

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



Eighteenth meeting of the Conference of the Parties  
Colombo (Sri Lanka), 23 May – 3 June 2019

Strategic matters

REVISION OF RESOLUTION CONF. 11.1 (REV. COP17) ON  
ESTABLISHMENT OF COMMITTEES

1. This document has been submitted by Standing Committee.\*

Background

2. At its 17th meeting (CoP17, Johannesburg, 2016), the Conference of the Parties adopted Decisions 17.3, 17.5 and 17.9 in relation to the review of Resolution Conf. 11.1 (Rev. CoP17) on *Establishment of Committees* as follows:

**17.3 Directed to the Standing Committee**

*Resolution Conf. 11.1 (Rev. CoP17) on Establishment of Committees contains provisions that are relevant for the Rules of Procedure of the Committees. In reviewing the Rules of Procedure, the Standing Committee at its 70th meeting, with input from the Animals and Plants Committees, shall identify possible inconsistencies and overlap and make such suggestions as appropriate to revise Resolution Conf. 11.1 (Rev. CoP17), for consideration at the 18th meeting of the Conference of the Parties.*

**17.5 Directed to the Animals and Plants Committees**

*The Animals and Plants Committees shall also identify possible inconsistencies and overlap between Resolution Conf. 11.1 (Rev. CoP17) on Establishment of Committees and their own Rules of Procedure and submit to the 70th meeting of the Standing Committee any required revisions to the Resolution for consideration at the 18th meeting of the Conference of the Parties.*

**17.9 Directed to the Animals and Plants Committees**

*The Animals and Plants Committee shall review their terms of reference as contained in Resolution Conf. 11.1 (Rev. CoP17) on Establishment of Committees in order to, as necessary: remove redundancies with other activities directed to the Committees by Resolutions adopted by the Conference of the Parties; reflect current practice including provision of scientific advice upon request of Parties; and otherwise clarify the functions of the Committees in their role as science advisory bodies to the Conference of the Parties. The Animals and Plants Committees shall present any proposed amendments to Resolution Conf. 11.1 (Rev. CoP17) arising from their review to the Standing Committee for inclusion into their proposed amendments, as appropriate, pursuant to Decision 17.3, and for consideration by the Conference of the Parties.*

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\* 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.

**16.9 Directed to the Standing Committee  
(Rev.  
CoP17)**

*The Standing Committee shall, at its 69th and 70th meeting and on the basis of a review from the Secretariat, assess the functioning of the conflict of interest policy set out in paragraph c) under Regarding representation in the Animals and Plants Committees of Resolution Conf. 11.1 (Rev. CoP17) on Establishment of Committees, and make recommendations for refining the definition of conflict of interest, if appropriate, and for a mechanism to deal with such conflicts, having reference to such mechanisms developed in other multilateral environmental agreements or relevant international organizations and bodies, for consideration at the 18th meeting of the Conference of the Parties.*

3. The Standing Committee, at its 69th meeting (SC69, Geneva, November 2017), established an intersessional working group to address Decision 16.9 and 17.3. The results of the working group's deliberations, along with the conclusions of the Animals and Plants Committees were presented to the 70th meeting of the Standing Committee (SC70, Sochi, October 2018).
4. The Standing Committee's working group identified the inconsistencies and overlap, and determined which elements belong in the Resolution (where CoP provides guidance on the purpose, role, Membership, deliverables etc. of the Committee) and which belong in Rules of Procedure (where the Committee determines its mode of operating) including those that benefit from being found in both documents. These were reflected in proposed amendments to Resolution Conf. 11.1 (Rev. CoP17).
5. The working group noted that, in addition to inconsistencies and overlap between Resolution Conf. 11.1 (Rev. CoP17) and the committee rules of procedure, there were also redundancies within the Resolution and suggested the Resolution would benefit from a re-organization to improve the logic flow. The working group further agreed that the Resolution would benefit from clearly separating those elements that are specific to the Standing or the scientific committees and those that are overarching guidance to all committees established by the CoP. In undertaking its review, the working group proposed that the main body of the Resolution should focus on providing the basic functions and parameters that should apply to all CITES committees it established by the CoP through the resolution. The Terms of Reference for each established committee should then provide the description of the objectives and structure of the committee. Elements of terms of reference would include the name of the committee, the purpose and role of the committee, Membership, meeting arrangements, and resources. It was noted that all of these elements were found in various parts of the existing Resolution but, as suggested above, it might be appropriate to collate these as clear terms of reference for each established committee.

Regarding Resolution Conf. 11.1 (Rev. CoP17) and the Animals and Plants Committees' terms of reference

6. During the joint session of the 30th meeting of the Animals Committee and 24th meeting of the Plants Committee, the Committees agreed to revisions to Annex 2 of Resolution Conf. 11.1 (Rev. CoP17) as found in document [AC30/PC24 Com. 03](#). Recognizing the ongoing work on this Resolution by the Standing Committee, the Committees further agreed to mandate the Chairs of the scientific committees, in collaboration with the Secretariat, to further modify the presentation of Annex 2 to align with the proposal of the Standing Committee's intersessional working group. The Chairs of the scientific committees requested the results of the Animals and Plants Committee deliberations be presented to the Standing Committee as part of the report of its intersessional working group.

Regarding conflict of interest

7. The Standing Committee's working group was required to review the functioning of the current conflict of interest policy based on the review of the Secretariat and the report of the Animals and Plants Committees, and make relevant recommendations. The Secretariat provided its report on conflict of interest, including examples from other bodies of conflict of interest definitions and mechanisms, in document [SC69 Doc. 12](#). The Chairs of the scientific committees reported orally to SC69 and did not indicate any concerns or possible amendments to the conflict of interest policy. The Standing Committee's working group, in undertaking its review, was generally comfortable with the conflict of interest policy and felt it was important to maintain it in the body of the Resolution, but specifying that this policy applies to those committees where individuals are elected as Members (such as the Animals and Plants Committees). The working group also felt the policy could be improved by allowing conflicts of interest identified by a credible source to be brought to the attention of the relevant committee through the Secretariat. Under such a circumstance, the Secretariat would first

review and bring issues to the attention of the Chair of the relevant committee as appropriate. The Secretariat and Chair would thus be responsible for evaluating credibility.

8. At SC69, the Standing Committee requested the Secretariat to prepare a template for declarations of conflict of interests.

#### Conclusions of the Standing Committee

9. The Standing Committee, at its 70th meeting, generally agreed to the amendments to Resolution Conf. 11.1 (Rev. CoP17) proposed by the working group with some revisions (as presented in document [SC70 Com.9](#)). The Standing Committee further recommended that the Resolution be presented to the Conference of the Parties as a new Resolution rather than as amendments to Resolution Conf. 11.1 (Rev. CoP17) in view of the structural and substantive revisions proposed.
10. The Standing Committee further agreed to the standard disclosure form for CITES declarations of interest and requested that a reference to this form be added to the proposed revised Resolution. The form is included in the document on potential conflicts of interest, submitted by the Secretariat to the present meeting.
11. The Standing Committee agreed not to include the terms of reference of the MIKE-ETIS Subgroup or of the Standing Committee Finance and Budget Subcommittee in the Resolution, and to propose a draft decision for the consideration of the CoP with respect to the latter. The Standing Committee further agreed to propose a draft decision on the development of guidance to assist chairs of working groups in their role. The proposed draft decisions are included in Annex 1 to the present document.
12. Finally, the Standing Committee requested the Secretariat, in consultation with the Chair, to make any necessary editorial changes to the text of the draft revised Resolution on *Establishment of committees*. The text included in Annex 2 to the present document includes such minor editorial changes made by the Chair and the Secretariat.

#### Recommendations

13. The Conference of the Parties is invited to:
  - a) adopt the draft decisions included in Annex 1 to the present document;
  - b) adopt the proposed draft resolution, contained in Annex 2 to the present document and thereby repealing Resolution Conf. 11.1 (Rev. CoP17); and
  - c) agree that Decisions 17.3, 17.5 and 17.9 have been implemented and can be deleted.

