

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

Species specific matters

Maintenance of the Appendices

INCLUSION OF SPECIES IN APPENDIX III

1. This document has been submitted by the Secretariat at the request of the Standing Committee, in consultation with the Chair of the Standing Committee and New Zealand as chair of the Standing Committee's intersessional working group on Appendix III.
2. At its 17th meeting, the Conference of the Parties adopted Decisions 17.303 to 17.305 on *Appendix-III listings*, as follows:

***Directed the Standing Committee***

**17.303** *The Standing Committee, in consultation with the Animals and Plants Committees, as appropriate, shall consider the development of guidance on the application of Appendix-III CITES listings. Considerations could include, e.g.:*

- a) *possible guidance for exporting and importing countries with respect to the effective implementation of Appendix III, including measures to address suspected illegal international trade in Appendix III-listed specimens; and*
- b) *possible guidance for range States on characteristics of species that may benefit from inclusion in Appendix III.*

**17.304** *The Standing Committee shall, in consultation with the Secretariat, as well as Parties, as appropriate, make recommendations, including possible amendments to Resolution Conf.9.25 (Rev. CoP17) on Inclusion of species in Appendix III, to the 18th meeting of the Conference of the Parties.*

***Directed the Animals and Plants Committee***

**17.305** *The Animals and Plants Committees shall advise the Standing Committee Working Group, if requested by the Standing Committee or its working group, on subject-specific items, e.g. on characteristics of species for a possible listing of species in Appendix III CITES.*

3. At the joint sessions of their 29th and 23rd meetings (AC29/PC23; Geneva, July 2017), and in compliance with Decision 17.305, the Animals and Plants Committees established a joint AC/PC intersessional working group on Appendix III. Its outcomes are found in document AC30 Doc. 31/PC24 Doc. 26, which was considered at the joint sessions of the 30th and 24th meetings of the Animals and Plants Committees (AC30/PC24; Geneva, July 2018).
4. At its 69th meeting (SC69; Geneva, November 2017), the Standing Committee established an intersessional working group on Appendix-III listings, its mandate and composition can be found in summary record [SC69 SR](#) under agenda item 66.

5. The approach of the intersessional working group on Appendix-III listings was to invite the advice of the joint AC/PC working group on this topic, and examine the findings in document AC30 Doc. 31/PC24 Doc. 26. Subsequently, it reviewed the application of Appendix-III listings through a questionnaire circulated to members of the working group. The questionnaire covered four subject areas: i) implementation, compliance, and enforcement; ii) experiences of Parties that included species in Appendix III; iii) advice on characteristics of species that may benefit from inclusion in Appendix III; and iv) suggestions for amendments to Notification to the Parties No. 2014/048 and Resolution Conf. 9.25 (Rev. CoP17) on *Inclusion of species in Appendix III*.
6. The main findings from the questionnaire were as follows:
  - a) Parties generally noted the benefits of an Appendix III listing in providing urgent protection outside of meetings of the Conference of the Parties; considered that the procedure was generally straightforward; and recognized that it provided the opportunity to obtain trade data (often to determine if an Appendix-II listing was necessary).
  - b) One exception was a Party that experienced an increase in illegal trade in a species following its listing in Appendix III.
  - c) The need for more effective and consistent implementation of Appendix III by all Parties was a consistent theme. Parties would be encouraged to consider including species in Appendix III if it was known that the listing would be effectively and consistently implemented by all Parties involved in trade, and Parties had effective national legislation in place to fully enforce the listing.

Furthermore, findings of the AC/PC working group on this topic related to biological and trade characteristics relevant for considering an Appendix-III listing are reflected in detail in document AC30 Doc. 31/PC24 Doc. 26.

