

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



Fourteenth meeting of the Conference of the Parties
The Hague (Netherlands), 3-15 June 2007

Strategic matters

Dialogue meetings

TERMS OF REFERENCE FOR CITES DIALOGUE MEETINGS

1. This document has been prepared by the Secretariat.
2. At its 49th meeting (Geneva, April 2003), the Standing Committee instructed the Secretariat to prepare a document for consideration at the 50th meeting (Geneva, March 2004) detailing the terms of reference for the organization and conduct of dialogue meetings, including *inter alia* the timing, the selection of participants and the selection of the Chairman.
3. At the 50th meeting of the Standing Committee, the Secretariat provided (in document SC50 Doc. 13) the 'Proposed rules of procedure for future African elephant range State dialogues', which had been agreed at the fifth dialogue meeting of African elephant range States (Santiago, October 2002) and presented at the 12th meeting of the Conference of the Parties (Santiago, 2002) in Annex 6 to document CoP12 Doc. 20.1. At the same Committee meeting, the Secretariat provided a revised version of these proposed rules (SC50 Doc. 13 Addendum), adapted so that they did not refer to elephants and so could be applied in relation to other species. Following discussion of this document, the Committee requested the Secretariat to prepare a revised version of the draft terms of reference for dialogue meetings, for consideration at its 53rd meeting, taking into account the comments made at the meeting.
4. At its 53rd meeting (Geneva, June – July 2005), the Standing Committee approved, with amendments, the draft terms of reference and rules of procedure for dialogue meetings presented in document SC53 Doc. 14.1 and agreed that the Secretariat should prepare on that basis a draft resolution for consideration at the 14th meeting of the Conference of the Parties.
5. The resulting draft resolution is provided in the Annex to the present document. The Secretariat has included the draft rules of procedure in an annex to the draft resolution and integrated the different sections of the draft terms of reference as follows:
 - a) the substance of the section entitled *What are CITES dialogue meetings?* has been included in the preamble of the draft resolution;
 - b) the section entitled *Who may call a CITES dialogue meeting?* has been included in the operative part; and
 - c) the section entitled *Organization of dialogue meetings* has been included in the Rules of Procedure themselves.

6. Two Rules of the Rules of Procedure presented in document SC53 Doc. 14.1 have also been amended in the attached draft resolution, as follows:
 - a) Rule 8, to add a reference to the Trust Fund; and
 - b) Rule 17, to reflect that the Rules would be adopted by the Conference of the Parties and not the Standing Committee.

Finally, some minor editorial changes have been made to bring the language and punctuation in line with current editorial practice.

7. The Conference of the Parties is invited to adopt the annexed draft resolution.

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Dialogue meetings

RECALLING that dialogue meetings have been held to examine proposals to amend the CITES Appendices in relation to the African elephant and the hawksbill turtle since 1996 and 2001 respectively;

RECOGNIZING, with thanks, the role of IUCN – The World Conservation Union in the organization of the first meetings and its participation in subsequent meetings;

NOTING that dialogue meetings provide the opportunity for the representatives of States to express their concerns, to share information, to exchange views frankly and freely, without the pressures that exist on delegations during meetings of the Conference of the Parties, and to seek ways forward;

CONSIDERING that the results of a dialogue meeting may include, amongst other things, agreement on a position regarding a proposal for amendment of the CITES Appendices submitted to the Conference of the Parties;

RECOGNIZING that terms of reference and rules of procedure are an essential requirement to standardize the organization and conduct of such meetings;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

DECIDES to establish dialogue meetings as a formal series of CITES meetings;

AGREES that dialogue meetings are consultative meetings between range States of a certain species or group of species, with the aim of seeking consensus in relation to a proposal submitted for amendment of the CITES Appendices when there are strong divisions between those States;

AGREES that:

- a) a dialogue meeting may be called for either by the Conference of the Parties or by the Standing Committee;
- b) if, following the discussion of a proposal to amend the Appendices, the Conference of the Parties believes that there is a significant division between range States of the species, it may instruct the Secretariat that, if it receives a further amendment proposal relating to the same species, it should organize a dialogue meeting of the range States. In this case, the Conference of the Parties should preferably allocate funds for such a meeting. Otherwise, the holding of such a meeting will be subject to the availability of external funding;
- c) if a Party intends to submit a proposal to amend the Appendices and, as a result of seeking the comments of the other range States, becomes aware that there is a significant division between them, it may ask the Standing Committee to instruct the Secretariat to organize a dialogue meeting, subject to the availability of external funding; and
- d) when the Conference of the Parties or the Standing Committee calls a CITES dialogue meeting for a species, they should consider whether it is necessary for the range States of related species to be invited as observers; and

ADOPTS the rules of procedure for CITES dialogue meetings in the Annex to the present Resolution.