## COMMENTS OF THE SECRETARIAT

- A. The Secretariat agrees to the restructuring and revision of the Resolution on Committees making it more useful for Parties, Members, chairs of Committees and the Secretariat, and clarifying the terms of reference of each of the permanent Committees. The Secretariat therefore recommends that the Conference of the Parties adopt the proposed draft resolution.
- B. In accordance with the request by the Standing Committee, the Secretariat and the Chair of the Standing Committee made the necessary editorial changes to the new draft resolution which are included in the text contained in Annex 2. During this process, the Secretariat noted a few inconsistencies and took the opportunity to improve the text that went beyond “necessary editorial changes”. These are set out below with a suggestion to the Conference of the Parties for addressing them as it considers the draft resolution. To facilitate their consideration, the Secretariat has indicated its proposed amendments in the text contained in Annex 3 of the present document.
- a) In paragraph 1, second sentence, the Conference of the Parties “*directs the Standing Committee to establish a Finance and Budget Subcommittee and specify its terms of reference*”. The Secretariat considers that this second sentence should be a separate paragraph as it contains a separate action by the CoP.
- b) In accordance with paragraph 3 e), working groups should use the *Template for species based reporting* as adopted and amended from time to time by the Standing Committee. The Secretariat notes that it has now tried to use this *Template* and found it a little impractical and inflexible. Species-based reporting templates need to be tailored to fit the purpose of the inquiry, and not the other way around. The Secretariat suggests that the third sentence of subparagraph 3 e) should be amended to read as follows: “Working groups shall report to the committee which established them ~~establishing body~~ and are advised to should use the Guidelines for improving species specific reporting requests by CITES working groups and the *Template for species based reporting* as adopted and amended from time to time by the Standing Committee and distributed by the Secretariat, as appropriate.”
- c) In paragraph 6 c) ii), the Secretariat proposes to improve the text without changing the meaning: “the regions with more than one Member on a committee should review, at each meeting of the Conference of the Parties, decide the way the representation should be exercised ~~until the next meeting which should be reviewed at each meeting~~”
- d) To make the text clearer, the Secretariat suggests amending the title of paragraph 7 to read as follows: ***Regarding conflict of interest in committees where the membership consists of individuals experts elected in their individual capacity***. Similarly, the Secretariat suggest amending the last sentence of the chapeau of paragraph 7 to read as follows: “For committees where individuals are elected in their individual capacity as members, such as the Animals Committee and Plants Committee, the following procedures apply:”
- e) In paragraph 7 a), the Secretariat proposes to delete “at least 120 days” as this is the deadline for submitting candidates to the Secretariat, in accordance with Annex 2, paragraph 10 (b); therefore, it cannot be the same timing for the circulation of the candidatures by the Secretariat. See further comment k) below.
- f) In paragraph 7 c), on the declaration of conflict of interest to be made at the beginning of each meeting, the Secretariat suggests that this also applies to alternate Members acting as Members in the absence of the Member. Furthermore, it is the understanding of the Secretariat that the declaration of conflict of interest form shall be submitted by all Members and Acting Members as well as the Chair or Acting Chair, even if they have no relevant financial interests to declare. The Secretariat therefore proposes to amend the first sentence of paragraph 7 c) as follows:  
“c) Each Member and acting Member shall, at the beginning of each meeting of the committee, using the standard disclosure form agreed by the Standing Committee, declare whether they have any financial interests ~~using the standard disclosure form agreed by the Standing Committee~~ that he or she considers call into question his or her impartiality, objectivity or independence regarding any subject on the agenda for that meeting of the committee”.
- g) In Annex 1, paragraph 4, after the words “only in the absence”, the Secretariat suggests adding “at a meeting” to indicate that the alternate regional Member only acts as the acting regional Member when the Member is absent at a meeting. This mirrors the text in Annex 2.

- h) In Annex 1, paragraph 4 b), the Secretariat proposes to clarify the provision as follows:  
 “b) the regional candidatures should be officially submitted to the Secretariat by the Management Authority of the interested Parties, at least 120 days before a meeting of the Conference of the Parties at which they are proposed for election. These candidatures should be communicated to all the Parties of the region as soon as possible thereafter by the Secretariat;”
- i) In Annex 2, paragraph 2 a), the Secretariat suggests that it be clarified that the committees also provide advice and guidance to a Party or a group of Parties upon request. The Secretariat proposes the following amendments to the text of paragraph 2 a):  
 “a) provide scientific advice and guidance to the Conference of the Parties, the other committees, ~~and~~ the Secretariat and Parties on matters relevant to international trade in animal and plant species included in the Appendices;”
- j) In Annex 2, paragraph 2 b) iii), the Secretariat proposes to amend “*deal with nomenclature issues*” to “identify and address nomenclature issues” to improve the text.
- k) In Annex 2, paragraph 6, the Secretariat proposes to simplify the text without changing the meaning:  
 “One person shall also be selected and elected as an alternate Member for each of the Members listed in paragraph 5 above. ~~Each person elected as an alternate Member for a Member described in paragraph 5 above to~~ serve as an acting Member at meetings only in the absence of the Member for whom he/she is the alternate;”
- l) In Annex 2, paragraph 8, the Secretariat suggests that it be clarified that the Chair is elected from amongst the regional Members as nomenclature specialists cannot be elected as the Chair. This mirrors paragraph 7 of Annex 1. The Secretariat proposes that the first part of the sentence be amended as follows: “A chair and a vice-chair shall be elected by the Committee from amongst the regional Members”.
- m) Paragraphs 8-9 of Annex 2 do not seem entirely clear with respect to the roles of the Vice-Chair and the Acting Chair. The Secretariat understands that the role of the Vice-Chair is to act as Chair if the Chair is absent from a meeting. The role of the alternate of the Chair is to act as regional representative to replace the Chair in that function. To make this clear, the Secretariat suggests adding the following sentence to paragraph 8: “In the absence of the Chair, the Vice-Chair shall be acting as the Chair.” The Secretariat further suggests to delete “Acting Chair” in the two places in paragraph 9 as it is understood that it refers to the Chair, whether this role is assumed by the Chair or the Vice-Chair.
- n) Paragraph 10 b) concerns the nomination of candidates for the Animals and Plants Committees. The deadline for the submission of candidates as Members of the Animals or Plants Committee to the Secretariat is 120 days before the meeting at which they are proposed to be elected. As soon as possible after the Secretariat receives the candidatures, it shall communicate these to the Parties. In the case of the nomenclature experts, the candidatures shall be communicated to the Members of the respective committee who shall select the candidate for the election by the Conference of the Parties. To also better align with the text in Annex 1, paragraph 5 b), the Secretariat proposes to clarify the provision as follows:  
 “b) the names of the proposed candidates, and their curricula vitae, should be officially submitted to the Secretariat ~~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. These candidatures should be communicated to all the Parties of the region concerned as soon as possible thereafter by the Secretariat. In case of the nomenclature specialists, the names and the curricula vitae of the proposed candidates shall be circulated to the relevant committee;”
- o) Paragraph 12 of Annex 2 sets out the process for filling a vacancy that occurs between meetings of the Conference of the Parties. This situation is currently not covered in the Resolution. The Secretariat understands that the intention is that the Members of the Standing Committee of the region concerned are expected to decide on the person to fill the vacancy in consultation with the Chair of the Standing Committee. In the case of a vacancy of a nomenclature specialist, the other Members of the committee concerned are expected to decide on the person to fill the gap in consultation with the Chair of the Standing Committee. The Secretariat proposes to clarify the text as follows:  
 “c) the Secretariat shall provide the names and curricula vitae of the candidates received to the Chair of the Standing Committee and to the Standing Committee’s Regional Member(s) from the region concerned or, in the case of a vacancy for a nomenclature specialist, to the committee concerned ~~and~~

~~to the Chair of the Standing Committee, who~~ They will decide on the person to fill the vacancy on an interim basis until the next regular meeting of the Conference of the Parties;"

C. The Secretariat notes that the draft resolution contains no provision on the length of the regular meetings of the Standing Committee and invites the Conference of the Parties to consider whether a provision in this regard would be useful, also considering the ever-growing agenda of the Standing Committee. In the context, it should be kept in mind that any decision to extend the meeting (with evening sessions or additional days) has budgetary implications. For instance, for the 70th meeting of the Standing Committee, an additional team of interpreters was needed to cover the evening sessions. The Secretariat proposes to insert a new second sentence in paragraph 13 of Annex 1 as follows: "The duration of regular meetings of the Standing Committee should be five days."