7. The recommendations of the Standing Committee's intersessional working group were presented at the 70th meeting of the Standing Committee (SC70; Sochi, October 2018) in document SC70 Doc. 64. The Standing Committee noted that Parties generally consider that there were benefits for listing species in Appendix III, but that implementation needed to be more effective and consistent. Furthermore, the Standing Committee agreed, *inter alia*, to:
  - a) propose to the Conference of the Parties the draft decisions contained in Annex 1 to the present document; and
  - b) request the Secretariat, in consultation with the Chair of the Standing Committee and New Zealand as chair of the Standing Committee's intersessional working group, to prepare draft amendments to Resolution Conf. 9.25 (Rev. CoP17) on *Inclusion of species in Appendix III* for consideration at the 18th meeting of the Conference of the Parties, taking into account the results of the intersessional working group in document SC70 Doc. 64.
8. In compliance with paragraph 7 b) above, Annex 2 to the present document proposes amendments to Resolution Conf. 9.25 (Rev. CoP17) that reflect the recommendations outlined in document SC70 Doc 64. The proposed amendments are summarized as follows:
  - a) The title of the Resolution is amended to reflect the inclusion of a section related to the implementation of Appendix III;
  - b) The preamble of the Resolution is updated and reflects revisions that highlight the need for clear guidance on the implementation of Appendix III. Additionally, all references to Resolutions no longer in force have been deleted;
  - c) The revisions to the operative part of the Resolution are intended to make a clear distinction between guidance related to the process for inclusion of species in Appendix III, and the implementation of Appendix-III listings.
9. In Annex 4, the Secretariat has included considerations related to the resource implications associated to the draft decisions contained in Annex 1, and the proposed revisions to Resolution Conf. 9.25 (Rev. CoP17) contained in Annex 2 (track changes) and Annex 3 (clean version).

## Recommendations

10. The Conference of the Parties is invited to:

- a) adopt the draft decisions on Appendix-III listings presented in Annex 1 to the present document, which includes additional revisions proposed by the Secretariat;
- b) consider and adopt the draft revisions to Resolution Conf. 9.25 (Rev. CoP17) presented in Annex 3; and,
- c) delete Decisions 17.303 to 17.305, as they have been completed.

**Draft decisions on Appendix-III listings\***

*\*The decisions below are reflected as agreed at SC70 ([SC70 Sum. 11 \(Rev. 1\)](#)); additionally, the Secretariat proposes to eliminate reference to any specific meeting of the Standing Committee, in order to provide leeway if needed to report also to the 74th meeting of the Standing Committee (see proposed revisions in ~~strikeout font~~).*

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

- 18.AA The Animals and Plants Committees shall evaluate how nomenclature changes affect Appendix-III listings and propose guidance and recommendations for consideration by the Standing Committee at ~~its 73rd meeting~~ that address how such nomenclature changes are to be handled.

***Directed to the Standing Committee***

- 18.BB The Standing Committee, in consultation with the Secretariat, shall ~~at its 73rd meeting~~ take into account the guidance and recommendations from the Animals and Plants Committees and make recommendations to address nomenclature changes that affect an Appendix-III listing, including possible amendments to Resolution Conf. 9.25 (Rev. CoP17), for consideration at the 19th meeting of the Conference of the Parties.

PROPOSED REVISED RESOLUTION 9.25 (Rev. CoP17) ON *INCLUSION OF SPECIES IN APPENDIX III*

With respect to the body of the Resolution: proposed new text is in underlined; deleted language is in ~~strikeout~~. Where considered appropriate, and in some cases where certain paragraphs are proposed for deletion or relocation, explanatory text has been included [highlighted in yellow and in brackets].

## Conf. 9.25 (Rev. CoP18~~7~~)\*

## Implementation of the Convention for Inclusion of species in Appendix III

RECOGNIZING that Article XVI, paragraph 1, provides Parties with the right to list species in Appendix III;

RECALLING that Article II, paragraph 3, provides for the inclusion of a species in Appendix III by which any Party only if it needs identifies as being subject to regulation within its jurisdiction for the purpose of preventing or restricting exploitation and as needing the cooperation of other Parties in the control of trade;

RECALLING further that Article XVI, paragraph 2, provides that the Secretariat shall communicate to the Parties any Appendix-III listing submitted by a Party as soon as possible after receiving it and the listing shall take effect 90 days after the date of such communication;

NOTING that Article VIII requires Parties to take appropriate measures to enforce the provisions of the Convention;

RECALLING that an export permit for a specimen of an Appendix-III species shall only be granted when the Management Authority of the country of export has ensured that the conditions stipulated in Article V are fulfilled;