RULES OF PROCEDURE OF CITES DIALOGUE MEETINGS

Representation

1. Each Party that is a range State of an extant population of the species (or group of species) to be discussed shall be entitled to be represented at a dialogue meeting by a representative and an alternate representative, who shall be government officials designated to attend by the Management Authority of the Party that they represent.
2. Other Parties and organizations (including donors) may be represented by observers only if their attendance is approved by the representatives of the range States.
3. The CITES Secretariat shall participate in dialogue meetings in order to advise the Parties and to serve as Secretary and organizer of the meeting.
4. The Secretariat shall be responsible for inviting the range States to send representatives to a dialogue meeting.
5. Following the recommendations of the range States, the Secretariat may invite intergovernmental organizations and other technical experts to attend a meeting as resource persons.

Meetings

6. CITES dialogue meetings are convened and organized by the CITES Secretariat on behalf of the Parties.
7. When the Conference of the Parties or the Standing Committee has instructed the Secretariat to organize a dialogue meeting, it shall seek a host country for the meeting from among the range States and, if there is more than one offer, select a host country in consultation with the Chairman of the Standing Committee and, where applicable, the relevant regional representatives in the Committee. The host country is usually expected to cover the cost of rental of the meeting rooms and refreshments for the participants and to work with the Secretariat in the organization of the meeting.
8. If funds have not been allocated in the Trust Fund budget, the Secretariat shall seek sufficient funds to cover the attendance of at least one representative of each Party range State of the species concerned coming from developing countries or countries with economies in transition.
9. Dialogue meetings should, as far as possible, take place well in advance of meetings of the Conference of the Parties so that the outcomes may be used by the Parties when considering their positions in preparation for such meetings. However, sometimes, for reasons of financial constraints, it is necessary to hold a dialogue meeting immediately before a meeting of the Conference of the Parties. In such cases, the Host Country of the meeting of the Conference is not expected to serve as the host for the dialogue meeting.
10. The provisional agenda for each dialogue meeting should be prepared at least 60 days in advance by the Chairman of the Standing Committee with the assistance of the Secretariat, following consultation with the range States of the species concerned. The Secretariat is responsible for distributing the provisional agenda to all range States at least 45 days before the meeting.

Chairman

11. The Chairman of the Standing Committee shall serve as the Chairman of each CITES dialogue meeting. If he/she is unable to serve, he/she should appoint the Vice-Chairman or Alternate Vice-Chairman of the Standing Committee to serve in his/her place or identify a Chairman who is acceptable to the range States.

Vice-Chairmen

12. Two Vice-Chairmen for each meeting shall be elected from among the participants.

Decisions

13. All decisions of dialogue meetings shall be made by the representatives of the range States. In the absence of a representative, the alternate representative shall for all purposes serve in his/her place.

14. Decisions shall as far as possible be made by consensus. Where this is not possible, this should be indicated in the final communiqué of the meeting, which may indicate majority and minority views.

Communications

15. No record shall be kept of the discussions that take place at dialogue meetings and they should be considered as confidential. Consequently, participants should not communicate with the media or with organizations that are not participating, or have not participated, in a dialogue meeting concerning the statements made by other participants.

16. A communiqué from each meeting shall be drafted by the Secretary in consultation with the Chairman and Vice-Chairmen, and shall be presented for agreement. Such communiqué, if agreed, shall serve as the official record of the outcome of the meeting, and shall be made available in the three working languages of the Convention. Communiqués shall be formally presented at the following meeting of the Conference of the Parties.

Final provisions

17. These Rules of Procedure have been established by the Conference of the Parties and may be amended by the Standing Committee at any time.

18. In matters not covered by the present Rules, the Rules of Procedure of the Standing Committee that are currently in effect shall apply as far as practicable.