

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

Species specific matters

Maintenance of the Appendices

Periodic review of the Appendices

REVISION OF RESOLUTION CONF. 14.8 (REV. COP16) ON
PERIODIC REVIEW OF SPECIES INCLUDED IN APPENDICES I AND II

1. This document has been submitted by the Chairs of the Animals and Plants Committees.*
2. In Resolution Conf. 14.8 (Rev. CoP16) on *Periodic review of species included in Appendices I and II*, the Conference of the Parties agreed on a process and guidelines for the Animals and Plants Committees to undertake a periodic review of animal or plant species included in the CITES Appendices, directing the Chairs of the Animals and Plants Committees to keep the Standing Committee informed about the conduct of periodic reviews.

Review of Resolution Conf. 14.8 (Rev. CoP16)

3. During the joint sessions of the 27th meeting of the Animals Committee and 21st meeting of the Plants Committee (Veracruz, Mexico, May 2014), in undertaking their responsibilities as directed in Resolution Conf. 14.8 (Rev. CoP16), the Committees also shared their experiences and frustrations with the process for conducting the periodic review of species. The Committees thus agreed to undertake an inter-sessional review of the Resolution.
4. The Committees first considered, in light of recent and past discussions on the periodic review process, whether modifications of Resolution Conf. 14.8 (Rev. CoP16) on *Periodic Review of species included in Appendices I and II* were needed and, if so, what sort of modifications would be proposed. Additionally, the Committees considered the purpose and desired outcomes of the periodic review process and whether a process for prioritising species for the periodic review process should be considered.
5. Regarding the purpose of the periodic review, the Committees noted the varied perspectives offered in the course of debate, which demonstrated that this process has undergone a natural evolution over the history of the Convention. After discussion, the Committees described the driver for the periodic review process as follows: the objective of the periodic review is that species are appropriately listed on the Appendices (so that the Appendices reflect the conservation need of the listed species). The measures of success would be the reviews undertaken that find the species appropriately listed and proposals adopted where the review finds the species is not on an appropriate Appendix.
6. Regarding the desired outcomes of the periodic review process, the working group explored the respective roles of the Scientific Committees to provide advice to the Parties on listing based on a scientific review, and the Parties to make listing decisions. In this vein, a review by the Scientific Committees that considers

* *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

the current management and conservation activities for a species can provide valuable advice and support to range States, as well as encourage range State collaboration for the reviewed species even if the outcome indicates the species is appropriately listed. Thus, the Committees propose modifying the current process to make optional the decision of the Scientific Committees (via the Depository Government) to submit proposals to the Conference of the Parties. The obligation on the Scientific Committees would be to report on all of the reviews undertaken to the Conference of the Parties.

7. Regarding the selection of species for review, the Committee discussed a number of issues and points of view and concluded that the species selection criteria would remain as currently contained in Resolution Conf. 14.8 (Rev. CoP16). More fulsome details on the deliberations of the Committees can be found in the reports to the 28th meeting of the Animals Committee and 22nd meeting of the Plants Committee.
8. The Animals and Plants Committee, at their 28th and 22nd meeting respectively, agreed to a series of revisions to Resolution Conf. 14.8 (Rev. CoP16) on *Periodic review of species included in Appendices I and II*. The revisions include:
 - a) revisions to the preamble to clearly acknowledge the advisory role of the Scientific Committees, reflect language in Resolution Conf. 9.24 (Rev. CoP16) on *Criteria for amendment of Appendices I and II*, ensure that the overall purpose and measures of success for the review are clear, and recognize the benefits of undertaking the periodic review;
 - b) reorganization of some of the existing operative paragraphs to separate elements providing general guidance on how to best undertake the process from the discrete steps to be followed, as well as new language intending to clarify the timeline and actions within the periodic review process; and
 - c) modification of the process so that the Scientific Committees provide the recommendations resulting from their review to the Secretariat, for provision to the range State(s), and the Conference of the Parties. Range States would be invited to submit a proposal if appropriate. If no range State is willing, the Animals or Plants Committee has the option of submitting a proposal (via the Secretariat and the Depository Government) but is not obligated to do so.
9. As directed in Resolution Conf. 14.9 (Rev. CoP16), the Animals and Plants Committee informed the 65th and 66th meeting of the Standing Committee on their progress with the periodic review, including the outcomes of their review of this Resolution and their proposed revisions to the Resolution. The Standing Committee took note of the proposed revisions.
10. The proposed revisions to Resolution Conf. 14.9 (Rev. CoP16) on *Periodic review of species included in Appendices I and II* agreed by the Animals and Plants Committee are found in Annex 1 to this document. Additional language is shown in underline and deletions are shown in ~~strikeout~~ font. Language that was simply reorganized is shown in double underline font.