D. Similarly, with regard to the duration of the meetings of the Animals and Plants Committee, there is limited flexibility in the current provisions in paragraph 15 of Annex 2 of the Resolution. However, a meeting may be shorter. The Secretariat therefore proposes to add a sentence to paragraph 15 as follows:

"When back-to-back meetings of the Animals and Plants Committees include a joint session, the duration of the separate committee meetings should be four days, but when not back-to-back, the length of each meeting should be five days, unless the Chair and the Secretariat consider that a shorter meeting may be sufficient."

E. The Secretariat notes that some of the suggested changes to the Resolution will have budgetary implications. This concerns paragraph 4 c) of the Resolution, where the payment of expenses for other travel is not limited to Members from developing countries. It further concerns paragraph 16 of Annex 2 of the Resolution, where the nomenclature expert from any country is eligible for financial support. In Annex 4 to the present document, the Secretariat has provided a budget of the estimated additional costs, entailed by these amendments as well as a source of funding.

The Secretariat draws the attention to paragraph 26 of Resolution Conf. 17.2 on *Financing and the costed programme of work for the Secretariat for the triennium 2017-2019* which states:

*26. DIRECTS the Secretariat to make provision for the payment, if requested, of reasonable and justifiable travel expenses of Members, including attendance at the relevant committee meetings, and other expenses of the Chairs of the Standing Committee, the Animals Committee and the Plants Committee, other than Members from developed countries;*

F. On the proposed draft decisions, contained in Annex 1 of the present document, the Secretariat would like to make the following comments:

a) In draft decision 18.AA, the Secretariat proposes to add the following text at the end of the decision: "and if so submit a proposal for the consideration of the 19th meeting of the Conference of the Parties."

b) In draft decision 18.BB, the Conference of the Parties requests the Secretariat to prepare guidance to assist the chairs of the working groups in fulfilling their role as a chair. The Secretariat is ready to prepare such draft guidance aiming to ensure that the work – which is often conducted by electronic means – can be conducted in a smooth and inclusive way, so that the outcome reasonably reflects the discussions and the views of the Members of the working group in a fair, unbiased and balanced manner.

**DRAFT DECISIONS TO BE CONSIDERED AT COP18**

ESTABLISHMENT OF COMMITTEES

**Directed to the Standing Committee**

- 18.AA The Standing Committee shall consider whether the terms of reference of the Standing Committee Finance and Budget Subcommittee should be annexed to the new resolution on *Establishment of Committees*.

**Directed to the Secretariat**

- 18.BB The Secretariat shall prepare draft guidance to assist chairs of working groups established by the Committees in fulfilling their tasks for consideration by the Standing Committee.

## PROPOSED DRAFT RESOLUTION

### Resolution Conf. 18.xx 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), and Resolution Conf. 11.1 (Rev. CoP17) relating to the establishment of committees;

RECALLING the Preamble of the Convention, including its recognition that international cooperation is essential for the protection of certain species of wild fauna and flora against over-exploitation through international trade;

RECOGNIZING the importance of maintaining CITES species throughout their range at a level consistent with their role in the ecosystems;

ACKNOWLEDGING the increasing role of the Convention since its entry into force in 1975, including the growth in number of species listed on the CITES Appendices, number of Parties, number of CITES trade transactions, and range of issues addressed by the Conference of the Parties;

REAFFIRMING the role of the Conference of the Parties in setting the policy direction for the Convention and reiterating the importance of its instructions;

RECOGNIZING the importance of providing guidance on steering the work and performance of the Convention between meetings of the Conference of the Parties;

STRESSING the importance of scientific advice and expertise to support the actions and policies adopted by the Conference of the Parties and aimed at fulfilling the purposes of the Convention;

RECOGNIZING the importance of providing adequate biological data and expert knowledge of animal and plant trade and management to the Conference of the Parties and individual Parties;

RECOGNIZING that aligning rules of procedure adopted by each committee established by the Conference of the Parties as far as practicable will help facilitate the operation of all CITES meetings;

### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

#### ***Regarding the establishment of committees***

1. ESTABLISHES the Standing Committee of the Conference of the Parties, which shall be the senior committee and shall report to the Conference of the Parties in accordance with its Terms of Reference as found in Annex 1 of this Resolution, and directs the Standing Committee to establish a Finance and Budget Subcommittee and specify its terms of reference;
2. ESTABLISHES the Animals Committee and the Plants Committee as its scientific advisory bodies, 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 in accordance with their Terms of Reference as found in Annex 2 of this Resolution;
3. DECIDES that:
  - a) the Conference of the Parties shall elect the Members of the committees established by this Resolution as set out in the annexes to this Resolution;
  - b) the terms of reference for all committees established by the Conference of the Parties shall be included in the annexes to this Resolution;



- c) the committees established by the Conference of the Parties shall adopt their own Rules of Procedure, which shall be aligned with the Rules of Procedure of the Conference of the Parties as far as is practicable;
- d) any Party shall be entitled to be represented at meetings of the committees as an observer;
- e) the committees established by the Conference of the Parties may establish working groups with specific terms of reference as required to address specific problems. These working groups shall normally have a defined life span which shall not exceed the period until the next meeting of the Conference of the Parties, at which time they may be re-established if necessary. Working groups shall report to the establishing body and should use the *Guidelines for improving species specific reporting requests by CITES working groups* and the *Template for species based reporting* as adopted and amended from time to time by the Standing Committee and distributed by the Secretariat, as appropriate. The Secretariat shall maintain and publish on the CITES website a list of active intersessional working groups, established by each committee, including Chairs and Members of such groups;
- f) in addition to the Finance and Budget Subcommittee of the Standing Committee, committees established by the Conference of the Parties may establish subcommittees composed of committee Members and Parties, with specific terms of reference. Unless otherwise established by a resolution or decision of the Conference of the Parties, these subcommittees shall have a defined lifespan, which shall not exceed the period until the next meeting of the Conference of the Parties, at which time they may be re-established if necessary; and
- g) when attending events or meetings outside those called for by the Conference of the Parties, members and alternate members of committees established by the Conference of the Parties do not represent the relevant committee or any CITES body unless specific instructions to do so have been provided by the relevant committee Chair or by the Conference of the Parties;

***Regarding financial arrangements***

4. RESOLVES that:

- a) the operational budget (CTL) of the Convention adopted by the Conference of the Parties should include the financial resources needed to support meetings of committees and associated eligible travel expenses;
- b) committee members should make every effort to pay their own travel expenses;
- c) the Secretariat shall make provision for the payment of travel expenses, in accordance with the Rules and Regulations of the United Nations, of eligible committee members from developing countries to attend meetings of their respective committees, and also for the payment of expenses for other travel undertaken by the committee Chairs at the request of the Conference of the Parties or the Standing Committee; and
- d) the Secretariat should seek extra-budgetary funding to ensure that eligible members of the committees can attend and participate in the committees' work during meetings of the Conference of the Parties, and to support the holding of regional meetings, including, where possible, in association with regional seminars or other related meetings organized by the Secretariat;

***Regarding support of the Secretariat***

5. FURTHER RESOLVES that in addition to the functions conferred upon it by the Convention, the Secretariat shall provide services to the committees within the resolutions, decisions, and the costed programme of work adopted by the Conference of the Parties;

***Regarding regional sessions at meetings of the Conference of the Parties***

6. AGREES that:

- a) regional sessions should be held at each meeting of the Conference of the Parties; such sessions should have an official character and should have an agenda;

- b) the Chair 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, as appropriate, of Parties as Members and alternate Members of the Standing Committee, and experts as Members and alternate Members of the Animals and Plants Committees;
  - ii) the regions with more than one Member on a committee should decide the way the representation should be exercised until the next meeting of the Conference which should be reviewed at each meeting; and
  - iii) other tasks depending to a large extent on the agenda of the meeting of the Conference of the Parties.

