

**First meeting of the Conference of the Parties  
Berne (Switzerland), 2-6 November 1976**

---

TABLE OF CONTENTS

Conf. 1.1	1
Criteria for the Addition of Species and Other Taxa to Appendices I and II and for the Transfer of Species and Other Taxa from Appendix II to Appendix I.....	1
Conf. 1.2	2
Criteria for the Deletion of Species and Other Taxa from Appendices I and II.....	2
Conf. 1.3	3
Deletion of Species from Appendix I or II in Certain Circumstances.....	3
Conf. 1.4	4
Museum and Herbarium Inventories.....	4
Conf. 1.5	5
Recommendations Concerning the Interpretation and Implementation of Certain Provisions of the Convention.....	5
Conf. 1.6	7
Resolutions adopted by the Plenary Session.....	7
Conf. 1.7	8
Resolution for Special Working Session on Implementation Issues.....	8
Conf. 1.8	9
Resolution Concerning the Secretariat of the Convention.....	9
Conf. 1.9	12
Resolution on Ratification or Accession by Non-Party States.....	12

## Conf. 1.1

### **Criteria for the Addition of Species and Other Taxa to Appendices I and II and for the Transfer of Species and Other Taxa from Appendix II to Appendix I**

#### THE FIRST MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION

DECIDED that in determining the appropriate appendix into which a species or other taxon should be placed the biological and trade status of the taxon should be evaluated together.

#### Appendix I

1. Biological status. To qualify for Appendix I, a species must be currently threatened with extinction. Information of any of the following types should be required, in order of preference: (a) scientific reports on the population size or geographic range of the species over a number of years, (b) scientific reports on the population size or geographic range of the species based on single surveys, (c) reports by reliable observers other than scientists on the population size or geographic range of the species over a number of years, or (d) reports from various sources on habitat destruction, heavy trade or other potential causes of extinction. Genera should be listed if most of their species are threatened with extinction and if identification of individual species within the genus is difficult. The same should apply to the listing of any smaller taxa within larger ones. If most of the smaller taxa are not threatened, but identification of individual species is difficult, the entire larger taxon should be placed on Appendix II. Taxa listed in Appendix I, because of difficulty in separating them from endangered forms within the same taxa, should be annotated as such in the appendix.

2. Trade status. Species meeting the biological criteria should be listed in Appendix I if they are or may be affected by international trade. This should include any species that might be expected to be traded for any purpose, scientific or otherwise. Particular attention should be given to any species for which such trade might, over a period of time, involve numbers of specimens constituting a significant portion of the total population size necessary for the continued survival of the species. The biological status and trade status of a species are obviously related. When biological data show a species to be declining seriously, there need be only a probability of trade. When trade is known to occur, information on the biological status need not be as complete. This principle especially applies to groups of related species, where trade can readily shift from one species that is well-known to another for which there is little biological information.

#### Appendix II

1. Biological status. To qualify for Appendix II, species need not currently be threatened with extinction, but there should be some indication that they might become so. Such an indication might be a decreasing or very limited population size or geographic range of distribution. Information on biological status should be one of the types required for Appendix I species. Genera should be listed if some of their species are threatened and identification of individual species within the genus is difficult. The same should apply to listing any smaller taxa within larger ones.

2. Trade status. Species meeting the biological criteria should be listed if they presently are subject to trade or are likely to become subject to trade. The latter situation can arise where heavy trade in one species is extended to include similar species if the demand grows or if supplies of the one species are depleted. The amount of trade that a species can sustain without threat of extinction generally will be greater for species in Appendix II than for those in Appendix I, so there should be evidence of actual or expected trade in such a volume as to constitute a potential threat to survival of the species. Appendix II serves in part as a monitoring tool (Article IV.3) to gather such trade data.

## **Conf. 1.2**

### **Criteria for the Deletion of Species and Other Taxa from Appendices I and II**

CONSIDERING that criteria for the addition of taxa to Appendix I or II and for the transfer of taxa from Appendix II to Appendix I have been adopted;

#### **THE FIRST MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION**

RESOLVES that the deletion of a plant or animal taxon from Appendix I or II or the reduction of protection given to this taxon by transfer from Appendix I to Appendix II is a serious matter that should be approached with caution. This caution is required for the following reasons:

The addition to and deletion from the appendices to be different problems requiring different approaches by the Conference. If an error is made by the Conference by unnecessarily placing a plant or animal on an appendix, the result is the imposition of a documentation requirement. If however, it errs in prematurely removing a plant or animal from protection, or lowering the level of protection afforded, the result can be the permanent loss of the resource. If it errs it should be therefore toward protection of the resource.