RECOGNIZING further that the inclusion of a species in Appendix III and subsequent implementation of controls on trade in such species will help Parties enforce national laws for protection of the species and may provide information relevant to their consideration for inclusion in Appendix I or II;

RECOGNIZING that, ~~for a species with a natural distribution that goes beyond the territory of the Party requesting its inclusion in Appendix III and its immediate neighbours, such inclusion may not necessarily need to cover all range States;~~

NOTING that Resolution Conf. 1.5, adopted by the Conference of the Parties at its first meeting (Bern, 1976), recommended that all readily recognizable parts and derivatives of species included in Appendix III be covered;

NOTING that Resolution Conf. 5.22, adopted by the Conference of the Parties at its fifth meeting (Buenos Aires, 1985), recommended criteria for the inclusion of species in Appendix III;

NOTING that Resolution Conf. 7.15, adopted by the Conference of the Parties at its seventh meeting (Lausanne, 1989), encouraged Parties to declare inclusion of species in Appendix III or withdrawals therefrom at meetings of the Conference of the Parties;

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\* Amended at the 10th, 14th and 15th meetings of the Conference of the Parties; amended by the Secretariat in compliance with Decision 14.19 and with the decisions adopted at the 61st meeting of the Standing Committee; and further amended at the 16th, and 17th and 18th meetings of the Conference of the Parties.

~~NOTING that Resolution Conf. 8.23, adopted by the Conference of the Parties at its eighth meeting (Kyoto, 1992), recommended *inter alia* that, before submitting a species for inclusion in Appendix III, Parties request the advice of the Animals Committee or the Plants Committee regarding the trade status and biological status of that species;~~

~~AWARE that, at the moment, Appendix III contains includes some species that occur rarely or not at all in international trade and for which the Convention is therefore not effective;~~

~~OBSERVING that many Parties are unwilling to take on the administrative burden of not effectively implementing the provisions of the Convention with regard to Appendix III; and~~

~~BELIEVING that this unsatisfactory implementation arises because the Parties are not fully convinced of the effectiveness of Appendix III;~~

~~RECOGNIZING that Resolution Conf. 1.5, paragraph 5, was deficient in not addressing the need for adequate implementation of domestic legislation;~~

~~RECALLING the wish of the Conference of the Parties, expressed at its eighth meeting (Kyoto, 1992), to reduce the number of its Resolutions; and~~

~~CONSIDERING that, for the effective implementation of the Convention with regard to Appendix III, it is desirable to give clear guidelines for including species in Appendix III that reflect the aims of the Convention expressed in its Preamble and for implementation of Appendix-III listings;~~

## THE CONFERENCE OF THE PARTIES TO THE CONVENTION

### ***Inclusion of species in Appendix III***

~~4. RECOMMENDS that, if a Party has made a reservation with regard to any species included in Appendix I or II, it not request that this species be included in Appendix III; [moved to new paragraph 4 ahead]~~

~~12. RECOMMENDS that, when considering the inclusion of a species in Appendix III, a Party:~~

a) ensure that:

i) the species is native to its country;

ii) its national regulations for the conservation of the species are adequate to prevent or restrict exploitation and to control trade, and include penalties for illegal taking, trade or possession and provisions for confiscation; and

iii) its national enforcement measures are adequate to implement these regulations; and

~~iv) for species that are traded for their timber, consideration is given to including only that geographically separate population or populations of the species for which the inclusion would best achieve the aims of the Convention and its effective implementation, particularly with regard to the conservation of the species in the country requesting its inclusion in Appendix III; [eliminated for being too species-specific for the purposes of this Resolution]~~

b) determine that, notwithstanding these regulations and measures, there are indications that the cooperation of the Parties is needed to monitor and control illegal trade;

c) inform the Management Authorities of other range States, the known major importing countries, the Secretariat and the Animals Committee or the Plants Committee that it is considering the inclusion of the species in Appendix III and seek their opinion on the potential effects of such inclusion;