**Regarding Conflict of Interest in committees where the membership consists of individuals**

7. AGREES that a “conflict of interest” refers to any current financial interest which could significantly impair an individual’s impartiality, objectivity or independence in carrying out his or her duties as a member of a committee. A candidate’s employment by itself does not automatically constitute a conflict of interest. For committees where individuals are elected as Members, such as the Animals Committee and Plants Committee, the following procedures apply:
  - a) Parties proposing candidates as members or alternate members are to request that, together with their names and *curricula vitae*, each candidate provides a Declaration of Interest which should be circulated to the Parties of the region concerned at least 120 days before the meeting of the Conference by the Parties at which the members will be elected. In that declaration in the standard disclosure form agreed by the Standing Committee, the candidate should disclose any current financial interest that might call into question his or her impartiality, objectivity or independence in carrying out his or her duties as a Member or alternate Member of the committee;
  - b) Following an election, the declaration of interest and the *curriculum vitae* of each Member and alternate Member shall be made available by the Secretariat to the Chair and the Members of the committee concerned, and to the Chair of the Standing Committee; and
  - c) Each Member shall, at the beginning of each meeting of the committee, declare any financial interests using the standard disclosure form agreed by the Standing Committee that he or she considers call into question his or her impartiality, objectivity or independence regarding any subject on the agenda for that meeting of the committee. A conflict of interest may also be identified by any credible source and brought to the attention of the Chair of the committee through the Secretariat. If a Member has such a financial interest, he or she may take part in discussions but not in the decision-making regarding the agenda item in question. If the Member is the subject of the potential conflict of interest, he or she shall not chair the meeting or sub-meeting for the agenda item in question; and
8. REPEALS Resolution Conf. 9.1 (Fort Lauderdale, 1994, as amended at Harare, 1997) – *Establishment of committees* and Resolution Conf. 11.1 (Rev. CoP17) on *Establishment of committees*.

**Annex 1 Terms of Reference of the Standing Committee of the Conference of the Parties**

**Purpose**

1. As the senior committee of the Conference of the Parties, the Standing Committee plays an important role in steering the work and performance of the Convention in the periods between the meetings of the Conference of the Parties.

**Functions**

2. The Standing Committee, in accordance with instructions from and authority delegated by the Conference of the Parties in its resolutions and decisions, shall:

- a) undertake the tasks directed to it by the Conference of the Parties, including those related to the handling of general and specific compliance matters;
- b) provide general policy and general operational direction to the Secretariat concerning the implementation of the Convention;
- c) provide guidance and advice to the Secretariat on the preparation of agendas and other requirements of meetings, and on any other matters brought to its attention by the Secretariat in the exercise of its function;
- d) 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 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;
- e) implement and, as needed, review and revise the Memorandum of Understanding (MoU) between the Standing Committee and the Executive Director of the United Nations Environment Programme;
- f) provide coordination and advice as required to the other committees established by this Resolution and provide direction to and coordination of its working groups and subcommittees;
- g) carry out, between one meeting of the Conference of the Parties and the next, such interim activities on behalf of the Conference of the Parties as may be necessary, including advising on emerging operational or policy issues identified by Parties or the Secretariat until direction on the matter is provided by the Conference of the Parties;
- h) draft resolutions or decisions for consideration by the Conference of the Parties;
- i) report to the Conference of the Parties on the activities it has carried out between meetings of the Conference;
- j) act as the Bureau at meetings of the Conference of the Parties, until such time as the Bureau of the Conference of Parties for the specific meeting has been constituted; and
- k) perform any other functions as may be entrusted to it by the Conference of the Parties.

### **Membership**

3. The Membership of the Standing Committee shall be elected by the Conference of the Parties and consist of:
  - a) regional Members that are Parties elected from each of the six major geographic regions consisting of Africa, Asia, Central and South America and the Caribbean, Europe, North America and Oceania, according to the following criteria:
    - i) one representative for regions with up to 15 Parties;
    - ii) two representatives for regions with 16 to 30 Parties;
    - iii) three representatives for regions with 31 to 45 Parties; or
    - iv) four representatives for regions with more than 45 Parties;
  - b) the Depositary Government; and
  - c) the previous host Party of a meeting of the Conference of the Parties and the next host Party of a meeting of the Conference of the Parties.
4. Each regional Member shall also have an alternate regional Member that shall be entitled to represent the region as acting regional Member only in the absence of the regional Member for which it is the alternate.
5. When regions select their regional Members and alternate regional Members, the following is recommended:

- a) for regions with one regional Member and one alternate regional Member, a rotation in the selection should be considered and, for regions with more than one regional Member and one alternate regional Member, the selection should try to achieve a balanced representation (geopolitical, cultural, ecological);
  - b) the regional candidatures should be officially submitted to the Secretariat by the Management Authority of the interested Parties, 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 by 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 selected, a candidate should obtain an absolute majority (i.e. more than half the votes) of votes from the duly accredited Parties within the region present at the session; and
  - d) the selection of regional Members and alternate regional Members 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.
6. The terms of office of the regional Members and their alternate regional Members shall commence at the close of the regular meeting of the Conference of the Parties at which they are elected and shall expire at the close of the second regular meeting thereafter. For regions with one regional Member and one alternate regional Member, the selection should occur at every second meeting. For regions with more than one regional Member and one alternate regional Member, to guarantee some continuity, not all Members and alternate Members should be changed at the same meeting.
  7. The Standing Committee will have a Chair and a Vice-Chair elected by, and from amongst the regional Members. The terms of office of the Chair and Vice-Chair shall commence at the supplementary meeting held immediately after the close of the regular meeting of the Conference of the Parties at which they are elected and should normally expire at the close of the second regular meeting of the Conference of the Parties thereafter.
  8. The Membership of the Standing Committee shall be reviewed at every regular meeting of the Conference of the Parties.

#### **Duties of the regional Members of the Standing Committee**

9. All committee Members shall endeavour to participate in meetings of the Standing Committee.
10. Regional Members shall maintain a fluid and permanent communication with the Chair, alternate regional Members, Parties of their region and the Secretariat. Before the meetings of the Standing Committee, the regional Members should communicate with the alternate regional Members and Parties of their region regarding the items on the meeting agenda and request their opinions, preferably on matters specifically relevant to the countries or the region. Regional Members should also inform the alternate regional Members and Parties in their region of the results of the meetings.
11. Regional meetings should take place between meetings of the Conference of the Parties, including one specifically to deal with proposals to be submitted to the Conference at its next meeting. The regional Members of the Standing Committee should convene these meetings, subject to the availability of funding.
12. The regional Members, assisted by the alternate regional Members, should establish the agenda of the regional sessions that take place during meetings of the Conference of the Parties. This agenda should consider selection of Members for committees established by the Conference of the Parties, as well as discussion of the main items on the agenda of the meeting of the Conference of the Parties, in particular those of special interest to the region concerned. The regional Members and alternate regional Members should report in detail on their activities, initiatives and achievements at these regional sessions.

#### **Meeting Procedures**

13. Subject to confirmation of the necessary financial provisions by the Conference of the Parties, the Standing Committee shall normally hold two regular meetings between regular meetings of the Conference of the Parties. The Standing Committee shall also hold supplementary meetings immediately before and immediately after meetings of the Conference of the Parties, primarily for the purposes of making arrangements for the meeting of the Conference of the Parties and for organizing its own work, respectively.

14. Only the regional Members or acting regional Members shall have the right to vote except in the case of a tie vote, when the Depository Government shall have the right to vote to break the tie.
15. Meetings of the Standing Committee will be open to observers, in accordance with its Rules of Procedure. Parties not Members of the Standing Committee shall be entitled to be represented at meetings of the Standing Committee, including at any closed session, by observers who shall have the right to participate but not to vote. The Chairs of any other committee established by the Conference of the Parties shall be invited on a regular basis to the meetings of the Standing Committee and may participate in meetings of the Standing Committee as observers without the right to vote. Other observers without the right to vote may also be admitted to participate in meetings of the Standing Committee.
16. 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 Standing Committee on matters related to the organization of the meeting.

### **Financial support**

17. The Conference of the Parties determines the budget of the Secretariat, including the financial resources provided to support meetings of the Standing Committee and associated eligible travel expenses. One person representing each regional Member from a developing country is eligible to seek payment of travel expenses to attend each regular meeting of the Standing Committee.