Criteria for deletion, or transfer from Appendix I to Appendix II, should require positive scientific evidence that the plant or animal can withstand the exploitation resulting from the removal of protection. This evidence must transcend informal or lay evidence of changing biological status and any evidence of commercial trade which may have been sufficient to require the animal or plant to be placed on an appendix initially. Such evidence should include at least a well documented population survey, an indication of the population trend of the species, showing recovery sufficient to justify deletion, and an analysis of the potential for commercial trade in, the species or population.

In addition to the need for sufficient evidence prior to any action by the Conference to reduce protection for plants or animals presently listed. it is advisable to contact the country or countries of origin prior to this action. Many of the species or taxa on the present lists were placed there at the request of countries which may not be represented at the Conference. The information from countries of origin and from the Secretariat should be made available to the Parties for examination in a written form prior to action by the Conference.

CONSIDERING further that some species or taxa of plants and animals may be incorrectly placed on the present appendices, and that there are, fundamental practical problems of implementation of the present lists,

#### **THE FIRST MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION**

RESOLVES that the appendices should be examined in their entirety, species by species, by a technical conference that could be held in the near future or by some other means.

## Conf. 1.3

### Deletion of Species from Appendix I or II in Certain Circumstances

THE FIRST MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RESOLVES that:

- a) No species can be included in more than one appendix;
- b) Where a species is added to Appendix I the Secretariat is authorised, where appropriate, to delete that species from Appendix II and after reference to the interested Party from Appendix III. If a species is added to Appendix II, that the Secretariat is similarly authorised after reference to the interested Party to delete it from Appendix III.

For the purpose of this Resolution the term "species" is subject to the qualifications set out in paragraph 4 of the interpretation of Appendix II\*.

---

\* *Reference should rather be made to the definition of the term "species" as given in Article 1 (a) of the Convention. (Note from the Secretariat).*

## **Conf. 1.4**

### **Museum and Herbarium Inventories**

CONSIDERING that museum needs for research specimens can have adverse impact on small populations of rare animals and plants;

THE FIRST MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS that:

1. In order to reduce this potential impact the Parties encourage their natural history museums and herbaria to inventory their holdings of rare and endangered species and make that information widely available to the Parties and the research community. These inventories will allow researchers to efficiently borrow specimens for study;
2. Addenda should be added to the inventories as specimens become available. Scientific and Management Authorities of the Parties can use the information in determining whether further collecting of some rare species may be justifiable, or whether the need already can be met by borrowing specimens from other museums. Several museums in the US and United Kingdom have already instituted computer cataloguing that may meet this need; and
3. That Parties urge their museums and herbaria to undertake such inventories and make such information available.

**Recommendations Concerning the Interpretation and Implementation  
of Certain Provisions of the Convention**

CONSIDERING the difficulties in implementation and interpretation of certain provisions of the Convention;

**THE FIRST MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION**

ADOPTS the following recommendations:

1. Any species or any parts or derivatives, being subject to reservation (Article XXIII) by any Party, must be treated by Parties as if coming from a State not Party to the Convention (Article X). If a country makes a reservation on any species listed in Appendix I or II, that country could not propose that this species be listed in Appendix III.
2. For the purpose of practical use, corrections of errors of an orthographical nature, of misprints, and of other purely factual errors may be made by consensus agreement. However, changes in the text of the Convention must necessarily follow the amendment procedure provided for by the Convention.
3. As a temporary measure, to facilitate the implementation of the Convention, Parties listing species in Appendix III should specify that all readily recognisable parts and derivatives should be covered.
4. The Secretariat should not communicate to contracting Parties national proposals for additions to Appendix III prior to receiving copies of all national laws and regulations applicable to the protection of such species in that country (Article XVI, para. 4).
5. When domestic legislation is adequate to protect a species, it should not be added to Appendix III; however, species occurring in a country and not appearing on Appendix I or II could be added to Appendix III when international control is needed to provide proper protection.
6. Parties should apply Article X so that all trade in listed fauna and flora from non-Parties requires equivalent documentation to that required of Parties to the Convention.
7. Models of permits and certificates provide guidance to the Parties, but import permits, being purely internal documents, need not to be standardised. Further experience is necessary before considering standardisation of export permits.
8. The exchange of registered herbarium specimens could be facilitated using existing customs declaration forms. The exporter should write on the form in manuscript "CITES" (acronym for the Convention), a description such as "herbarium specimens" and the code letter for his institution as designated in the "Index Herbarium" published by Costhoek, Scheltema and Holkema, Emmalaan 27, Utrecht, Netherlands in 1974 for the International Bureau for Plant Taxonomy and Nomenclature.
9. Further study should be undertaken to investigate methods for facilitating the exchange of preserved animal specimens of registered scientific institutions.
10. The presentation of Appendices I and II should be altered during the next modification of their content so that for any given family Appendices I and II are set out side by side.
11. Direct communications between the Management Authority are essential and should be established for proper implementation of the Convention.
12. The Secretariat should provide Parties continuously with updated lists of Management Authorities and their authenticating seals.

