

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



Seventeenth meeting of the Conference of the Parties
Johannesburg (South Africa), 24 September - 5 October 2016

Committee I

Evaluation of the Review of Significant Trade

AMENDMENT TO RESOLUTION CONF. 12.8 (REV. COP16) AND DRAFT DECISIONS
ON THE REVIEW OF SIGNIFICANT TRADE

This document has been prepared by the Secretariat after discussion and agreement on document CoP17 Doc. 33 at the fifth session of Committee I and document CoP17 Doc. 31 at the seventh session of Committee II (see documents CoP17 Com. I Rec. 5 and CoP17 Com. II. Rec. 7).

Resolution Conf. 12.8 (Rev. CoP17)

Review of Significant Trade in specimens of Appendix-II species

RECALLING that Article IV, paragraph 2 (a), of the Convention requires, as a condition for granting an export permit, that a Scientific Authority of the State of export has advised that the export will not be detrimental to the survival of the species concerned;

RECALLING that Article IV, paragraph 3, requires a Scientific Authority of each Party to monitor exports of Appendix-II species and to advise the Management Authority of suitable measures to be taken to limit such exports in order to maintain such species throughout their range at a level consistent with their role in the ecosystem;

RECALLING also that Article IV, paragraph 6 (a), requires, as a condition for granting a certificate of introduction from the sea, that a Scientific Authority of the State of introduction from the sea has advised that the introduction will not be detrimental to the survival of the species concerned;

CONCERNED that some States permitting export of Appendix-II species are not effectively implementing Article IV, paragraphs 2 (a), 3 and 6 (a), and that, in such cases, measures necessary to ensure that the export of an Appendix-II species takes place at a level that will not be detrimental to the survival of that species, such as population assessments and monitoring programmes, are not being undertaken, and that information on the biological status of many species is frequently not available;

RECALLING that the proper implementation of Article IV is essential for the conservation and sustainable use of Appendix-II species;

NOTING the important benefits of the review of trade in specimens of Appendix-II species by the Animals and Plants Committees as set out in Resolution Conf. 8.9 (Rev.), adopted by the Conference of the Parties at its eighth meeting (Kyoto, 1992) and amended at its 11th meeting (Gigiri, 2000), referred to as the Review of the Significant Trade, and the need to clarify further and simplify the procedure to be followed;

RECALLING that, at its 12th meeting (Santiago, 2002), the Conference of the Parties mandated the Animals and Plants Committees to develop terms of reference for an evaluation of the Review of Significant Trade with the objective of assessing the contribution of the Review of Significant Trade to the implementation of Article IV, paragraphs 2 (a), 3 and 6 (a), and its impact over time on the trade and conservation status of species selected for review and subject to recommendations;

NOTING that, in Resolution Conf. 16.7 (*Non-detriment findings*), the Conference of the Parties recommended that Scientific Authorities take into account certain concepts and guiding principles in considering whether trade would be detrimental to the survival of the species;

ACKNOWLEDGING that the intent of the Review of Significant Trade process is to ensure that trade in Appendix II species is being conducted sustainably and in accordance with Article IV of the Convention, and to identify remedial action where it is needed with the ultimate intent of improving the implementation of the Convention;

EXPECTING that the implementation of recommendations and actions resulting from the Review of Significant Trade process will improve the capacity of the Scientific Authorities to carry out their non-detriment findings by improving range States' science-based conservation and management actions and improving coordination and communication between Scientific and Management Authorities on the issuance of export permits; of Significant Trade process should be transparent, timely, and straightforward;

AFFIRMING that the Review

NOTING the *Guide to CITES compliance procedures* found in Resolution Conf. 14.3 (*CITES compliance procedures*) and FURTHER NOTING the guidance for Parties regarding the management of export quotas elaborated in Resolution Conf. 14.7 (Rev. CoP15) (*Management of nationally established export quotas*);

NOTING that Resolution Conf. 4.25 (Rev. CoP14) (*Reservations*) recommends that any Party having entered a reservation with regard to any species included in Appendix I treat that species as if it were included in Appendix II for all purposes, including documentation and control;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

Regarding conduct of the Review of Significant Trade

DIRECTS the Animals and Plants Committees, in cooperation with the Secretariat and experts, and in consultation with range States, to review the biological, trade and other relevant information on Appendix-II species subject to significant levels of trade, to identify problems and solutions concerning the implementation of Article IV, paragraphs 2 (a), 3 and 6 (a), in accordance with the following procedure and as outlined in Annex A:

Stage 1: Selection of species/country combinations to be reviewed

- a) the Secretariat shall, within 90 days after each meeting of the Conference of Parties, commence or appoint consultants to commence preparation of a summary from the CITES Trade Database of annual report statistics showing the recorded level of direct exports for Appendix-II species over the five most recent years, and an extended analysis of trade to inform the preliminary selection of species/country combinations, to be completed in sufficient time for the first regular meeting of the Animals or Plants Committee following that meeting of the Conference of the Parties (see Annex B);
- b) on the basis of recorded levels of direct exports and information available to the Animals or Plants Committee, the Secretariat, Parties or other relevant experts, a limited number of species/country combinations of greatest concern shall be included in Stage 2 of the review process by the Animals or Plants Committee at their first regular meeting following a meeting of the Conference of the Parties;
- c) in exceptional cases, outside of steps a) and b) above, and where new information provided to the Secretariat by a proponent indicates that rapid action may be needed concerning problems relating to the implementation of Article IV (for a species/country combination), the Secretariat;
 - i) will verify that the proponent has provided a justification for the exceptional case, including supporting information;
 - ii) may produce, or request a consultant produce a summary of trade from the CITES Trade Database in relation to the species/country combination concerned as necessary; and
 - iii) will, as soon as possible, provide the justification and, if appropriate, a trade summary to the Animals or Plants Committee for their intersessional review and decision on whether or not to include the species/country combination in Stage 2 of the review process;

Stage 2: Consultation with the range States-and compilation of information

- d) the Secretariat shall:
- i) within 30 days after the meeting of the Animals or Plants Committee at which species/country combinations are selected, or within 30 days after the Committee has selected a species/country combination on an exceptional basis, notify selected range States that their species has been selected, providing an overview of the review process and an explanation for the selection. The Secretariat shall request range States to provide the scientific basis by which it is established that exports from their country are not detrimental to the survival of the species concerned and are compliant with Article IV, paragraphs 2(a), 3 and 6(a) of the Convention. In its letter, the Secretariat shall provide guidance to range States on how to respond, explain the consequences of not responding to the request, and inform the range States that the responses will be made available on the CITES website as part of the agenda for meetings of the Animals or Plants Committee. Range States shall be given 60 days to respond;
 - ii) compile, or appoint consultants to compile, a report about the biology and management of and trade in the species, including any relevant information provided by the range States, to be made available for the next meeting of the Animals or Plants Committee. In doing so, the Secretariat (or consultants) shall actively engage with the range States and relevant experts in the compilation of the report;
- e) the report required under d) ii) shall include conclusions about the effects of international trade on the selected species/country combinations, the basis on which such conclusions are made and problems concerning the implementation of Article IV, and shall provisionally divide the selected species/country combinations into three categories:
- i) 'action is needed' shall include species/country combinations for which the available information suggests that the provisions of Article IV, paragraph 2 (a), 3 or 6 (a), are not being implemented;
 - ii) 'unknown status' shall include species/country combinations for which the Secretariat (or consultants) could not determine whether or not these provisions are being implemented; and
 - iii) 'less concern' shall include species/country combinations for which the available information appears to indicate that these provisions are being met;
- f) once the report is completed, the Secretariat shall draw the attention of the relevant range States to the report prepared under d) ii) and invite them to provide any additional information for consideration at the second meeting of the Animals or Plants Committee following the Conference of the Parties;

Stage 3: Categorization and Recommendations by the Animals or Plants Committee

- g) the Animals or Plants Committee shall, at their second meeting following the Conference of the Parties, review the report of the Secretariat or the consultants, and the responses and additional information received from the range States concerned. For each selected species/country combination the Animals or Plants Committee shall recategorize species/country combinations of 'unknown status' as either 'action is needed' or 'less concern' and provide a justification for such recategorization. Additionally, if appropriate, the Animals and Plants Committee shall revise the preliminary categorization proposed for species/country combinations of those where 'action is needed' or those of 'less concern' and provide a justification for the revision;
- i) species/country combinations determined by the Animals or Plants Committee to be of less concern shall be removed from the review process and the Secretariat shall notify the range States accordingly within 30 days; in cases where the species/country combination is of less concern due to the establishment of a zero export quota, any change to this quota should be communicated by the range State to the Secretariat and the Chair of the relevant Committee along with a justification;
 - ii) species/country combinations determined by the Animals or Plants Committee to be those for which 'action is needed' shall be retained in the review process. The Animals or Plants Committee shall, in consultation with the Secretariat, formulate time-bound, feasible, measurable, proportionate, and transparent recommendations directed to the range States retained in the review process, using the principles outlined in Annex C. The recommendations should aim to build the range State's long term capacity to implement Article IV, paragraphs 2(a), 3 and 6(a) of the Convention;

- h) the Secretariat shall, within 30 days of the meeting of the Animals or Plants Committee, transmit these recommendations to the range States concerned;
- i) the Animals or Plants Committee shall formulate separate recommendations directed to the Standing Committee for problems identified in the course of the review that are not directly related to the implementation of Article IV paragraph 2(a), 3 or 6(a), following the principles outlined in Annex C of this Resolution;