## **Annex 2                      Terms of Reference of the Animals and Plants Committees of the Conference of the Parties**

### **Purpose**

1. As the scientific advisory committees of the Conference of the Parties, the Animals and Plants Committees play an important role in providing scientific and technical expertise and advice for the implementation of a broad range of decisions adopted by the Conference of the Parties. This is evidenced in the adoption of Resolution Conf. 14.8 (Rev. CoP17) on the *Periodic Review of species included in Appendices I and II*, Resolution Conf. 12.8 (Rev. CoP17) on the *Review of Significant Trade in specimens of Appendix II species and* Resolution Conf. 12.11 (Rev. CoP17) on *Standard nomenclature*, for example. Further, Parties have recognized the importance of making available the best technical and scientific advice regarding CITES-listed species from different sources, origins and production systems, as well as the importance of assisting Parties in making non-detriment findings, and supporting their Scientific Authorities in accordance with Resolution Conf. 16.7 (Rev. CoP17) on *Non-detriment findings*. Parties have additionally recognized that nomenclature used in the Appendices or for proposals for listing new species in the Appendices will be most useful to the Parties if standardized through adoption of standard nomenclatural references, which also facilitates identification and tracking of specimens of CITES-listed species in trade and harmonises cooperation with other multilateral environmental agreements.

### **Functions**

2. The Animals and Plants Committee shall, in accordance with instructions from and authority delegated by the Conference of the Parties in its resolutions and decisions:
  - a) provide scientific advice and guidance to the Conference of the Parties, the other committees and the Secretariat, on matters relevant to international trade in animal and plant species included in the Appendices;
  - b) undertake the tasks which are directed to them by the Conference of the Parties through relevant resolutions or decisions including:
    - i) review the biological, trade and other relevant information on Appendix-II species, subject to significant levels of trade in accordance with Resolution Conf. 12.8 (Rev. CoP17) on *Review of Significant Trade in specimens of Appendix II species*;
    - ii) conduct periodic reviews of species included in Appendix I and II in accordance with Resolution Conf. 14.8 (Rev. CoP17) on *Periodic Reviews of species included in Appendix I and II*;

- iii) deal with nomenclatural issues in accordance with Resolution Conf. 12.11 (Rev. CoP17) on *Standard nomenclature*; and
  - iv) for the Animals Committee review biological, trade and other relevant information regarding animal species subject to significant levels of trade using source codes C, D, F or R in accordance with Resolution Conf. 17.7 on *Review of trade in animal specimens reported as produced in captivity*;
- c) upon request by Parties or the Secretariat, provide advice on the making of non-detriment findings in the context of Resolution Conf. 16.7 (Rev. CoP17) on *Non-detriment findings*, and on the management of quotas in the context of Resolution Conf. 14.7 (Rev. CoP15) on *Management of nationally established export quotas*;
  - d) provide scientific advice on identification issues, and on training and other capacity building materials, tools and guides to promote their accuracy and availability;
  - e) upon request by Parties, provide advice related to scientific, technical and nomenclatural aspects of proposals to amend the Appendices;
  - f) upon request by Parties, provide technical, scientific and nomenclatural advice to Parties concerning the management of trade in specimens of CITES-listed species from different sources, origins and production systems, including captive breeding and artificial propagation;
  - g) draft resolutions or decisions on scientific matters related to animals or plants, for consideration by the Standing Committee and the Conference of the Parties, with a budget for the work involved and an indication of the source of funding;
  - h) perform any other functions that may be entrusted to them by the Conference of the Parties or the Standing Committee; and
  - i) 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.
3. In giving instructions to the Animals and Plants Committees, the Conference of the Parties and the Standing Committee agree to pay due attention to whether the nature of the work is within their mandate as set out in paragraph 2, and whether the committees have the resources, time and expertise to undertake such work.
  4. When making requests in the context of paragraph 2 c), e) and f) above, Parties should be mindful of the limited resources of the committees.

## Membership

5. The Membership of the Animals and Plants Committee shall be elected by the Conference of the Parties and consist of:
  - a) one person selected by each of the major geographic regions consisting of North America and Oceania based on candidates nominated by Parties from these regions;
  - b) two persons selected by each of the major geographic regions consisting of Africa, Asia, Central and South America and the Caribbean, and Europe based on candidates nominated by Parties from these regions; and
  - c) a specialist on zoological nomenclature (Animals Committee) and a specialist on botanical nomenclature (Plants Committee) selected by their respective Committees based on candidates nominated by Parties, and who are *ex-officio* and non-voting.
6. One person shall also be selected and elected as an alternate Member for each of the Members listed in paragraph 5 above. Each person elected as an alternate Member for a Member described in paragraph 5 serves as an acting Member at meetings only in the absence of the Member for whom he/she is the alternate.
7. The Membership of the Committees shall be reviewed at every regular meeting of the Conference of the Parties. The terms of office of the 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.

8. A chair and a vice-chair shall be elected by the Committee and shall normally serve until the close of the second regular meeting after being elected.
9. The Chair, or Acting Chair should be replaced in his/her role of regional Member by his/her alternate. In the absence at a meeting of the alternate in question, the Chair, or Acting Chair shall serve also as regional Member for his/her region on an *ad hoc* basis.
10. Regarding nomination of candidates, the following guidelines should be implemented:
  - a) Parties proposing candidates as Members or alternate Members should confirm, at the time of nomination, that the candidate will be supported and 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. In case of the nomenclature specialists, the names and their *curricula vitae* of the proposed candidates shall be circulated to the relevant committee;
  - 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) proposed candidates should be persons; a Party should not be accepted as a proposed candidate even if it plans to identify a person at a later time.
11. Regarding the timing of replacement of regional Members and alternate Members, the procedure should be the same as that described above for the Standing Committee and:
  - a) as alternate Members are alternates of specified Members, they should be elected at the same time as the Members;
  - b) if a region wishes to re-elect a Member or alternate Member, there is nothing to prevent it from doing so; and
  - c) in the event that no nominations have been received before the deadline the incumbent shall remain, if so willing and able, as a representative until a replacement is elected.
12. In the event of a vacancy arising amongst the Members or alternate Members of a committee between regular meetings of the Conference of the Parties, the following procedure shall apply:
  - a) the Secretariat shall notify the vacancy to the committee concerned, the Chair of the Standing Committee and the regional Member(s) of the Standing Committee from the region concerned (which may be all regions in the case of a nomenclature specialist);
  - b) the Secretariat shall immediately issue a Notification to the Parties calling for nominations from Parties in the region or regions concerned for a person to fill the vacancy on an interim basis;
  - c) the Secretariat shall provide the names and *curricula vitae* of the candidates received to the Standing Committee's Regional Member(s) from the region concerned - or, in the case of a vacancy for a nomenclature specialist, to the committee concerned - and to the Chair of the Standing Committee, who will decide on the person to fill the vacancy on an interim basis until the next regular meeting of the Conference of the Parties;
  - d) until a decision is reached in the case of a vacancy of a Member, the provisions of paragraph 6 above apply; and
  - e) At the next regular meeting of the Conference of the Parties the vacancy shall be filled in accordance with paragraph 5 of the present Annex. Nothing shall prevent the person appointed on an interim basis from being later proposed to fill the position.

#### **Duties of the Members of the Animals and Plants Committees**

13. The duties of the Members elected to the Animals and Plants Committees and their alternates are as follows:
- a) each Member should, to the best of his/her abilities, act as impartially as possible and endeavour to base his/her judgements and opinions upon an objective, scientific assessment of the available evidence;
  - b) each Member should collaborate with his/her alternate regarding the work to be done between the meetings of the committee;
  - c) each Member should maintain regular communication with the Parties in his/her region;
  - d) when a region has more than one representative, the representatives should also agree which Parties each represents. Contact should also be established with non-Parties in the region;
  - e) 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;
  - f) 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;
  - g) the Members should submit a written report, covering the preceding period, to each meeting of the committee;
  - h) the Members should inform the Parties in their regions of the results of each meeting of the committee in particular on matters specifically relevant to the countries of the region;
  - i) the Members must inform the alternates well in advance if they will not attend a forthcoming committee meeting; and
  - j) the Members should provide to their successors all relevant information on the activities in the region.
14. The zoological and botanical nomenclature specialists of the Animals and Plants Committees shall coordinate, monitor and analyse the input needed from specialists in fulfilling their responsibilities as assigned by the Parties.

### **Meeting Procedures**

15. When back-to-back meetings of the Animals and Plants Committees include a joint session, the duration of the separate committee meetings should be four days, but when not back-to-back, the length of each meeting should be five days.

### **Financial Support**

16. The Conference of the Parties determines the budget of the Secretariat, including the financial resources provided to support meetings of the Animals and Plants Committees and associated eligible travel expenses. Each Member from a developing country and the nomenclature specialists are eligible to seek payment of travel expenses to attend each regular meeting of the Animals or Plants Committee.
17. Parties and regions are urged to utilize or develop long-term sustainable funding mechanisms to support their representatives in the Committees, including the nomenclature specialists.