~~d) consider taking into account additional trade and biological considerations, such as those outlined in Annex 1, as appropriate;~~

ed) after due consultation, and having satisfied itself that the biological status and trade status of the species justify the action, submit to the Secretariat its considerations under paragraph 1 a) to d) above, specifying the following, in accordance with paragraph 1 of Article XVI of the Convention:

- ~~\_\_\_\_\_~~ i) the scientific name of the species it wishes to submit for inclusion in Appendix III; and,
- e) ~~ii) ensure that its request to include a species in Appendix III specifies which any readily recognizable parts and derivatives are to be included, unless it intends to include all readily recognizable parts and derivatives;~~
- f) ensure that any proposed annotation that is part of a request to include a species in Appendix III includes those specimens that first appear in international trade as exports from its territory and that dominate the trade and the demand for the wild resource and is, to the extent practicable, harmonized with relevant existing annotations; ~~and~~
- ~~\_\_\_\_\_~~ g) take into consideration the implementation challenges that would be caused by restricting the listing to specific national populations, noting that this should be generally avoided; and
- ~~\_\_\_\_\_~~ hg) consult with the Secretariat, the Standing Committee and, as appropriate, the Animals Committee or Plants Committee, to ensure that any proposed annotation that is part of a request to include a species in Appendix III (and any definitions developed that define terms in the annotation, as appropriate) is clear and unambiguous, and likely to be understood by enforcement personnel and user groups;

~~3. RECOMMENDS further that, unless there is an urgent need for inclusion, a Party intending to include a species in or delete a species from Appendix III inform the Secretariat of its intention at least three months before a meeting of the Conference of the Parties, in order that the Parties are informed of the amendment in time to ensure that it enters into force on the same date as amendments to Appendices I and II adopted at the meeting; [transferred ahead]~~

2.4. DIRECTS the Secretariat:

- a) to communicate to the Parties any Appendix-III listing submitted by a Party as soon as possible after receiving it, in accordance with paragraph 2 of Article XVI;
- ~~ba)~~ to publish the changed Appendices I, II and III together after each meeting of the Conference of the Parties, or at other times when warranted; and
- ~~cb)~~ before communicating to Parties the inclusion of a species in Appendix III, to ensure that copies of all relevant national laws and regulations have been received from the Party concerned in accordance with paragraph 4 of Article XVI; and
- ~~\_\_\_\_\_~~ c) if a Party requests the inclusion of a species in Appendix III and requests that the listing be limited to a particular population, to consult with that Party to ensure that the listing will achieve the level of control and cooperation with other range States intended by the Party;

~~3. RECOMMENDS further that, unless there is an urgent need for inclusion, a Party intending to include a species in, or delete a species from, Appendix III inform the Secretariat of its intention at least three months before a meeting of the Conference of the Parties, in order that the Parties are informed of the amendment in time to ensure that it enters into force on the same date as amendments to Appendices I and II adopted at the meeting;~~

~~4. RECOMMENDS that, if a Party has made a reservation with regard to any species included in Appendix I or II, it not request that this species be included in Appendix III;~~

~~5. AGREES that the inclusion of a species in Appendix III without an annotation shall indicate that all readily recognizable parts and derivatives are included in the Appendix; [eliminated for being repetitive to what is already established above]~~

~~56. REQUESTS that, upon request, the Animals or Committee and the Plants Committee to assist Parties if necessary in reviewing the status of species in Appendix III, subject to available funding resources;~~

~~67. URGES Parties having included species in Appendix III to review periodically the status of these species and, seek assistance of the Animals or Plants Committee in undertaking the review mentioned in paragraph 5 of this Resolution, if necessary, and taking into account these guidelines and any recommendations of the Animals and Plants Committees, to consider the necessity to maintain them the species in that Appendix III;~~

7. RECOMMENDS that a Party having listed a species in Appendix III remove that species from Appendix III if the species is no longer subject to regulation within its jurisdiction for the purpose of preventing or restricting exploitation, if it no longer requires the cooperation of other Parties in controlling the trade, or if it no longer occurs in international trade;
8. RESOLVES that, when any species already included in Appendix III is subsequently included in Appendix I or II, it shall be deleted from Appendix III; ~~and~~

