

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 II

National laws for implementation of the Convention

DRAFT DECISIONS ON NATIONAL LAWS FOR IMPLEMENTATION OF THE CONVENTION

This document has been prepared by the Secretariat at the request of the Chair to reflect the discussion on document CoP17 Doc. 22 at the fifth session of Committee II.

Directed to Parties

- 17.A Parties whose legislation is in Category 2 or 3 under the National Legislation Project (NLP) are urged to submit to the Secretariat as soon as possible, and no later than by the 70th meeting of the Standing Committee, in one of the three working languages of the Convention, details of appropriate measures that have been adopted for the effective implementation of the Convention. Such Parties are called on to provide an update of their legislative progress by the 69th meeting of the Standing Committee.
- 17.B Such Parties are urged to submit to the Secretariat by 3 January 2017 (i.e. 90 days after the 17th meeting of the Conference of the Parties) a legislative timetable, to be agreed with the Secretariat, if they have not already done so. Such timetables should clearly set out the steps that the Party commits to take in order to adopt appropriate measures to implement the Convention; relevant actors; deadlines and outputs, based on the format provided by the Secretariat.
- 17.C Parties whose legislation is in Category 1 under the National Legislation Project are encouraged to review identify potential loopholes in their national CITES-implementing legislation for areas where it may not fully satisfy the requirements of the Convention, in particular with regard to the possession of illegally traded specimens of CITES-listed species, and to adopt any necessary amendments. Those Parties are also encouraged to provide technical or financial assistance to one or more Parties whose legislation is in Category 2 or 3 under the National Legislation Project, either directly or through the Secretariat.

Directed to the Standing Committee

- 17.D At its 69th meeting, the Standing Committee shall review the progress of Parties in adopting appropriate measures for effective implementation of the Convention and monitor the implementation submission of agreed timetables and take appropriate compliance measures with regard to Parties affected by Decision 17.A that have failed to submit an appropriate legislative timetable in accordance with Decision 17.B. The Standing Committee shall identify Parties requiring attention as a priority, with the assistance of the Secretariat.
- 17.E At its 70th meeting, the Standing Committee shall review the progress of Parties in adopting appropriate measures for effective implementation of the Convention and shall take appropriate compliance measures with regard to Parties affected by Decision 17.A that have failed to adopt appropriate measures for the effective implementation of the Convention or failed to take steps to

effectively implement ~~submit a~~ their legislative timetable. For Parties that have acceded to the Convention since March 2008, the Standing Committee may decide to allow more time to adopt appropriate measures.

- 17.F Such compliance measures may include a recommendation to suspend ~~commercial~~ trade with Parties affected by Decision 17.A that have failed to adopt appropriate measures for the effective implementation of the Convention or failed to submit an appropriate timetable, or failed to effectively implement their legislative timetable, in particular Parties requiring attention as a priority. Any recommendation to suspend ~~commercial~~ trade with the Party concerned shall take effect 60 days after it is agreed, unless the Party adopts appropriate measures before the expiry of the 60 days or submits an appropriate legislative timetable, to be agreed with the Secretariat or takes steps to effectively implement their legislative timetable.

Directed to the Secretariat

17.G The Secretariat shall:

- a) compile and analyse the information submitted by Parties on measures adopted before the 18th meeting of the Conference of the Parties (CoP18) to fulfil the requirements laid down in the text of the Convention and Resolution Conf. 8.4 (Rev. CoP15) on *National laws for implementation of the Convention*;
- b) review and agree to appropriate timetables, submitted by Parties, to the Secretariat and make such agreed timetables available for information to the Standing Committee;
- c) assist the Standing Committee in identifying countries with legislation in Category 2 or 3 requiring attention as a priority;
- d) subject to external funding, provide legal advice and assistance to Parties on the development of appropriate measures for effective implementation of the Convention, including legislative guidance for and training of CITES authorities, legislative drafters, policymakers, the judiciary, parliamentarians and other relevant government officials responsible for the formulation and adoption of CITES-related legislation;
- e) subject to external funding, cooperate, in the provision of legislative assistance, with the legal programmes of United Nations bodies and intergovernmental organizations, such as the Food and Agriculture Organization of the United Nations, the United Nations Development Programme, the United Nations Office on Drugs and Crime, the United Nations Environment Programme, the World Bank and regional development banks, as well as regional organizations, such as the African, Caribbean and Pacific Group of States, the Amazon Cooperation Treaty Organization, the Association of South East Asian Nations, the League of Arab States, the Organization of American States and the Pacific Regional Environment Programme;
- f) report at the 69th and 70th meetings of the Standing Committee on Parties' progress in adopting appropriate measures for effective implementation of the Convention and, if necessary, recommend the adoption of appropriate compliance measures, including as a last resort, recommendations to suspend ~~commercial~~ trade in specimens of CITES-listed species; and
- g) report at CoP18 on progress made with regard to the implementation of Resolution Conf. 8.4 (Rev. CoP15) and Decisions 17.A-G.