## PROPOSED DRAFT RESOLUTION

*With amendments proposed by the Secretariat indicated as underlined or ~~strike-through~~*

### **Resolution Conf. 18.xx 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), and Resolution Conf. 11.1 (Rev. CoP17) relating to the establishment of committees;

RECALLING the Preamble of the Convention, including its recognition that international cooperation is essential for the protection of certain species of wild fauna and flora against over-exploitation through international trade;

RECOGNIZING the importance of maintaining CITES species throughout their range at a level consistent with their role in the ecosystems;

ACKNOWLEDGING the increasing role of the Convention since its entry into force in 1975, including the growth in number of species listed on the CITES Appendices, number of Parties, number of CITES trade transactions, and range of issues addressed by the Conference of the Parties;

REAFFIRMING the role of the Conference of the Parties in setting the policy direction for the Convention and reiterating the importance of its instructions;

RECOGNIZING the importance of providing guidance on steering the work and performance of the Convention between meetings of the Conference of the Parties;

STRESSING the importance of scientific advice and expertise to support the actions and policies adopted by the Conference of the Parties and aimed at fulfilling the purposes of the Convention;

RECOGNIZING the importance of providing adequate biological data and expert knowledge of animal and plant trade and management to the Conference of the Parties and individual Parties;

RECOGNIZING that aligning rules of procedure adopted by each committee established by the Conference of the Parties as far as practicable will help facilitate the operation of all CITES meetings;

### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

#### ***Regarding the establishment of committees***

1. ESTABLISHES the Standing Committee of the Conference of the Parties, which shall be the senior committee and shall report to the Conference of the Parties in accordance with its Terms of Reference as found in Annex 1 of this Resolution, ~~and~~

1bis DIRECTS the Standing Committee to establish a Finance and Budget Subcommittee and specify its terms of reference;

2. ESTABLISHES the Animals Committee and the Plants Committee as its scientific advisory bodies, 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 in accordance with their Terms of Reference as found in Annex 2 of this Resolution;

3. DECIDES that:

- a) the Conference of the Parties shall elect the Members of the committees established by this Resolution as set out in the annexes to this Resolution;

- b) the terms of reference for all committees established by the Conference of the Parties shall be included in the annexes to this Resolution;
- c) the committees established by the Conference of the Parties shall adopt their own Rules of Procedure, which shall be aligned with the Rules of Procedure of the Conference of the Parties as far as is practicable;
- d) any Party shall be entitled to be represented at meetings of the committees as an observer;
- e) the committees established by the Conference of the Parties may establish working groups with specific terms of reference as required to address specific problems. These working groups shall normally have a defined life span which shall not exceed the period until the next meeting of the Conference of the Parties, at which time they may be re-established if necessary. Working groups shall report to the committee which established them ~~establishing body~~ and ~~should be advised to use the *Guidelines for improving species specific reporting requests by CITES working groups* and the *Template for species based reporting*~~ as adopted and amended from time to time by the Standing Committee and distributed by the Secretariat, as appropriate. The Secretariat shall maintain and publish on the CITES website a list of active intersessional working groups, established by each committee, including Chairs and members of such groups;
- f) in addition to the Finance and Budget Subcommittee of the Standing Committee, committees established by the Conference of the Parties may establish subcommittees composed of committee Members and Parties, with specific terms of reference. Unless otherwise established by a resolution or decision of the Conference of the Parties, these subcommittees shall have a defined lifespan, which shall not exceed the period until the next meeting of the Conference of the Parties, at which time they may be re-established if necessary; and
- g) when attending events or meetings outside those called for by the Conference of the Parties, Members and alternate Members of committees established by the Conference of the Parties do not represent the relevant committee or any CITES body unless specific instructions to do so have been provided by the relevant committee Chair or by the Conference of the Parties;

#### ***Regarding financial arrangements***

#### 4. RESOLVES that:

- a) the operational budget (CTL) of the Convention adopted by the Conference of the Parties should include the financial resources needed to support meetings of committees and associated eligible travel expenses;
- b) committee Members should make every effort to pay their own travel expenses;
- c) the Secretariat shall make provision for the payment of travel expenses, in accordance with the Rules and Regulations of the United Nations, of eligible committee Members from developing countries to attend meetings of their respective committees, and also for the payment of expenses for other travel undertaken by the committee Chairs at the request of the Conference of the Parties or the Standing Committee; and
- d) the Secretariat should seek extra-budgetary funding to ensure that eligible Members of the committees can attend and participate in the committees' work during meetings of the Conference of the Parties, and to support the holding of regional meetings, including, where possible, in association with regional seminars or other related meetings organized by the Secretariat;

#### ***Regarding support of the Secretariat***

- 5. FURTHER RESOLVES that in addition to the functions conferred upon it by the Convention, the Secretariat shall provide services to the committees within the resolutions, decisions, and the costed programme of work adopted by the Conference of the Parties;

### ***Regarding regional sessions at meetings of the Conference of the Parties***

6. AGREES that:
- a) regional sessions should be held at each meeting of the Conference of the Parties; such sessions should have an official character and should have an agenda;
  - b) the Chair 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, as appropriate, of Parties as Members and alternate Members of the Standing Committee, and experts as Members and alternate Members of the Animals and Plants Committees;
    - ii) the regions with more than one Member on a committee should review at each meeting of the Conference of the Parties ~~decide~~ the way the representation should be exercised ~~until the next meeting of the Conference which should be reviewed at each meeting~~; and
    - iii) other tasks depending to a large extent on the agenda of the meeting of the Conference of the Parties.

### ***Regarding conflict of Interest in committees where the membership consists of individuals experts elected in their individual capacity***

7. AGREES that a "conflict of interest" refers to any current financial interest which could significantly impair an individual's impartiality, objectivity or independence in carrying out his or her duties as a Member of a committee. A candidate's employment by itself does not automatically constitute a conflict of interest. For committees where individuals are elected in their individual capacity as Members, such as the Animals Committee and Plants Committee, the following procedures apply:
- a) Parties proposing candidates as Members or alternate Members are to request that, together with their names and *curricula vitae*, each candidate provides a Declaration of Interest which should be circulated to the Parties of the region concerned ~~at least 120 days~~ before the meeting of the Conference by the Parties at which the Members will be elected. In that declaration in the standard disclosure form agreed by the Standing Committee, the candidate should disclose any current financial interest that might call into question his or her impartiality, objectivity or independence in carrying out his or her duties as a Member or alternate Member of the committee;
  - b) Following an election, the declaration of interest and the *curriculum vitae* of each Member and alternate Member shall be made available by the Secretariat to the Chair and the Members of the committee concerned, and to the Chair of the Standing Committee; and
  - c) Each Member and acting Member shall, at the beginning of each meeting of the committee using the standard disclosure form agreed by the Standing Committee, declare whether they have any financial interests using the standard disclosure form agreed by the Standing Committee that he or she considers call into question his or her impartiality, objectivity or independence regarding any subject on the agenda for that meeting of the committee. A conflict of interest may also be identified by any credible source and brought to the attention of the Chair of the committee through the Secretariat. If a Member has such a financial interest, he or she may take part in discussions but not in the decision-making regarding the agenda item in question. If the Member is the subject of the potential conflict of interest, he or she shall not chair the meeting or sub-meeting for the agenda item in question; and
8. REPEALS Resolution Conf. 9.1 (Fort Lauderdale, 1994, as amended at Harare, 1997) – *Establishment of committees* and Resolution Conf. 11.1 (Rev. CoP17) on *Establishment of committees*.

**Purpose**

1. As the senior committee of the Conference of the Parties, the Standing Committee plays an important role in steering the work and performance of the Convention in the periods between the meetings of the Conference of the Parties.