***Implementation of Appendix-III listings***

9. URGES Parties, when implementing the Convention for species included in Appendix III, to follow the decision table included in Annex 2, and the guidance included in Annex 3 to the present Resolution; and

109. REPEALS the Resolutions, or parts thereof, listed hereunder:

- a) Resolution Conf. 1.3 (Bern, 1976) – *Deletion of species from Appendix II or III in certain circumstances* – paragraph b);
- b) Resolution Conf. 1.5 (Bern, 1976) – *Recommendations Concerning the Interpretation and Implementation of Certain Provisions of the Convention* – paragraphs 3, 4 and 5;
- c) Resolution Conf. 1.5 (Rev. CoP12) (Bern, 1976, as amended at Fort Lauderdale, 1994, and Santiago, 2002) – *Interpretation and implementation of certain provisions of the Convention*;
- d) Resolution Conf. 5.22 (Buenos Aires, 1985) – *Criteria for the Inclusion of Species in Appendix III* – paragraphs a) and b) under RECOMMENDS and the paragraph under REQUESTS;
- e) Resolution Conf. 7.15 (Lausanne, 1989) – *Amendments to Appendix III*; and
- f) Resolution Conf. 8.23 (Kyoto, 1992) – *Review of Appendix III*.



**Additional considerations for Appendix-III listings**

Parties that intend to list a species in Appendix III may wish to consider these additional trade and biological considerations, as appropriate, noting however, that this is not required under the Convention.

1. Trade status:

- a) documented, suspected, possibly new or rapidly increasing exports of a species not currently regulated under CITES;
- b) increased availability of the species in international markets;
- c) species known or suspected to be in illegal trade;
- d) uncertainty regarding the volume of international trade and an interest to monitor levels of such trade; and
- e) increasing trade in, or demand for a species which is demonstrably difficult to breed and maintain in captivity, or to artificially propagate;

2. Biological aspects and characteristics:

- a) the conservation status of the species under available assessments, and any conservation concerns due to international trade that these assessments may indicate;
- b) species with intrinsic biological characteristics that make them especially vulnerable to harvest, trade, habitat loss or climate change, including, but not limited to:
  - i) species with habitat or food specializations in at least one life stage;
  - ii) species that are easy to detect or collect, or both (e.g. sessile or sedentary species); and
  - iii) species with high age of maturity, low reproductive output, high natural mortality rate, or occurrence in low abundances;
- c) harvest and trade effects in relation to the species' biology and life history characteristics, including but not limited to:
  - i) species range;
  - ii) population structure, status and trends; and
  - iii) age- or sex-specific offtake;
- d) endemism in combination with other characteristics recommended for consideration, noting that endemism by itself is generally not recommended as useful for considering whether a species belongs in Appendix III;

**Decision table on permitting requirements for Appendix-III listings**

<b><u>Type of Appendix-III listing</u></b>	<b><u>Exporting or re-exporting State</u></b>	<b><u>Permitting requirements</u></b>	<b><u>Provision of the Convention</u></b>
1. A species is included in Appendix III wherever it occurs	1.1. Export from any State that included the species in Appendix III	Prior grant and presentation of a CITES export permit issued by the Management Authority of the State of export.	Article V, paragraph 2
	1.2. Export from any State other than the State that included the species in Appendix III	CITES certificate of origin issued by the Management Authority of the State of export.	Article V, paragraph 3
	1.3. Re-export from any State of specimens of species included in Appendix III	CITES re-export certificate issued by the Management Authority of the State of re-export.	Article V, paragraph 4
2. Only a national population of a species is included in Appendix III	2.1. Export from any State that has included its population in Appendix III	Prior grant and presentation of a CITES export permit issued by the Management Authority of the State of export.	Article V, paragraph 2
	2.2. Re-export of specimens that originated in a population that is included in Appendix III	CITES re-export certificate issued by the Management Authority of the State of re-export.	Article V, paragraph 4
	2.3. Export or re-export of specimens that originated from a population that is <b>not</b> included in Appendix III	No CITES document is required.	N/A

**Guidance for understanding the scope of Appendix-III listings**

1. When a species is included in Appendix III wherever it occurs.

Example 1:

Appendix III reads: “**Species x** (Country A)”

Indicating that *Species x* has been included in Appendix III wherever it occurs at the request of Country A. Country A is a range State of species x.