Stage 4: Measures to be taken regarding the implementation of recommendations

- j) the Secretariat shall monitor progress against the recommendations, taking account of the different deadlines;
- k) once the range State has reported on the implementation of recommendations or the deadlines have passed, whichever is first and, following timely intersessional consultation with members of the Animals or Plants Committee through the Chairs, the Secretariat shall determine whether the recommendations referred to above have been implemented;
 - i) where the recommendations have been met, the Secretariat shall, following consultation with the Chairman of the Standing Committee, notify the range States concerned that the species/country combination was removed from the review process and include the rationale for its evaluation, noting where relevant, specific commitments made by the range States in question and, in the case where a species/country combination was removed from the review process on the basis of the establishment of ~~establishing~~ an interim precautionary export quota (including a zero export quota) in the place of implementing the recommendations, any change to this quota should be communicated to the Secretariat and Chair of the relevant Committee along with a justification, for their agreement; or
 - ii) when the recommendations are not deemed to have been met (and no new information is provided), the Secretariat shall, in consultation with the members of the Animals or Plants Committee through the Chairs, recommend to the Standing Committee appropriate action, which may include, as a last resort, a suspension of trade in the affected species with that State; or
 - iii) where the recommendations are not deemed to have been met or have been partially met, and there is new information suggesting the recommendation may require updating, the Secretariat shall, in a timely fashion, request the members of the Animals or Plants Committee, through the Chairs, to prepare a revised recommendation, keeping in mind the principles that recommendations should be time-bound, feasible, measurable, proportionate, transparent, and should promote capacity building. The Secretariat shall provide the revised recommendation to the range States within 30 days of its drafting;
- l) the Secretariat shall report to the Standing Committee on its evaluation of the implementation of the recommendations, including the rationale for its evaluation and, where relevant, specific commitments made by the range States in question, and a summary of the views expressed by the Animals or Plants Committees. The Secretariat shall additionally report on any further actions taken by the Animals or Plants Committee in the case of range States where new information has resulted in revised recommendations;
- m) for range States where recommendations are not deemed to have been met, the Standing Committee shall decide, at its next regular meeting or intersessionally as appropriate, on necessary action and make recommendations to the range State concerned, or to all Parties, keeping in mind that these recommendations should be time-bound, feasible, measurable, proportionate, transparent, and should promote capacity building. In exceptional circumstances, where the range State under consideration provides new information on the implementation of the recommendations to the Standing Committee, the Standing Committee through the Secretariat, shall consult in a timely fashion with the members of the Animals or Plants Committee through the Chair, prior to making a decision on necessary action;
- n) the Secretariat shall notify all Parties of any recommendations or actions taken by the Standing Committee;
- o) a recommendation to suspend trade in the affected species with the range State concerned should be withdrawn only when that range State demonstrates to the satisfaction of the Standing Committee through the Secretariat, which shall act, through the Chair, in consultation with the members of the Animals or Plants Committee, compliance with Article IV, paragraph 2 (a), 3 or 6 (a); and

- p) the Standing Committee, in consultation with the Secretariat and the Chair of the Animals or Plants Committee, shall review recommendations to suspend trade that have been in place for longer than two years, evaluate the reasons why this is the case in consultation with the range State, and, if appropriate, take measures to address the situation.

Regarding problems identified not related to the implementation of Article IV

DIRECTS the Standing Committee to address problems identified in the course of the review process that are not related to the implementation of Article IV, paragraph 2 (a), 3 or 6 (a), in accordance with other provisions of the Convention and relevant Resolutions;

Regarding support to the range States

URGES the Parties, and all organizations and stakeholders interested in the conservation and sustainable use of wildlife, to provide the necessary financial support or technical assistance to those States in need of such assistance to ensure that wild populations of species of fauna and flora subject to significant international trade are not subject to trade that is detrimental to their survival. Examples of such assistance could include:

- a) training of conservation staff in the range States, including by organizing regional workshops;
- b) provision of tools, information and guidance to persons and organizations involved in the production and export of specimens of the species concerned;
- c) facilitation of information exchange among range States, including at the regional level;
- d) provision of technical equipment, support and advice;
- e) provision of support for field studies on Appendix-II species identified as being subject to significant levels of trade; and

DIRECTS the Secretariat to assist with identification and communication of funding needs in the range States and with identification of potential sources of such funding;

Regarding capacity building, monitoring, reporting, and evaluating the review process

DIRECTS the Secretariat, for the purpose of monitoring and facilitating the implementation of this Resolution and the relevant paragraphs of Article IV:

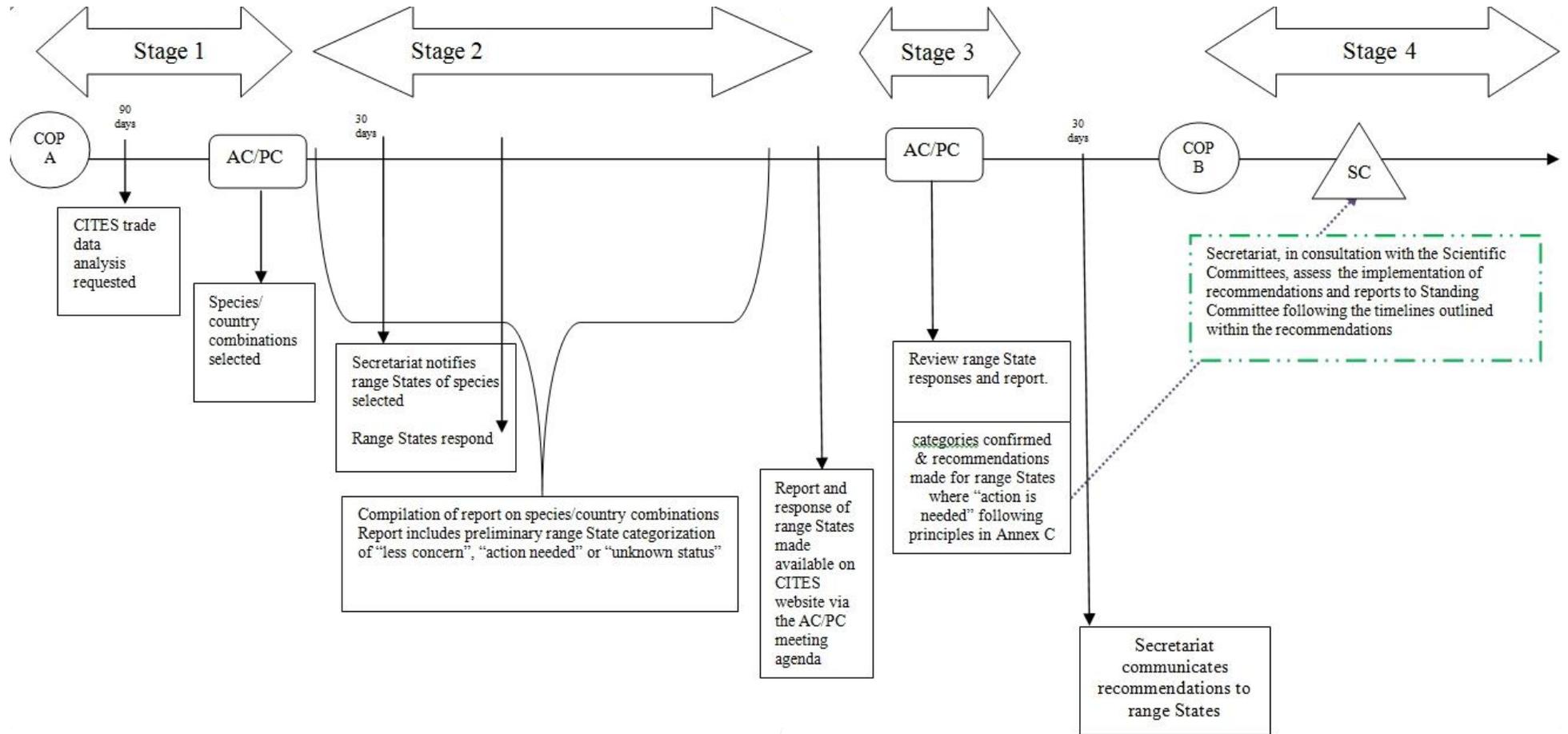
- a) to report at each meeting of the Animals or Plants Committee on the implementation by the range States concerned of the recommendations made by the Committee; and
- b) to maintain a database of species/country combinations that are included in the review process set out in this Resolution including a record of progress with the implementation of recommendations;

DIRECTS the Secretariat to include training on the Review of Significant Trade process as part of its capacity building activities related to the making of non-detriment findings;

DIRECTS the Animals or Plants Committee, in consultation with the Secretariat, to undertake a regular review of the outcomes of the Review of Significant Trade by, for example, examining a sample of past species/country combinations to assess whether implementation of Article IV paragraph 2 (a), 3 or 6 (a) was improved. The Animals or Plants Committee should consider the results of this review and revise the Review of Significant Trade process as necessary. In doing so, feedback should be obtained from range States (including their Scientific Authorities) who have been through the review process; and

REPEALS Resolution Conf. 8.9 (Rev.) (Kyoto, 1992, as amended at Gigiri, 2000) – *Trade in specimens of Appendix-II species taken from the wild*.

Annex A: Timeline for the Review of Significant Trade Process



Draft Decisions

Directed to the Secretariat

- 17.XA The Secretariat, within six months of the adoption of a revision to Resolution Conf. 12.8 (Rev. CoP13) and building on the work done to date, shall develop, test and establish a Review of Significant Trade Tracking and Management database as an essential tool for the effective implementation and transparency of the process.