**Functions**

2. The Standing Committee, in accordance with instructions from and authority delegated by the Conference of the Parties in its resolutions and decisions, shall:
  - a) undertake the tasks directed to it by the Conference of the Parties, including those related to the handling of general and specific compliance matters;
  - b) provide general policy and general operational direction to the Secretariat concerning the implementation of the Convention;
  - c) provide guidance and advice to the Secretariat on the preparation of agendas and other requirements of meetings, and on any other matters brought to its attention by the Secretariat in the exercise of its function;
  - d) 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 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;
  - e) implement and, as needed, review and revise the Memorandum of Understanding (MoU) between the Standing Committee and the Executive Director of the United Nations Environment Programme;
  - f) provide coordination and advice as required to the other committees established by this Resolution and provide direction to and coordination of its working groups and subcommittees;
  - g) carry out, between one meeting of the Conference of the Parties and the next, such interim activities on behalf of the Conference of the Parties as may be necessary, including advising on emerging operational or policy issues identified by Parties or the Secretariat until direction on the matter is provided by the Conference of the Parties;
  - h) draft resolutions or decisions for consideration by the Conference of the Parties;
  - i) report to the Conference of the Parties on the activities it has carried out between meetings of the Conference;
  - j) act as the Bureau at meetings of the Conference of the Parties, until such time as the Bureau of the Conference of Parties for the specific meeting has been constituted; and
  - k) perform any other functions as may be entrusted to it by the Conference of the Parties.

**Membership**

3. The membership of the Standing Committee shall be elected by the Conference of the Parties and consist of:
  - a) regional Members that are Parties elected from each of the six major geographic regions consisting of Africa, Asia, Central and South America and the Caribbean, Europe, North America and Oceania, according to the following criteria:
    - i) one representative for regions with up to 15 Parties;
    - ii) two representatives for regions with 16 to 30 Parties;

- iii) three representatives for regions with 31 to 45 Parties; or
  - iv) four representatives for regions with more than 45 Parties;
- b) the Depositary Government; and
  - c) the previous host Party of a meeting of the Conference of the Parties and the next host Party of a meeting of the Conference of the Parties.
4. Each regional Member shall also have an alternate regional Member that shall be entitled to represent the region as acting regional Member only in the absence at a meeting of the regional Member for which it is the alternate.
  5. When regions select their regional Members and alternate regional Members, the following is recommended:
    - a) for regions with one regional Member and one alternate regional Member, a rotation in the selection should be considered and, for regions with more than one regional Member and one alternate regional Member, the selection should try to achieve a balanced representation (geopolitical, cultural, ecological);
    - b) the regional candidatures should be officially submitted to the Secretariat by the Management Authority of the interested Parties, at least 120 days before a meeting of the Conference of the Parties at which they are proposed for election. These candidatures should be communicated to all the Parties of the region as soon as possible thereafter by 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 selected, a candidate should obtain an absolute majority (i.e. more than half the votes) of votes from the duly accredited Parties within the region present at the session; and
    - d) the selection of regional Members and alternate regional Members 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.
  6. The terms of office of the regional Members and their alternate regional Members shall commence at the close of the regular meeting of the Conference of the Parties at which they are elected and shall expire at the close of the second regular meeting thereafter. For regions with one regional Member and one alternate regional Member, the selection should occur at every second meeting. For regions with more than one regional Member and one alternate regional Member, to guarantee some continuity, not all Members and alternate Members should be changed at the same meeting.
  7. The Standing Committee will have a Chair and a Vice-Chair elected by, and from amongst the regional Members. The terms of office of the Chair and Vice-Chair shall commence at the supplementary meeting held immediately after the close of the regular meeting of the Conference of the Parties at which they are elected and should normally expire at the close of the second regular meeting of the Conference of the Parties thereafter.
  8. The membership of the Standing Committee shall be reviewed at every regular meeting of the Conference of the Parties.

#### **Duties of the regional Members of the Standing Committee**

9. All committee Members shall endeavour to participate in meetings of the Standing Committee.
10. Regional Members shall maintain a fluid and permanent communication with the Chair, alternate regional Members, Parties of their region and the Secretariat. Before the meetings of the Standing Committee, the regional Members should communicate with the alternate regional Members and Parties of their region regarding the items on the meeting agenda and request their opinions, preferably on matters specifically relevant to the countries or the region. Regional Members should also inform the alternate regional Members and Parties in their region of the results of the meetings.

11. Regional meetings should take place between meetings of the Conference of the Parties, including one specifically to deal with proposals to be submitted to the Conference at its next meeting. The regional Members of the Standing Committee should convene these meetings, subject to the availability of funding.
12. The regional Members, assisted by the alternate regional Members, should establish the agenda of the regional sessions that take place during meetings of the Conference of the Parties. This agenda should consider selection of Members for committees established by the Conference of the Parties, as well as discussion of the main items on the agenda of the meeting of the Conference of the Parties, in particular those of special interest to the region concerned. The regional Members and alternate regional Members should report in detail on their activities, initiatives and achievements at these regional sessions.

### **Meeting Procedures**

13. Subject to confirmation of the necessary financial provisions by the Conference of the Parties, the Standing Committee shall normally hold two regular meetings between regular meetings of the Conference of the Parties. The duration of regular meetings of the Standing Committee should be five days. The Standing Committee shall also hold supplementary meetings immediately before and immediately after meetings of the Conference of the Parties, primarily for the purposes of making arrangements for the meeting of the Conference of the Parties and for organizing its own work, respectively.
14. Only the regional Members or acting regional Members shall have the right to vote except in the case of a tie vote, when the Depository Government shall have the right to vote to break the tie.
15. Meetings of the Standing Committee will be open to observers, in accordance with its Rules of Procedure. Parties not Members of the Standing Committee shall be entitled to be represented at meetings of the Standing Committee, including at any closed session, by observers who shall have the right to participate but not to vote. The Chairs of any other committee established by the Conference of the Parties shall be invited on a regular basis to the meetings of the Standing Committee and may participate in meetings of the Standing Committee as observers without the right to vote. Other observers without the right to vote may also be admitted to participate in meetings of the Standing Committee.
16. 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 Standing Committee on matters related to the organization of the meeting.

### **Financial support**

17. The Conference of the Parties determines the budget of the Secretariat, including the financial resources provided to support meetings of the Standing Committee and associated eligible travel expenses. One person representing each regional Member from a developing country is eligible to seek payment of travel expenses to attend each regular meeting of the Standing Committee.

## **Annex 2                      Terms of Reference of the Animals and Plants Committees of the Conference of the Parties**

### **Purpose**

1. As the scientific advisory committees of the Conference of the Parties, the Animals and Plants Committees play an important role in providing scientific and technical expertise and advice for the implementation of a broad range of decisions adopted by the Conference of the Parties. This is evidenced in the adoption of Resolution Conf. 14.8 (Rev. CoP17) on the *Periodic Review of species included in Appendices I and II*, Resolution Conf. 12.8 (Rev. CoP17) on the *Review of Significant Trade in specimens of Appendix II species* and Resolution Conf. 12.11 (Rev. CoP17) on *Standard nomenclature*, for example. Further, Parties have recognized the importance of making available the best technical and scientific advice regarding CITES-listed species from different sources, origins and production systems, as well as the importance of assisting Parties in making non-detriment findings, and supporting their Scientific Authorities in accordance with Resolution Conf. 16.7 (Rev. CoP17) on *Non-detriment findings*. Parties have additionally recognized that nomenclature used in the Appendices or for proposals for listing new species in the Appendices will be most useful to the Parties if standardized through adoption of standard nomenclatural references, which also

facilitates identification and tracking of specimens of CITES-listed species in trade and harmonises cooperation with other multilateral environmental agreements.