Example 2:

Appendix III reads: “**Species y** (Country B, Country C)”

Indicating that *Species y* has been included in Appendix III wherever it occurs at the request of both Country B and C. Country B and C are range States of species y.

Example 3:

Appendix III reads: “**Species z** <sup>#w</sup> (Country D, Country E. In addition, the following countries have listed their national populations: Country F, Country G, and Country H)”

Indicating that for *Species z*:

- Countries D and E have both included the species in Appendix III wherever it occurs; and
- Countries F, G and H have included their national populations in Appendix III

Annotation #w specifies the parts and derivatives covered by the listing.

2. When only the listing Party’s national population of the species is included in Appendix III.

Example 4:

Appendix III reads: “**Species v** (population of Country J)”

Indicating that for *Species v*, only the population of Country J is included in Appendix III, at the request of Country J.

CLEAN VERSION OF THE PROPOSED REVISED RESOLUTION 9.25 (Rev. CoP17) ON *INCLUSION OF SPECIES IN APPENDIX III*

## **Conf. 9.25 (Rev. CoP18)\***

## **Implementation of the Convention for species in Appendix III**

RECOGNIZING that Article XVI, paragraph 1, provides Parties with the right to list species in Appendix III;

RECALLING that Article II, paragraph 3, provides for the inclusion of a species in Appendix III which any Party identifies as being subject to regulation within its jurisdiction for the purpose of preventing or restricting exploitation and as needing the cooperation of other Parties in the control of trade;

RECALLING further that Article XVI, paragraph 2, provides that the Secretariat shall communicate to the Parties any Appendix-III listing submitted by a Party as soon as possible after receiving it and the listing shall take effect 90 days after the date of such communication;

NOTING that Article VIII requires Parties to take appropriate measures to enforce the provisions of the Convention;

RECALLING that an export permit for a specimen of an Appendix-III species shall only be granted when the Management Authority of the country of export has ensured that the conditions stipulated in Article V are fulfilled;

RECOGNIZING further that the inclusion of a species in Appendix III and subsequent implementation of controls on trade in such species will help Parties enforce national laws for protection of the species and may provide information relevant to their consideration for inclusion in Appendix I or II;

AWARE that Appendix III includes some species that occur rarely or not at all in international trade and for which the Convention is therefore not effective;

OBSERVING that many Parties are not effectively implementing the provisions of the Convention with regard to Appendix III; and

CONSIDERING that, for the effective implementation of the Convention with regard to Appendix III, it is desirable to give clear guidelines for including species in Appendix III and for implementation of Appendix-III listings;

### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

#### ***Inclusion of species in Appendix III***

1. RECOMMENDS that, when considering the inclusion of a species in Appendix III, a Party:
  - a) ensure that:
    - i) the species is native to its country;

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\* Amended at the 10th, 14th and 15th meetings of the Conference of the Parties; amended by the Secretariat in compliance with Decision 14.19 and with the decisions adopted at the 61st meeting of the Standing Committee; and further amended at the 16th, 17th and 18th meetings of the Conference of the Parties.

