolution; and
- i) the Secretariat shall, upon request by a committee chairman, provide secretarial services when such services can be met within the approved budget of the Secretariat;

Regarding regional representation in the Standing Committee

RECOMMENDS that the following guidelines be implemented:

A. Selection of regional members and alternate regional members

- a) In the selection of regional members and alternate regional members, the following considerations should be taken into account:
 - i) for regions with one member and one alternate member, a rotation in the selection is recommended; and
 - ii) for regions with more than one member and one alternate member, the selection should try to achieve a balanced representation (geopolitical, cultural, ecological);
- b) The regional candidatures should be officially submitted by the interested Parties through a governmental channel, at least 120 days before a meeting of the Conference of the Parties. These candidatures should be communicated to all the Parties of the region through the Secretariat;
- c) If more candidatures are submitted than there are positions available for any region, a vote should take place in a session of the Parties of that region to be held during the meeting of the Conference of the Parties. To be elected, a candidate should obtain an absolute majority (i.e. more than half the votes). Only the delegations duly accredited by the Conference should have the right to vote. The election should take place during the second week of the meeting; and
- d) The election of a member and of the alternate should take place at the end of the term of office of their predecessors, in accordance with the above-mentioned procedure, through successive votes during a single process; and

B. Timing of replacement of members and alternate members

The terms of office of the regional members shall commence at the close of the regular meeting at which they are elected and shall expire at the close of the second regular meeting thereafter. The Resolution does not refer to alternate members but it may be assumed that the same rule applies. It is followed in the paragraphs below:

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

Regarding regional sessions at meetings of the Conference of the Parties

AGREES that:

- a) The regional sessions have an official character and should have an agenda. Proceedings should be prepared concerning the proposals and agreements dealt with;
- b) The chairman of each regional session should be the representative of a regional member of the Standing Committee;
- c) Each region has specific tasks to fulfil, as follows:
 - i) selection, if appropriate, of members and alternate members of the Standing Committee, which are Parties;

- ii) selection of the members and alternate members of the Animals and Plants Committees. In accordance with Annex 2 of this Resolution the members and alternate members of the Animals and Plants Committees are persons. The persons to be chosen should be experts in animals or plants in general and with regard to the region they are representing in particular;
- iii) the regions with more than one member should decide the way the representation should be exercised until the next meeting of the Conference. This should be reviewed at each meeting; and
- iv) other tasks depending to a large extent on the agenda of the meeting of the Conference of the Parties. The regional representatives, perhaps with the help of their alternates, should establish the agenda of the session before the session. This agenda should cover the points mentioned in paragraphs a) and b) and provide for discussion of the main items of the agenda of the meeting to be considered by the Conference of the Parties, at plenary sessions or at sessions of Committees I and II, in particular those of special interest to the region concerned; and

Regarding regional representation in the Animals and Plants Committees

RECOMMENDS that the following guidelines be implemented:

A. Election of the candidates

- a) The proposals for candidates as representatives should be supported by the relevant governments in order to ensure as far as possible that they will obtain the necessary means to undertake their activities;
- b) The names of the proposed candidates, and their *curricula vitae*, should be circulated to the Parties of the region concerned at least 120 days before the meeting of the Conference of the Parties at which the representatives will be elected;
- c) Ideally the candidates should be associated with a Scientific Authority, have adequate knowledge of CITES and receive sufficient institutional support to carry out their duties. This information should also be included in the *curricula vitae*; and
- d) As long as the regional representatives are persons, a Party shall not be accepted as a proposed candidate subject to a later identification of the person concerned by the Party; and

B. Timing of replacement of members and alternate members

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

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

**Establishment of the Standing Committee
of the Conference of the Parties**

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

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

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

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

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

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

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

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

DETERMINES:

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

- iii) the Chairman of the Standing Committee may be refunded for all reasonable and justifiable travel expenses for travel undertaken on behalf of the Conference of the Parties, the Standing Committee, or the Secretariat; and
- iv) travel arrangements for sponsored regional members will be made by the Secretariat in accordance with the Rules and Regulations of the United Nations and, where applicable, claims for refunds must be supported by receipts, and be submitted to the Secretariat within 30 days from the completion of the travel; and

RESOLVES that the duties of the regional representatives in the Standing Committee are as follows:

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

Annex 2

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

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

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

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

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

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

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

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

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

- a) provide advice and guidance to the Conference of the Parties, the other committees, working groups and the Secretariat, on all matters relevant to international trade in animal and plant species included in the Appendices, which may include proposals to amend the Appendices;

- b) assist the Nomenclature Committee in the development and maintenance of a standardized list of species names;
- c) assist the Secretariat with the implementation of the Resolution on the Identification Manual and Decisions related to it and, upon request of the Secretariat, review proposals to amend the Appendices with regard to possible identification problems;
- d) cooperate with the Secretariat on the implementation of its programme of work to assist Scientific Authorities;
- e) develop regional directories that list the botanists and zoologists in each region who are experts in CITES-listed species;
- f) establish a list of those taxa included in Appendix II that are considered as being significantly affected by trade, and review and assess all available biological and trade information including comments by the range States on these taxa to:
 - i) exclude all species for which there is adequate information to conclude that trade is not having a significant detrimental effect on their populations;
 - ii) formulate recommendations for remedial measures for those species for which trade is believed to be having a detrimental effect; and
 - iii) establish priorities for projects to collect information for those species for which there is insufficient information available on which to base a judgement as to whether the level of trade is detrimental;
- g) assess information on those species for which there is evidence of a change in the volume of trade or for which specific information is available to indicate the necessity for review;
- h) undertake a periodic review of animal or plant species included in the CITES Appendices by:
 - i) establishing a schedule for reviewing the biological and trade status of these species;
 - ii) identifying problems or potential problems concerning the biological status of species being traded;
 - iii) consulting the Parties on the need to review specific species, working directly with the range States in the selection process, and seeking their assistance in such reviews; and
 - iv) preparing and submitting amendment proposals resulting from the review, through the Depository Government, for consideration at meetings of the Conference of the Parties;
- i) make available advice on management techniques and procedures for range States requesting such assistance;
- j) draft resolutions on matters related to animals or plants, for consideration by the Conference of the Parties;
- k) perform any other functions that may be entrusted to them by the Conference of the Parties or the Standing Committee; and
- l) report to the Conference of the Parties and, if so requested, to the Standing Committee, on the activities they have carried out or supervised between meetings of the Conference;

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

DETERMINES that:

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

RESOLVES that the duties of members of the Animals and Plants Committees and their alternates are as follows:

- a) each member should collaborate with his/her alternate regarding the work to be done between the meetings of the Committee;
- b) each member should maintain regular communication with the Parties in his/her region;
- c) when a region has more than one representative, the representatives should also agree which Parties each represents. Contact persons should be identified in those countries. Contact should also be established with non-Parties in the region;
- d) each member should increase the awareness of the role and function of the Committee, its mandate and the issues of concern to his/her region through mechanisms such as participation in seminars or in related meetings organized by the Secretariat and by other organizations at regional or sub-regional level;
- e) before the meetings of the Committee, the members should inform and consult the Parties in their regions about the agenda and in particular on matters specifically relevant to the countries of the region;
- f) the members should submit a written report, covering the preceding period, to each meeting of the Committee;
- g) the members should inform the Parties in their regions of the results of each meeting of the Committee;
- h) the members must inform the alternates well in advance if they will not attend a forthcoming Committee meeting; and
- i) the members should provide to their successors all relevant information on the activities in the region;

DETERMINES further the following principles for the payment of travel expenses to regional members of the Plants or Animals Committee:

- a) the Secretariat shall make provisions in its budget for the payment, if requested, of reasonable and justifiable travel expenses of regional members, to attend one Committee meeting per calendar year;
- b) members should make every effort to pay their own travel expenses; and
- c) travel arrangements for sponsored regional members will be made by the Secretariat in accordance with the Rules and Regulations of the United Nations and, where applicable, claims for refunds must be supported by receipts, and be submitted to the Secretariat within 30 days from the completion of the travel; and

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

Annex 3

Establishment and operation of the Nomenclature Committee of the Conference of the Parties

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

NOTING that such biological nomenclature is not static;

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

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

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RESOLVES:

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

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

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

- iv) review the existing Appendices with regard to the correct use of zoological and botanical nomenclature;
 - v) upon request from the Secretariat, review proposals to amend the Appendices to ensure that correct names for the species and other taxa in question are used;
 - vi) ensure that changes in nomenclature recommended by a Party do not alter the scope of protection of the taxon concerned; and
 - vii) make recommendations on nomenclature to the Conference of the Parties, other committees, working groups and the Secretariat;
- b) that the Nomenclature Committee shall comprise ~~two~~ four individuals: two Co-Chairmen, appointed by the Conference of the Parties (one zoologist to address nomenclatural issues for animal taxa and one botanist for plant taxa), and two individuals appointed by the Animals and Plants Committees among the regional representatives of each; and
- i) the proposals for candidates as Co-Chairman should be supported by the relevant Governments in order to ensure that they would obtain the necessary means to undertake their activities;
 - ii) the names of the proposed candidates, and their curricula vitae, should be circulated to the Parties at least 120 days before the meeting of the Conference of the Parties at which the representatives will be elected;
 - iii) the candidates should come from recognized taxonomic institutions, have adequate knowledge of CITES, receive sufficient institutional support and allocate a minimum time to carry out their duties. This information should also be included in the candidature proposal¹; and
 - iv) a Party shall not be accepted as a proposed candidate subject to a later identification of the person concerned by the Party;
- c) that ~~these two scientists~~ the Co-Chairmen shall coordinate and monitor the input needed from specialists in fulfilling the responsibilities assigned by the Parties, inform the Animals and Plants Committees at each meeting about the progress made, and report to each meeting of the Conference of the Parties; and
- d) that the two individuals appointed by the Plants and Animals Committees shall represent the Co-Chairmen at the meetings where they cannot be present and participate in the activities and tasks dictated to the Nomenclature Committee; these individuals will have the main task of ensuring communication with the members of the Plants and Animals Committees and their input to the Nomenclature Committee;

ADOPTS the following procedure for updating current standard nomenclature references or the adoption of new ones:

- a) updating current standard nomenclature references or the adoption of new standard nomenclature references shall be initiated directly by the Nomenclature Committee on its own initiative or by the submission of a proposal to the Nomenclature Committee by:
 - i) one or more Parties;
 - ii) the Animals or Plants Committee, on its own initiative; and
 - iii) the Secretariat, on its own initiative or in response to information it has received from the Parties;

¹ The Plants Committee Regional Communication Brainstorming Group suggested to develop a standard format for the curricula vitae of candidates, in which clear commitments from the person, the institute and the Government would be included to ensure that the candidate can fulfil his/her tasks adequately.

- b) the proposals may stem from implementation problems (i.e. law enforcement difficulties) with current standard references, from recent publication of papers or monographs that review the nomenclature of the taxon or from amendment proposals of taxa for which a standard reference has not been adopted;
- c) proposals shall be founded on peer-reviewed and worldwide-recognized taxonomic publications. It is recommended that while the proposed amendment to the nomenclatural status of the taxon is still under discussion, the new taxonomy not be adopted;
- d) the Nomenclature Committee shall analyse the proposals, carry out the relevant consulting with taxonomists and with the Animals or Plants Committee (through the Nomenclature Committee members elected by the Committees) and shall submit to the Secretariat a document with its comments and recommendations regarding the updating or adoption of nomenclature references, including the implications of these changes [When possible, it is recommended to seek synergies with the Convention on Biological Diversity and the World Conservation Union's specialist groups to look for advice and the unification of criteria];
- e) the Nomenclature Committee shall discuss the proposals during its meetings and will present its recommendations to the Plants or Animals Committee during their plenary session, so that these can either support them and recommend their adoption or recommend further discussions before submitting them for adoption by the Conference of the Parties; and
- f) the *Checklist of CITES species*, compiled by the UNEP World Conservation Monitoring Centre (2001) shall be updated according to the changes in the current standard references or the adoption of new ones and the new publications included as part of the official taxonomic reference for CITES species. These changes shall enter into force 90 days after their adoption by the Conference of the Parties;

DETERMINES the following principles for the payment of travel expenses to members of the Nomenclature Committee:

- a) the Secretariat shall make provisions in its budget for the payment, if requested, of reasonable and justifiable travel expenses of members to attend one committee meeting per calendar year;
- b) members should make every effort to pay their own travel expenses; and
- c) travel arrangements for sponsored members shall be made by the Secretariat in accordance with the Rules and Regulations of the United Nations and, where applicable, claims for refunds must be supported by receipts, and be submitted to the Secretariat within 30 days of the completion of the travel; and

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