Recommendation

11. The Conference of the Parties is invited to adopt the revisions to Resolution Conf. 14.8 (Rev. CoP16) on *Periodic review of species included in Appendices I and II* found in Annex 1 of this document.

COMMENTS FROM THE SECRETARIAT

- A. The proposed revision of Resolution Conf. 14.8 (Rev. CoP16) is unlikely to substantially simplify or speed up the system that is in place to conduct the Periodic Review of the Appendices, but it does bring more clarity regarding the overall purpose of the reviews, and the manner in which the recommendations of the Animals and Plants Committees can be taken forward. The Secretariat hopes that it will result in CITES Appendices I and II that more appropriately list species in Appendix I and II, based on current biological and trade information.
- B. The Secretariat observes that under the proposed revised procedure for conducting the Periodic Review, the Animals and Plants Committees would normally only initiate a cycle of selecting and reviewing species at every second meeting of the Conference of the Parties. This cycle would therefore come to conclusion after two intersessional periods, usually six years later. Based upon prior experience, typically, it is during the first intersessional period that Parties volunteer to undertake a review. Apparently, even in cases where

no or very few volunteers are identified to review the selected species during this first intersessional period, the new procedure would normally not select new species or embark on a new cycle before the second intersessional period expires. This would decrease the frequency of reviews compared to the current system, and might *de facto* further reduce the outputs of the Periodic Review process.

- C. To improve clarity, the Secretariat suggests some minor changes to the proposed text amendments to Resolution Conf. 14.8 (Rev. CoP16) as follows (new text indicated in **bold**; text to be removed in ~~strikeout square brackets~~):

- In the third ACKNOWLEDGING

ACKNOWLEDGING that a successful completed periodic review of a species consists of an objective evaluation by the Animals and Plants Committees of **the appropriateness of the listing of a species in Appendix I or II** [a species listed on Appendix I or II] and may result in a recommendation to amend Appendix I or II, or [equally may result] in advice a recommendation that the Appendix under which the species is currently listed properly reflects its conservation needs and the species should be retained as listed;

- In the new paragraph h):

h) The Animals or Plants Committee shall draft its recommendation with reference to the criteria in Resolution Conf. 9.24 (Rev. CoP16). The Committee shall report its conclusions to the Conference of the Parties, and the Secretariat shall inform the range State(s) for the species reviewed of the conclusions of the Committee; [and to the Secretariat for provision to the range State(s) for the species reviewed.]

- D. The process for initiating the Periodic Review, as formulated under the first FURTHER AGREES in paragraph b) and paragraph b), i), seems a bit confusing. In paragraph b), “the Animals and Plants Committees, in consultation with UNEP-WCMC,” are to “select a practical subset of CITES flora or fauna” for analysis, “using the process outlined in the Annex”. Paragraph b), i) includes a similar request, indicating that “the Secretariat shall, subject to availability of funding, undertake or appoint consultants to undertake the assessment outlined in the Annex and prepare the resulting outputs for consideration by the Scientific Committees”.

If subparagraph i) [as well as subparagraphs ii) and iii)] are intended as practical explanations on how the Committees should select species for the Periodic Review, the Secretariat would recommend better connecting paragraphs b) with its sub-paragraphs i), ii) and iii), for example by using the following language in paragraph b):

i)b) [It is strongly encouraged that] the Animals and Plants Committees [in consultation with the UNEP World Conservation Monitoring Centre,] shall select a practical subset of CITES-listed **species of flora or fauna taxonomic entity or entities** for analysis **pursuant to the following methods and guidance:** [using the process outlined in the Annex to the present Resolution;]