- ii) its national regulations for the conservation of the species are adequate to prevent or restrict exploitation and to control trade, and include penalties for illegal taking, trade or possession and provisions for confiscation; and
  - iii) its national enforcement measures are adequate to implement these regulations;
- b) determine that, notwithstanding these regulations and measures, there are indications that the cooperation of the Parties is needed to monitor and control trade;
  - c) inform the Management Authorities of other range States, the known major importing countries, the Secretariat and the Animals Committee or the Plants Committee that it is considering the inclusion of the species in Appendix III and seek their opinion on the potential effects of such inclusion;
  - d) consider taking into account additional trade and biological considerations, such as those outlined in Annex 1, as appropriate;
  - e) after due consultation, and having satisfied itself that the biological and trade status of the species justify the action, submit to the Secretariat its considerations under paragraph 1 a) to d) above, specifying the following, in accordance with paragraph 1 of Article XVI of the Convention:
    - i) the scientific name of the species it is submitting for inclusion in Appendix III; and,
    - ii) any readily recognizable parts and derivatives to be included, unless it intends to include all readily recognizable parts and derivatives;
  - f) ensure that any proposed annotation that is part of a request to include a species in Appendix III includes those specimens that first appear in international trade as exports from its territory and that dominate the trade and the demand for the wild resource and is, to the extent practicable, harmonized with relevant existing annotations;
  - g) take into consideration the implementation challenges that would be caused by restricting the listing to specific national populations, noting that this should be generally avoided; and
  - h) consult with the Secretariat, the Standing Committee and, as appropriate, the Animals Committee or Plants Committee, to ensure that any proposed annotation that is part of a request to include a species in Appendix III (and any definitions developed that define terms in the annotation, as appropriate) is clear and unambiguous, and likely to be understood by enforcement personnel and user groups;
2. DIRECTS the Secretariat:
    - a) to communicate to the Parties any Appendix-III listing submitted by a Party as soon as possible after receiving it, in accordance with paragraph 2 of Article XVI;
    - b) to publish the changed Appendices I, II and III together after each meeting of the Conference of the Parties, or at other times when warranted; and
    - c) before communicating to Parties the inclusion of a species in Appendix III, to ensure that copies of all relevant national laws and regulations have been received from the Party concerned in accordance with paragraph 4 of Article XVI;
  3. RECOMMENDS further that, unless there is an urgent need for inclusion, a Party intending to include a species in, or delete a species from, Appendix III inform the Secretariat of its intention at least three months before a meeting of the Conference of the Parties, in order that the Parties are informed of the amendment in time to ensure that it enters into force on the same date as amendments to Appendices I and II adopted at the meeting;
  4. RECOMMENDS that, if a Party has made a reservation with regard to any species included in Appendix I or II, it not request that this species be included in Appendix III;
  5. REQUESTS that, upon request, the Animals or Plants Committee assist Parties in reviewing the status of species in Appendix III, subject to available resources;

6. URGES Parties having included species in Appendix III to review periodically the status of these species, seek assistance of the Animals or Plants Committee in undertaking the review mentioned in paragraph 5 of this Resolution, if necessary, and taking into account these guidelines and any recommendations of the Animals and Plants Committees, to consider the necessity to maintain the species in Appendix III;
7. RECOMMENDS that a Party having listed a species in Appendix III remove that species from Appendix III if the species is no longer subject to regulation within its jurisdiction for the purpose of preventing or restricting exploitation, if it no longer requires the cooperation of other Parties in controlling the trade, or if it no longer occurs in international trade;
8. RESOLVES that, when any species already included in Appendix III is subsequently included in Appendix I or II, it shall be deleted from Appendix III;

***Implementation of Appendix-III listings***

9. URGES Parties, when implementing the Convention for species included in Appendix III, to follow the decision table included in Annex 2, and the guidance included in Annex 3 to the present Resolution; and
10. REPEALS the Resolutions, or parts thereof, listed hereunder:
  - a) Resolution Conf. 1.3 (Bern, 1976) – *Deletion of species from Appendix II or III in certain circumstances* – paragraph b);
  - b) Resolution Conf. 1.5 (Bern, 1976) – *Recommendations Concerning the Interpretation and Implementation of Certain Provisions of the Convention* – paragraphs 3, 4 and 5;
  - c) Resolution Conf. 1.5 (Rev. CoP12) (Bern, 1976, as amended at Fort Lauderdale, 1994, and Santiago, 2002) – *Interpretation and implementation of certain provisions of the Convention*;
  - d) Resolution Conf. 5.22 (Buenos Aires, 1985) – *Criteria for the Inclusion of Species in Appendix III* – paragraphs a) and b) under RECOMMENDS and the paragraph under REQUESTS;
  - e) Resolution Conf. 7.15 (Lausanne, 1989) – *Amendments to Appendix III*; and
  - f) Resolution Conf. 8.23 (Kyoto, 1992) – *Review of Appendix III*.

**Additional considerations for Appendix-III listings**

Parties that intend to list a species in Appendix III may wish to consider these additional trade and biological considerations, as appropriate, noting however, that this is not required under the Convention.