Directed to the Secretariat

- 17.XB The Secretariat, subject to the availability of funds, within six months of the adoption of a revision to Resolution Conf. 12.8 (Rev. CoP13), shall develop a user-friendly guide to the Review of Significant Trade that can also be included in the initial letter to range States.

Directed to the Secretariat

- 17.XC The Secretariat, subject to the availability of funds, within nine months of the adoption of a revision to Resolution Conf. 12.8 (Rev. CoP13), shall develop a comprehensive training module on the Review of Significant Trade (including case studies as appropriate).

Directed to the Animals and Plants Committee

- 17.XD The Animals and Plants Committee, with the assistance of the Secretariat, shall explore potential benefits and disadvantages of country-wide significant trade reviews, drawing upon the lessons learned, outcomes and impacts of the country-wide Review of Significant Trade of Madagascar as relevant.

Annex B: Guidance regarding the selection of species/country combinations

1. Summary

The summary referred to in Stage 1 a) of this Resolution shall include gross exports of Appendix II species over the five most recent years (direct trade, sources W, R, U and blank), and include the following information, by taxon:

- The countries with direct exports in any of the five most recent years;
- Trade levels for each country with direct exports¹;
- Global conservation status as published in The IUCN Red List of Threatened Species or otherwise noted as “Not Evaluated”;
- The population trend, as published in The IUCN Red List of Threatened Species;
- Species reported in trade for the first time within the CITES Trade Database (noting those which have been subject to nomenclature changes) since the last Review of Significant Trade selection process; and
- A note to indicate whether the species/ country combination has been previously subject to the Review of Significant Trade.

Where feasible, the summary output shall contain:

- Whether there are any countries for which a zero quota or trade suspension has been implemented resulting from the Review of Significant Trade process;
- Information on whether taxa included are subject to other Multi-lateral Environmental Agreements or Regional Fisheries Management Organisations, and the relevant agreements noted; and
- Species that are endemic, according to the Species+ database, maintained by UNEP-WCMC.

2. Extended Analysis

The extended analysis requested in Stage 1 a) of this Resolution shall be based on gross exports of Appendix II species including at least the five most recent years (direct trade, sources W, R, U and blank), and shall include;

- A subset of taxa that meet clearly defined criteria for “High Volume” trade;
- A subset of taxa that have been assessed by The IUCN Red List of Threatened Species, and that meet clearly defined criteria for “high volume” trade, dependent on the global threat status;
- A subset of taxa which meet clearly defined criteria for “Sharp increase” in trade; and
- The above subsets should also incorporate trade reported in the most recent year.

A full methodology for the selection of taxa which meet these selection criteria will be provided in the outputs submitted to the Animals and Plants Committees.

¹ To facilitate this requirement, an excel version of the summary will be produced and will be available in electronic format

Annex C: Principles for the development of Recommendations for the Review of Significant Trade Process

Introduction

This annex provides general principles that should be followed when developing recommendations for the Review of Significant Trade process.

Recommendations can include short-term actions that are considered to be relatively rapid to implement (e.g., interim quotas or size restrictions for export), or longer-term actions that are recognized to be more complex, resource-intensive, and time-consuming to implement. The intent of short-term actions is to provide relatively rapid means to address issues of immediate concern; however, longer-term actions may promote the development of longer-lasting solutions towards implementation of Article IV. Depending on the situation, one or both types may be appropriate. The end-point for the interim export quota or other short-term recommendations should normally be no later than the date of fulfillment of the longer-term recommendations.

In the course of the Review of Significant Trade recommendations formulated may be directed to range States, to the Standing Committee or to other Parties. As such, recommendations should clearly indicate to whom the recommendation is directed.

Principles for making Recommendations

Recommendations to range States as part of the Review of Significant Trade should adhere to all of the following principles.

A recommendation should be:

- Time-bound
 - Each recommendation should have a specified end-date for implementation. This end-date should not normally be less than 90 days after the date of transmission to the range State. Where possible, the end-dates for recommendations made at a Committee meeting should be aligned.
- Feasible
 - A recommendation should be designed so that it will be possible to implement it in the time frame specified, in consideration of the range State's capacity.
 - More than one recommendation can be used but care should be taken to ensure the feasibility of the implementation of all recommendations within the given time frames.
- Measureable
 - The recommendation should have a definitive indicator of completion that can be objectively measured.
- Proportionate with the nature and severity of the risks
 - A recommendation should specifically address the problem related to the implementation of Article IV 2(a), 3 or 6(a) that has been identified through the review process.
 - A recommendation should be proportional to the severity of the risks to the species. Evaluation of risks should be undertaken in consideration of both the species' susceptibility to intrinsic or extrinsic factors that increase the risk of extinction, and the mitigating factors, such as management measures, that decrease the risk of extinction.