## Functions

2. The Animals and Plants Committee shall, in accordance with instructions from and authority delegated by the Conference of the Parties in its resolutions and decisions:
  - a) provide scientific advice and guidance to the Conference of the Parties, the other committees, ~~and the Secretariat and Parties~~ on matters relevant to international trade in animal and plant species included in the Appendices;
  - b) undertake the tasks which are directed to them by the Conference of the Parties through relevant resolutions or decisions including:
    - i) review the biological, trade and other relevant information on Appendix-II species, subject to significant levels of trade in accordance with Resolution Conf. 12.8 (Rev. CoP17) on *Review of Significant Trade in specimens of Appendix II species*;
    - ii) conduct periodic reviews of species included in Appendix I and II in accordance with Resolution Conf. 14.8 (Rev. CoP17) on *Periodic Reviews of species included in Appendix I and II*;
    - iii) ~~deal with~~ identify and address nomenclatural issues in accordance with Resolution Conf. 12.11 (Rev. CoP17) on *Standard nomenclature*; and
    - iv) for the Animals Committee review biological, trade and other relevant information regarding animal species subject to significant levels of trade using source codes C, D, F or R in accordance with Resolution Conf. 17.7 on *Review of trade in animal specimens reported as produced in captivity*;
  - c) upon request by Parties or the Secretariat, provide advice on the making of non-detriment findings in the context of Resolution Conf. 16.7 (Rev. CoP17) on *Non-detriment findings*, and on the management of quotas in the context of Resolution Conf. 14.7 (Rev. CoP15) on *Management of nationally established export quotas*;
  - d) provide scientific advice on identification issues, and on training and other capacity-building materials, tools and guides to promote their accuracy and availability;
  - e) upon request by Parties, provide advice related to scientific, technical and nomenclatural aspects of proposals to amend the Appendices;
  - f) upon request by Parties, provide technical, scientific and nomenclatural advice to Parties concerning the management of trade in specimens of CITES-listed species from different sources, origins and production systems, including captive breeding and artificial propagation;
  - g) draft resolutions or decisions on scientific matters related to animals or plants, for consideration by the Standing Committee and the Conference of the Parties, with a budget for the work involved and an indication of the source of funding;
  - h) perform any other functions that may be entrusted to them by the Conference of the Parties or the Standing Committee; and
  - i) 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.
3. In giving instructions to the Animals and Plants Committees, the Conference of the Parties and the Standing Committee agree to pay due attention to whether the nature of the work is within their mandate as set out in paragraph 2, and whether the committees have the resources, time and expertise to undertake such work.
4. When making requests in the context of paragraph 2 c), e) and f) above, Parties should be mindful of the limited resources of the committees.

## Membership

5. The membership of the Animals and Plants Committee shall be elected by the Conference of the Parties and consist of:
  - a) one person selected by each of the major geographic regions consisting of North America and Oceania based on candidates nominated by Parties from these regions;
  - b) two persons selected by each of the major geographic regions consisting of Africa, Asia, Central and South America and the Caribbean, and Europe based on candidates nominated by Parties from these regions; and
  - c) a specialist on zoological nomenclature (Animals Committee) and a specialist on botanical nomenclature (Plants Committee) selected by their respective Committees based on candidates nominated by Parties, and who are *ex-officio* and non-voting.
6. One person shall also be selected and elected as an alternate Member for each of the Members listed in paragraph 5 above. ~~Each person elected as an alternate member for a member described in paragraph 5 to~~ serves as an acting Member at meetings only in the absence of the Member for whom he/she is the alternate.
7. The membership of the Committees shall be reviewed at every regular meeting of the Conference of the Parties. The terms of office of the 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.
8. A Chair and a Vice-Chair shall be elected by the Committee from amongst the regional Members and shall normally serve until the close of the second regular meeting after being elected. In the absence of the Chair, the Vice-Chair shall be acting as the Chair.
9. The Chair, ~~or Acting Chair~~ should be replaced in his/her role of regional Member by his/her alternate. In the absence at a meeting of the alternate in question, the Chair, ~~or Acting Chair~~ shall serve also as regional Member for his/her region on an *ad hoc* basis.
10. Regarding nomination of candidates, the following guidelines should be implemented:
  - a) Parties proposing candidates as Members or alternate Members should confirm, at the time of nomination, that the candidate will be supported and that they will obtain the necessary means to undertake their activities;
  - b) the names of the proposed candidates, and their *curricula vitae*, should be officially submitted to the Secretariat 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. These candidatures should be communicated to all the Parties of the region concerned as soon as possible thereafter by the Secretariat. In case of the nomenclature specialists, the names and their *curricula vitae* of the proposed candidates shall be circulated to the relevant committee;
  - 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) proposed candidates should be persons; a Party should not be accepted as a proposed candidate even if it plans to identify a person at a later time.
11. Regarding the timing of replacement of regional Members and alternate Members, the procedure should be the same as that described above for the Standing Committee and:
  - a) as alternate Members are alternates of specified Members, they should be elected at the same time as the Members;
  - b) if a region wishes to re-elect a Member or alternate Member, there is nothing to prevent it from doing so; and



- c) in the event that no nominations have been received before the deadline the incumbent shall remain, if so willing and able, as a representative until a replacement is elected.
12. In the event of a vacancy arising amongst the Members or alternate Members of a committee between regular meetings of the Conference of the Parties, the following procedure shall apply:
- a) the Secretariat shall notify the vacancy to the committee concerned, the Chair of the Standing Committee and the regional Member(s) of the Standing Committee from the region concerned (which may be all regions in the case of a nomenclature specialist);
  - b) the Secretariat shall immediately issue a Notification to the Parties calling for nominations from Parties in the region or regions concerned for a person to fill the vacancy on an interim basis;
  - c) the Secretariat shall provide the names and *curricula vitae* of the candidates received to the Chair of the Standing Committee and to the Standing Committee's Regional Member(s) from the region concerned –or, in the case of a vacancy for a nomenclature specialist, to the committee concerned – and to the Chair of the Standing Committee, who. They will decide on the person to fill the vacancy on an interim basis until the next regular meeting of the Conference of the Parties;
  - d) until a decision is reached in the case of a vacancy of a Member, the provisions of paragraph 6 above apply; and
  - e) At the next regular meeting of the Conference of the Parties, the vacancy shall be filled in accordance with paragraph 5 of the present Annex. Nothing shall prevent the person appointed on an interim basis from being later proposed to fill the position.

#### **Duties of the Members of the Animals and Plants Committees**

13. The duties of the Members elected to the Animals and Plants Committees and their alternates are as follows:
- a) each Member should, to the best of his/her abilities, act as impartially as possible and endeavour to base his/her judgements and opinions upon an objective, scientific assessment of the available evidence;
  - b) each Member should collaborate with his/her alternate regarding the work to be done between the meetings of the committee;
  - c) each Member should maintain regular communication with the Parties in his/her region;
  - d) when a region has more than one representative, the representatives should also agree which Parties each represents. Contact should also be established with non-Parties in the region;
  - e) 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;
  - f) 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;
  - g) the Members should submit a written report, covering the preceding period, to each meeting of the committee;
  - h) the Members should inform the Parties in their regions of the results of each meeting of the committee in particular on matters specifically relevant to the countries of the region;
  - i) the Members must inform the alternates well in advance if they will not attend a forthcoming committee meeting; and
  - j) the Members should provide to their successors all relevant information on the activities in the region.

14. The zoological and botanical nomenclature specialists of the Animals and Plants Committees shall coordinate, monitor and analyse the input needed from specialists in fulfilling their responsibilities as assigned by the Parties.

#### **Meeting Procedures**

15. When back-to-back meetings of the Animals and Plants Committees include a joint session, the duration of the separate committee meetings should be four days, but when not back-to-back, the length of each meeting should be five days, unless the Chair and the Secretariat consider that a shorter meeting may be sufficient.

#### **Financial Support**

16. The Conference of the Parties determines the budget of the Secretariat, including the financial resources provided to support meetings of the Animals and Plants Committees and associated eligible travel expenses. Each Member from a developing country and the nomenclature specialists are eligible to seek payment of travel expenses to attend each regular meeting of the Animals or Plants Committee.
17. Parties and regions are urged to utilize or develop long-term sustainable funding mechanisms to support their representatives in the Committees, including the nomenclature specialists.

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 authors of this document consider that there will be some budgetary implications of this Resolution which are to be covered by the operational budget under the general CITES Trust Fund (CTL) in the case of the financial support for the participation of nomenclature experts in meetings of the Animals or Plants Committees. Costs of Committee Chairs participating in external meetings should be covered by extra-budgetary resources. The revisions proposed to the Resolution will imply additional costs as follows:

**Costs of committee Chairs participating in external meetings at the request of the Conference of the Parties (Annex 1, paragraph 4, c), to be funded by extra-budgetary resources (QTL)**

Depending on the venue of the external meetings, number of days and number of missions (non-Secretariat staff member):

- a) Estimate for travel to Europe: \$2,000 ticket \* 5 days meeting \* \$400 in DSA for 6 days = \$4,400 per person
- b) Estimate for travel to Africa/Asia/South America: \$4,000 \* 5 days meeting \* \$250 for 6 days = \$5,500 per person

**Nomenclature experts eligible for financial support (Annex 2, paragraph 16) to be funded by the core budget (CTL):**

- a) Estimates for travel to Geneva: \$2,000 ticket \* 5 days meeting \* \$400 in DSA for 6 days = \$4,400 per person
- b) Total: 2 persons x \$4,400 = \$8,800