1. Trade status:

- a) documented, suspected, possibly new or rapidly increasing exports of a species not currently regulated under CITES;
- b) increased availability of the species in international markets;
- c) species known or suspected to be in illegal trade;
- d) uncertainty regarding the volume of international trade and an interest to monitor levels of such trade; and
- e) increasing trade in, or demand for a species which is demonstrably difficult to breed and maintain in captivity, or to artificially propagate;

2. Biological aspects and characteristics:

- a) the conservation status of the species under available assessments, and any conservation concerns due to international trade that these assessments may indicate;
- b) species with intrinsic biological characteristics that make them especially vulnerable to harvest, trade, habitat loss or climate change, including, but not limited to:
  - i) species with habitat or food specializations in at least one life stage;
  - ii) species that are easy to detect or collect, or both (e.g. sessile or sedentary species); and
  - iii) species with high age of maturity, low reproductive output, high natural mortality rate, or occurrence in low abundances;
- c) harvest and trade effects in relation to the species' biology and life history characteristics, including but not limited to:
  - i) species range;
  - ii) population structure, status and trends; and
  - iii) age- or sex-specific offtake;
- d) endemism in combination with other characteristics recommended for consideration, noting that endemism by itself is generally not recommended as useful for considering whether a species belongs in Appendix III;

Resolution Conf. 9.25 (Rev. CoP18)  
ANNEX 2

**Decision table on permitting requirements for Appendix-III listings**

Type of Appendix-III listing	Exporting or re-exporting State	Permitting requirements	Provision of the Convention
1. A species is included in Appendix III wherever it occurs	1.1. Export from any State that included the species in Appendix III	Prior grant and presentation of a CITES export permit issued by the Management Authority of the State of export.	Article V, paragraph 2
	1.2. Export from any State other than the State that included the species in Appendix III	CITES certificate of origin issued by the Management Authority of the State of export.	Article V, paragraph 3
	1.3. Re-export from any State of specimens of species included in Appendix III	CITES re-export certificate issued by the Management Authority of the State of re-export.	Article V, paragraph 4
2. Only a national population of a species is included in Appendix III	2.1. Export from any State that has included its population in Appendix III	Prior grant and presentation of a CITES export permit issued by the Management Authority of the State of export.	Article V, paragraph 2
	2.2. Re-export of specimens that originated in a population that is included in Appendix III	CITES re-export certificate issued by the Management Authority of the State of re-export.	Article V, paragraph 4
	2.3. Export or re-export of specimens that originated from a population that is <b>not</b> included in Appendix III	No CITES document is required.	N/A



### Guidance for understanding the scope of Appendix-III listings

1. When a species is included in Appendix III wherever it occurs.

*Example 1:*

Appendix III reads: “**Species x** (Country A)”

Indicating that *Species x* has been included in Appendix III wherever it occurs at the request of Country A. Country A is a range State of species x.

*Example 2:*

Appendix III reads: “**Species y** (Country B, Country C)”

Indicating that *Species y* has been included in Appendix III wherever it occurs at the request of both Country B and C. Country B and C are range States of species y.

*Example 3:*

Appendix III reads: “**Species z** <sup>#w</sup> (Country D, Country E. In addition, the following countries have listed their national populations: Country F, Country G, and Country H)”

Indicating that for *Species z*:

- Countries D and E have both included the species in Appendix III wherever it occurs; and
- Countries F, G and H have included their national populations in Appendix III

Annotation #w specifies the parts and derivatives covered by the listing.

2. When only the listing Party’s national population of the species is included in Appendix III.

*Example 4:*

Appendix III reads: “**Species v** (population of Country J)”

Indicating that for *Species v*, only the population of Country J is included in Appendix III, at the request of Country J.

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 Secretariat considers the work implications associated with the proposed draft decision (Annex 1) directed to the Animals, Plants and Standing Committees would be undertaken in the course of their regular Committee business, and would have no direct financial implications, beyond the overall support to the Committee meetings agreed by the Conference of the Parties. Regarding the proposed modifications to the Resolution Conf. 9.25 (Rev. CoP17) (Annexes 2 and 3), their financial implications are, if any, negligible.