- Transparent
 - The relevant Committee should outline how its choice of recommendation is proportionate to the nature of and severity of the risks with reference to the consultant's report as applicable.
- Aimed at building the capacity of the range State
 - A recommendation should contribute to building of the long-term capacity of the range State to effectively implement Article IV of the Convention.

Recommendations directed to the Standing Committee or other Parties

Recommendations directed to the Standing Committee should also adhere to the principles of being time-bound, feasible, measurable, proportionate with the nature and severity of the risks, transparent and aimed at building the capacity of the range State.

Additional information for the Secretariat to include in the initial letter to selected range States

Explanation of process and guidance

- Note: Include links to RST resolution and to NDF resolution in the letter. Provision of a user-friendly guide to the Review of Significant Trade process.
- Potential text for letter: “In the annex attached to this letter, you will find a guide that provides an explanation of the Review of Significant Trade process.”

Explanation of why species was selected

- Suggestion to include in letter: an explanation of why the species was selected and to include trade data as an annex to the letter where relevant.

Consequences of non-response

- Note: Stress importance of responding within agreed timeframes and fully explain the consequences of a lack of response or inadequate information provided in response; this should include indication that the Standing Committee has a role at later stages.

Guidance on how to respond

- Note: Use of Annex to support the initial letter and include a user-friendly guide to the Review of Significant Trade.
- Potential text for letter: “At this stage of the review, the main purpose of this request is to obtain the information required to assess the implementation of Article IV paragraphs 2(a), 3 and 6(a) with regard to exports of [*species*] from [*country*].”
- Potential text for letter “We encourage you to work closely with the Scientific Authority, copied on this message, to ensure that responses to the questions are as complete as possible and can meet required information needs. We also encourage you to engage with other relevant stakeholders, such as industry, research institutes, etc.”

Assumption of making response public unless otherwise notified

- Secretariat to include existing text

Request to range State to identify any challenges they have with implementing Article IV

Include a request to range States to acknowledge receipt of this communication

Note that the Secretariat, or consultants on behalf of the Secretariat, may contact the range State for further information.

Proposed Annex to include in the Secretariat's initial letter to range States informing them that their species has been selected and requesting information to support the review process

Notification of Range States on Selection of Species

As a range State for a species which has been selected for review you are requested to provide information on, and details of, the scientific basis by which it has been established that the quantities of specimens of this species exported by your country are not detrimental to the survival of the species and are in compliance with Article IV, paragraphs 2(a), 3 and 6(a) of the Convention.

Information on your Non-detriment Finding (see Res. Conf. 16.7) can be provided in the form of either (a) an existing document, or an alternative approach would be to (b) provide information according to the guidance below. In both cases **the information you provide should clearly explain how you are able to arrive at a conclusion that trade in the species is not detrimental to its survival in the wild.**

In reviewing your response, the Scientific Committees recognize that the basis for a non-detriment finding (NDF) will vary depending on factors such as the volume of trade relative to the population size, the type of trade, and harvest and trade controls. The data requirements for a determination that trade is not detrimental to the survival of the species should be proportionate to the vulnerability of the species concerned.

Details that would be useful to the Animals or Plants Committee would include the following:

Decision-making (NDF) process

- a) Explanation of how the Scientific Authority makes an NDF
- b) Details, and role, of any institution(s)/experts/stakeholders involved in making the NDF, other than your designated Scientific Authority.
- c) Explanation of how the Scientific Authority monitors the level of exports

Population

- d) Details on the conservation status of the species in your country, (provide published references and other data sources where available), such as:
 - geographical distribution / extent of occurrence
 - population status
 - population estimates
 - population trends
 - other biological and ecological factors that may be relevant

Threats

- e) Identify known threats to the species in your country (e.g. habitat destruction, disease, persecution, other offtake of the species e.g. by-catch, invasive species, etc.) and what measures (if any) are in place to reduce those threats.

Trade

- f) Provide information on the levels of legal trade in the species in the 5 most recent years (where not already available through the UNEP-WCMC trade database) and anticipated trade levels. *Please indicate whether these figures represent actual trade or permits issued.*
- g) Provide any information available on the levels of illegal trade (known, inferred, projected, estimated).
- h) Provide information on procedures for identification of specimens in trade to the species level (if appropriate).

- i) Provide information on any export quota in place for the species and details for 5 most recent years, if not already published on the CITES website. Please explain any cases where the quota has been exceeded.
- j) Include information on how captive-produced or artificially propagated specimens are distinguished in trade from wild-harvested specimens, if applicable.

Species management (wild harvest)

- k) Provide information on harvest / trade management measures currently in place (or proposed), including any monitoring programmes, threat evaluations, adaptive management strategies and considerations of levels of compliance, and/or harvest or trade quotas (both for domestic and international markets including how quotas are determined and how they are allocated regionally, if applicable).
- l) Details of capture methods / rates of mortality pre-export (i.e. during/post capture) and how this is taken into account in NDF.