- E. Regarding the tentative budget and source of funding for implementing the proposed amendments to Resolution Conf. 14.8 (Rev. CoP16) described in Annex 2, the Secretariat disagrees with the statement that “there are no new budgetary or workload implications as a result of the proposed amendments”. It notes that according to the proposed new text concerning the initiation of the Periodic Review, UNEP-WCMC would be asked to select a subset of CITES-listed species to be reviewed, and the Secretariat, “subject to the availability of funding”, to undertake further assessments to help the Scientific Committees with their selection. The Resolution furthermore requires “the Secretariat to maintain a record of the species selected for periodic review, including: species previously and currently reviewed; dates of relevant Committee documents; recommendations from the reviews; and any reports and associated documents;”. The resource requirements for maintaining such a record have proven to be considerable, while the amount of data to be collated and kept up to date has rapidly increased, *inter alia* at the request of the Scientific Committees. The current ‘record’ will need to be developed into a manageable, regularly updated online database. The Secretariat has no core-funding for undertaking the tasks indicated above (noting that this would be highly desirable in view of the importance of the Periodic Review process). Therefore, external funding will need to be identified to cover expenditures for involving UNEP-WCMC and other consultants in the process, and for establishing and maintaining a Periodic Review database. Their actual costs cannot be estimated accurately at this point, but could be in the order of USD 50,000-75,000 for the period between CoP17 and CoP18.

Proposed revisions to Resolution Conf. 14.8 (Rev. Cop16)

Proposed new language is in underline font, moved language is in double underline font, and deleted language is in ~~strikeout font~~.

**Conf. 14.8 Periodic Review of Species included in Appendices I and II
(Rev. ~~CoP16~~ CoP17)**

RECOGNIZING the fundamental principles of Article II of the Convention and that there is a need to conduct periodic reviews of species listed in Appendices I and II to ensure that species are appropriately listed, based on current biological and trade information;

REAFFIRMING that Resolution Conf. 11.1 (Rev. CoP16) on *Establishment of Committees*, in Annex 2, paragraph h) under 'RESOLVES', directs the Animals and Plants Committees to undertake a periodic review of animal or plant species included in the CITES Appendices;

ACKNOWLEDGING that, in undertaking a periodic review, the Scientific Committees are mandated to provide advice and recommendations to the Conference of the Parties and it is the responsibility of the Conference of the Parties to take decisions as they deem appropriate.

ACKNOWLEDGING that Resolution Conf. 9.24 (Rev. CoP16) on *Criteria for amendment of Appendices I and II*, establishes criteria to ensure that decisions to amend the Convention's Appendices are founded on sound and relevant scientific information and that, to monitor the effectiveness of protection offered by the Convention, the status of species included in Appendices I and II should be regularly reviewed;

ACKNOWLEDGING that a successful completed periodic review of a species consists of an objective evaluation by the Animals and Plants Committees of a species listed on Appendix I or II and may result in a recommendation to amend Appendix I or II, or equally may result in advice a recommendation that the Appendix under which the species is currently listed properly reflects its conservation needs and the species should be retained as listed;

RECOGNIZING that the periodic review process provides advice to Parties on the scientific basis underlying the Convention, can guide Parties in the implementation of the Convention and can provide valuable information to support range States' conservation and management actions for the species evaluated;

FURTHER recognizing that the periodic review process also facilitates open and constructive dialogue amongst range States and importing countries, and at meetings of the Animals and Plants Committees;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

AGREES that the Animals and Plants Committees shall conduct a periodic review of species listed in Appendix I and II, seeking information, participation and support from the range States. The regional representatives of the Animals and Plants Committees shall seek assistance from range States within their region to support the taxon reviews;

FURTHER AGREES to the following: that the review will be conducted in accordance to the following process:

- ~~a) The Animals and Plants Committees should share their experience, especially during joint meetings, regarding the undertaking of periodic reviews of taxa included in the Appendices (including financing of reviews, processes, format and outputs);~~
- a) Normally, after every second meeting of the Conference of the Parties, the Animals and Plants Committees shall establish a schedule for the Periodic Review of the Appendices and identify a list of taxa they propose to review during the next two intersessional periods between meetings of the Conference of the Parties (CoP). The list should be established at the first meetings of the Committees after the meeting of the CoP that initiates the review period;