Species management (ranching specimens)

- m) Provide information on management of ranching animals in trade (e.g., details of ranching facilities including stock numbers (male:female), annual production levels, survival rate of female specimens used in the ranching operation) and details of impacts on wild populations (if applicable).

Laws and Regulations

- n) Details of national or sub-national laws and regulations **for the species** relating to harvest (e.g. open/closed seasons, legal limits for harvest, community management or customary limits/by-laws).
- o) Details of national or sub-national laws and regulations **for the species** relating to trade (e.g. species specific export provisions, CITES related export laws, export controls under other domestic laws).

Guidance on the Formulation of Recommendations for the Review of Significant Trade

Introduction

This document provides general guidance on development of recommendations for the Review of Significant Trade process. It provides guidance for structure of recommendations and a list of standard recommendations for range States for use by the Review of Significant Trade working group that is established at meetings of the Animals and Plants Committees.

The standard recommendations are provided to facilitate the work of the Review of Significant Trade working group that is established at meetings of the Animals Plants Committees and to help ensure consistency of recommendations over time, between Committees and for different species and range States.

The Recommendation

The recommendation should include a number of key components:

- the recommended action that was chosen to address problems related to the implementation of Article IV 2(a), 3 or 6(a), as identified through the review process;
- the time frame for implementation of the recommended action with a clear end-date;
- as appropriate, a final recommendation that allows the selected range State to provide feedback on how the recommended actions have improved the basis for making an NDF and how any future long-term monitoring will take place;
- a justification for the choice of recommended action with reference to the consultant's report as applicable; and
- a clear indication of to whom the recommendation is directed (e.g., range State, Standing Committee)

Recommendations for actions to be taken to improve the basis for making Non-Detriment Findings (NDFs)

Recommendations can include short-term actions that are considered to be relatively rapid to implement (e.g., interim quotas or size restrictions for export), or longer-term actions that are recognized to be more complex, resource-intensive, and time-consuming to implement. The intent of short-term actions is to provide relatively rapid means to address issues of immediate concern; however, longer-term actions may promote the development of longer-lasting solutions towards implementation of Article IV. Depending on the situation, one or both types may be appropriate. The end-point for the interim export quota or other short-term recommendations should normally be no later than the date of fulfillment of the longer-term recommendations.

All recommended actions should be developed into complete recommendations that include all key components described in part B of this annex, and should adhere to the basic principles of being time-bound, feasible, measureable and proportionate (consistent with the nature and severity of the risk), transparent and promote capacity building where appropriate.

Tables 1 - 4 provide different types of recommended actions:

- Tables 1 and 2 present suggested standard short-term and long-term recommended actions for range States, which may require refinement for the specific case (e.g., species/country combination). There may be cases where alternative recommended actions are more appropriate;
- Table 3 provides sample text for a "final recommended action" that could be considered for inclusion in the suite of recommendations for each species/country combination; and
- Table 4 provides sample text for recommended actions that are directed to the Standing Committee to address problems identified that are not related to the implementation of Article IV paragraph 2(a), 3 or 6(a).
- Table 5 provides a sample template for developing recommendations that contain all key components.

Table 1. Examples of short-term recommended actions

Problem/ Concern	Short-term Goal	Recommended Action
Export levels are unsustainable and immediate action is needed before longer term actions can be implemented	Reduce export levels	<p>Establish, in consultation with the Secretariat and the Chair of the relevant Committee, an interim conservative export quota within xx days for the species/specimens/products and communicate the quota to the Secretariat. No exports should occur until the quota has been published on the Secretariat's website.</p> <p>The export quota (which could include zero allowable exports) should be justified as conservative based on estimates of sustainable off-take that make use of available scientific information.</p> <p>Before making any increases to this interim quota (including increases from a zero export quota), the planned changes should be communicated by the range State to the Secretariat and Chair of the relevant Committee along with a justification of how the change is conservative, based on estimates of sustainable off-take that make use of available scientific information, for their agreement.</p>
Some aspects of harvest are of immediate concern	Reduce harvest associated with the aspect of concern to help ensure that international export is not detrimental to the survival of the species	<p>Initiate appropriate harvest measures to ensure sustainability [<i>for example</i>]:</p> <ul style="list-style-type: none"> -size-selective harvest/ -open/closed seasons/ -harvest seasons/ -harvest maximums/ -restrictions to harvest frequency, sites or time of day/ -control of number of harvesters/ -types and methods of harvest
Permit information inaccurate/variable and could be fixed immediately	Standardize permit information	<p>Initiate measures to ensure the descriptions on all CITES permits are standardized so that export is only permitted at the species level and that it complies with Annex 1 of Res. Conf. 12.3 (Rev. CoP16); Trade ceases to be reported or permitted at higher taxon levels.</p> <p>-Clarify and standardize the terms and units used in reporting trade. Ensure that appropriate terms and units are recorded on permits for trade. Standardized terms and appropriate units are found in the most recent version of the <i>Guidelines for the preparation and submission of CITES annual reports, which is referenced in Res. Conf. 11.17 (Rev. CoP16)</i>, and distributed by the Secretariat by Notification.</p> <p>-Ensure that permits issued for the species clearly and accurately indicate the source of the specimens</p>

Table 2. Suggested longer-term recommended actions

The longer-term recommendations are organized by the four main areas of concern associated with implementation of Article IV, and may need to be refined for specific cases or for the species or range State concerned.

		Recommended action proportionate to perceived risk to the species		
Problem/ concern	Goal	In order of increasing risk		
				
Lack of knowledge of population status nationally of the species (population size, trends, threats, distribution etc.)	Improving species knowledge available for making an NDF	-Undertake science-based studies on status of the species (e.g. population size/density, trends, distribution) including an evaluation of the threats to the species for use as the basis for NDFs	-Develop/Implement an ongoing science-based population monitoring program that is used in conjunction with an adaptive management program for the species (see harvest management measures and trade controls, below), for use in making NDFs	
Lack of or insufficient harvest management measures	Implement harvest management measures to mitigate impacts of export on the species	-Undertake qualitative monitoring of the scale and trends of all harvest (increasing, stable or decreasing) for use in making NDFs -Develop and implement harvest guidelines (or “best practices”) describing accepted practices	-Develop and implement local management with clearly defined harvest management measures (e.g., harvest seasons, harvest maximums, restrictions to harvest frequency, sites or time of day, control of number of harvesters, types and methods of harvest)	-Develop and implement coordinated national and/or local management plans (that include harvest management considerations) with clear monitoring requirements; management is adaptive (regular review of harvest records, of impact of harvesting, adjustment of harvest instructions as necessary), harvest restrictions based on monitoring results
Lack of or insufficient export controls	Implement export controls to mitigate impacts of export on the species	-Undertake qualitative monitoring of the scale and trends of all export (increasing, stable or decreasing) for use in making NDFs	-Undertake monitoring of export; any established export limits are precautionary	-Undertake regular quantitative surveys of scale and trend of all export; establish/modify export limits according to quantitative data that is reviewed regularly, for example through an adaptive management program for the species

		Recommended action proportionate to perceived risk to the species	
Problem/ concern	Goal	In order of increasing risk	
			
		-initiate measures to ensure that permit information is standardized (e.g., export only at a species level, source of specimens is indicated, consistency of conversion factors, standardized units)	
		-Implement/ improve a system to ensure individuals in captive / ranched / artificially propagated production systems are distinguished from wild if both wild specimens and non-wild specimens are in trade	
Inadequate range State capacity	Actions to build range State capacity	<ul style="list-style-type: none"> - clearly designate CITES authorities -provide training for CITES authorities (e.g., CITES Virtual College, NDF workshops in a country or region) -develop identification methods and materials -share information/collaboration with other range States (exchange of NDF information, development and implementation of regional management measures) -provide training of conservation staff in the range State -provide information and guidance to persons and organizations involved in the production and export of specimens of the species concerned; -facilitate information exchange among range States -provide technical equipment and support 	

Table 3. Final Recommendation

Sample text for a “final recommended action” that could be considered for inclusion in the suite of recommendations for each species/country combination.

Final Recommended action	Goal	Recommended Action
	To assist in the evaluation of whether basis for the NDF has improved as a result of the Review of Significant Trade process	-Upon completion of other recommendations, on xx date, the range State should provide the scientific basis by which it has established that exports from their country are not detrimental to the survival of the species and are compliant with Article IV, paragraphs 2(a),3 and 6(a) of the Convention. Particular focus should be given to how the actions the range State has taken or will take address the concerns/problems identified in the Review of Significant Trade process.

Table 4. Other Recommendations

Problem/ concern	Goal	Recommended Action
<p>Problems identified that are not related to the implementation of Article IV paragraph 2(a), 3 or 6(a)</p>	<p>Actions that are not directly related to the making of non-detriment findings.</p>	<p>Recommendations directed to Standing Committee to consider tasking the range State to [for example]:</p> <ul style="list-style-type: none"> -develop and implement adequate control measures and inspection procedures to detect and intercept illegal shipments of specimens, -enact or improve legislation/regulation -rigorously enforce export bans -ensure adequate guidance and controls for captive breeding, ranching or artificially propagated operations

Table 5. Template for drafting recommendations

Complete one table for each species/country combination. Part A provides a template for recommendations directed to range States, and Part B provides a template for recommendations for consideration by the Standing Committee.

A. [Insert name of the species/country combination] shall report to the Secretariat on implementation of the following:

Recommended Action	Time-frame for implementation	Justification for choice of recommended action

B. The Standing Committee shall consider tasking [insert name of the range State] with the following:

Recommended Action	Time-frame for implementation	Justification for choice of recommended action