- e) ~~The Animals and Plants Committees are strongly encouraged to follow the following guidelines:~~
- ~~ii)b) It is strongly encouraged that the Animals and Plants Committees, in consultation with the UNEP World Conservation Monitoring Centre, shall select a practical subset of CITES flora or fauna taxonomic entity or entities for analysis using the process outlined in the Annex to the present Resolution;~~
- ~~i) the Secretariat shall, subject to availability of funding, undertake or appoint consultants to undertake the assessment outlined in the Annex and prepare the resulting outputs for consideration by the Scientific Committees at their first meeting after the meeting of the Conference of the Parties that initiates the review period (Note: if no funding is available, the Secretariat shall inform the Parties and the Scientific Committee Chairs);~~
- ii) the following taxa should not be considered for review;
- A. species that were the subject of listing proposals at the previous three meetings of the CoP (whether or not the proposals were adopted);
 - B. species subject to ongoing reviews, under the Review of Significant Trade [Resolution Conf. 12.8 (Rev. CoP13)], or periodic reviews conducted within the last 10 years; or
 - C. species subject to other reviews targeted by valid Decisions and Resolutions of the CoP; and
 - D. species for which it is clear that there has been no change in the status, range or trade and for which there is no possibility to need to amend the Appendices;
- ~~iii) the selected taxonomic entity or entities shall be assessed using the process outlined in the Annex to the present Resolution; and~~
- ~~iv)iii) outputs resulting from the assessment conducted in accordance with the Annex shall contain the following information in summary tables that include:~~
- A. a summary of trade data since the initial inclusion of that taxon in the Appendices;
 - B. current conservation status, including the IUCN category of the species, if assessed;
 - C. current listing in the CITES Appendices, criteria under which it was listed (if known), date of first listing; and
 - D. the distribution of the species (range States);
- ~~e)d) From the resulting summary tables, At the first meetings of the Committees after the meeting of the CoP that initiates the review period and based on the outputs prepared in paragraph b) above, the Animals and Plants Committees will identify the list of taxa to be reviewed considered for periodic review;~~
- e)d) The Secretariat shall send a copy of the proposed list of taxa to be reviewed to all Parties, and request Range States of the taxa to comment within 60 days on whether they support a the need to review of the taxa and express their interest in undertaking the reviews. The responses shall be relayed by the Secretariat to the Animals or Plants Committee. If no volunteer offers to undertake a review within two intersessional periods between CoPs, those taxa shall be deleted from the list of species to be reviewed;
- ~~f) The Animals and Plants Committees shall conduct or organize the reviews responsibly, seeking information, participation and support from the range States. The regional representatives of the Animals and Plants Committees shall seek assistance from range States within their region to support the taxon reviews;~~
- ~~g) The Animals and Plants Committees and Parties are encouraged to undertake the following in order to facilitate periodic reviews:~~
- ~~i) collaborate with university graduate students, including those from the CITES Master's Programme at the International University of Andalusia;~~

- ~~ii) collaborate with other non-Party reviewers including species experts such as IUCN-SSC Specialist Groups;~~
- ~~iii) utilize readily available information on species' conservation status from organizations (e.g. IUCN, BirdLife, etc.) and Parties;~~
- ~~iv) seek financial support for reviews, including from importing countries, as appropriate; and~~
- ~~v) increase communication between the Chairs of the Animals and Plants Committees and suggest coordination with Parties when animal and plant species' ranges overlap;~~
- ~~h) The Chair of the Animals and Plants Committees shall keep the Standing Committee informed about the conduct of periodic reviews, noting that Standing Committee approval is not required to initiate the process;~~
- ~~i)e) Each review (ideally in the format of a proposal used to amend the Appendices) is to be submitted as a working document to the Animals or Plants Committee for review, clearly specifying the recommendation with reference to the criteria in Resolution Conf. 9.24 (Rev. CoP16). The Secretariat shall notify the relevant range States of these working documents in advance of the meeting of the Committee;~~
- ~~f) The Animals or Plants Committees may also evaluate reviews undertaken independently by Parties and submitted for their consideration;~~
- ~~g) Based on the information as per e) above, the Animals or Plants Committee is to make a recommendation on whether it would be appropriate to retain a taxon in the Appendix in which it is currently listed, transfer a taxon from one Appendix to another, or to delete a taxon from the Appendices; and~~
- ~~h) The Animals or Plants Committee shall draft its recommendation with reference to the criteria in Resolution Conf. 9.24 (Rev. CoP16). The Committee shall report its conclusions to the Conference of the Parties and to the Secretariat for provision to the range State(s) for the species reviewed.~~
- ~~i) In the event that the Committee recommends a change in the CITES listing status for the species reviewed:

 - ~~i) the Secretariat shall invite the range State(s) of the species reviewed to submit a proposal to the next Conference of the Parties;~~
 - ~~ii) if no range State expresses a willingness to submit the proposal, the Secretariat may request the Depository Government to submit it as specified in Resolution Conf. 11.1 (Rev. CoP16) and to include the comments of the range States in the supporting statement, if so requested by the Animals or Plants Committee;~~~~
- ~~j) In cases where a review indicates, and the Animals or Plants Committee agrees, that it would be appropriate to transfer a taxon from one Appendix to another, or to delete a taxon from the Appendices:

 - ~~i) the Animals or Plants Committee shall, in consultation with the range States, prepare or arrange the preparation of a proposal to amend the Appendices;~~
 - ~~ii) the Secretariat, on behalf of the Animals or Plants Committee, shall provide copies of the proposal to the range States and request that one or more should submit the proposal for consideration at the following meeting of the CoP;~~
 - ~~iii) if no range State is willing to submit the proposal, the Secretariat shall request the Depository Government to submit it as specified in Resolution Conf. 11.1 (Rev. CoP16) and to include the comments of the range States in the supporting statement; and~~
 - ~~iv) proposals resulting from the periodic review of the Appendices must be submitted for decision to the CoP; and~~~~
- ~~k) In cases where the Animals or Plants Committee decides that it would not be appropriate to transfer a taxon from one Appendix to another, or to delete a taxon from the Appendices, it shall draft its decision with reference to the criteria in Resolution Conf. 9.24 (Rev. CoP16);~~

RECOMMENDS the Animals and Plants Committees should share their experience, especially during joint meetings, regarding the undertaking of periodic reviews of taxa included in the Appendices (including financing of reviews, processes, format and outputs);

ENCOURAGES the Animals and Plants Committees and Parties to facilitate periodic reviews by:

- a) collaborating with university graduate students, including those from the CITES Master's Programme at the International University of Andalusia;
- b) collaborating with other non-Party reviewers including species experts such as IUCN-SSC Specialist Groups;
- c) using readily available information on species' conservation status from organizations (e.g. IUCN, BirdLife, etc.) and Parties;
- d) seeking financial support for reviews, including from importing countries, as appropriate; and
- e) increasing communication between the Chairs of the Animals and Plants Committees and suggest coordination with Parties when animal and plant species' ranges overlap;

DIRECTS the Chair of the Animals and Plants Committees to keep the Standing Committee informed about the conduct of periodic reviews, noting that Standing Committee approval is not required to initiate the process;

DIRECTS the Secretariat to maintain a record of the species selected for periodic review, including: species previously and currently reviewed; dates of relevant Committee documents; recommendations from the reviews; and any reports and associated documents; and

INVITES Parties, intergovernmental organizations, non-governmental organizations, and other interested entities to support the work of the Animals and Plants Committees in the undertaking of the periodic review of the Appendices.

Annex

Protocol for the assessment of taxa for consideration in the Period Review of the Appendices

Remains as found in Resolution Conf. 14.8 (Rev. CoP 16)

TENTATIVE BUDGET AND SOURCE OF FUNDING
FOR THE IMPLEMENTATION OF DRAFT RESOLUTIONS OR DECISIONS

According to Resolution Conf. 4.6 (Rev. CoP16) on *Submission of draft resolutions, draft decisions and other documents for meetings of the Conference of the Parties*, the Conference of the Parties decided that any draft resolutions or decisions submitted for consideration at a meeting of the Conference of the Parties that have budgetary and workload implications for the Secretariat or permanent committees must contain or be accompanied by a budget for the work involved and an indication of the source of funding.

The Animals and Plants Committees offer these modifications to Resolution Conf. 14.8 (Rev. CoP16) on *Periodic review of species included in Appendices I and II* in order to clarify the goals of this review and improve its functioning. There are no new budgetary or workload implications as a result of the proposed amendments.