---

\* This document was prepared after the meeting from Conference paper Com. II 1.6 (Rev.) which was accepted by the Plenary Session without amendments. (Note from the Secretariat).

13. The calendar year of January 1 to December 31 should be adopted as the annual year for report purpose for the Convention.
14. The Conference of the Parties invites the Secretariat to take note of the following proposals which should be put on the agenda of the first extraordinary Conference of the Parties, whenever this may be convened, as amendments to the Convention:
  - a) The provisions of Article XVI, regarding the listing of Appendix III parts and derivatives, should be brought into line with Convention procedures for Appendices I and II (Article XV).
  - b) Paragraph 5 of Article XIV should read: "Notwithstanding the provisions of Article IV any export of a specimen" etc.
  - c) Paragraphs 3b and 5b of Article III should include "either a Management Authority of a Scientific Authority of the State" etc.
  - d) Correction of errors of an orthographical nature discovered in the text of the Convention.

**Resolutions adopted by the Plenary Session**

1. The Conference of the Parties has decided to retain the term TESTUDINATA in preference to TESTUDINES in the appendices of the Convention.
2. The Conference of the Parties has decided that any proposals not considered by the Conference of the Parties be returned to their authors with the request that they reconsider them in the light of the criteria adopted by the Conference of the Parties. Amendments in conformity with these criteria should be returned again to the Secretariat which will communicate them to the Parties for decision by postal vote.
3. The Conference of the Parties, recognising that there are a number of plant species that appear on the appendices which do not meet the criteria adopted by this Conference, recommends that a review be undertaken by the Threatened Plants Committee of IUCN to make proposals in sufficient time, with necessary documentation, to enable the Parties to take appropriate action as soon as possible.
4. RECOGNISING the biological significance of island fauna and flora and their vulnerability to habitat change and other disturbance; and

APPRECIATING that island forms are often endemic taxa which may be difficult to distinguish from mainland forms and therefore often not suitable for listing in the appendices of the Convention;

**THE FIRST MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION**

URGES Governments with jurisdiction over rare island fauna and flora to take every opportunity to protect them and their vanishing habitats.

5. Many species of animals which are popular in the pet trade are becoming rare or even endangered due both to overexploitation and diminishing habitats. Mortality in trade and captivity is high. This Conference urges exporting countries to endeavour to restrict gradually the collection of wild animals for the pet trade and that all contracting Parties encourage the breeding of animals for this purpose, with the objective of eventually limiting the keeping of pets to those species which can be bred in captivity.

---

\* *This document was prepared after the meeting from the Conference papers Com.I 1.12 and Com.II 1.9 which were accepted by the Plenary Session after being amended. (Note from the Secretariat).*



**Resolution for Special Working Session on Implementation Issues**

CONSIDERING recent discussions which identified particular areas concerning the implementation of the Convention that could best be considered by technical experts in the fields of law enforcement, customs control, zoology, botany, and the veterinary sciences, and having regard to Conference Documents 1.18, 1.19, 1.21 and 1.35

**THE FIRST MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION**

**RESOLVES:**

1. That a small Steering Committee be established to coordinate with the Secretariat the organisation of a special working session to take place within 6 months to one year at a convenient and appropriate location; this Committee should also assist in the organisation of the second regular meeting of the Conference of the Parties;
2. That this Committee contact the various Parties and Signatories to this Convention to determine the degree of interest and expected participation at such a special working session;
3. That prior to the special working session, the Committee solicit from the various Parties and Signatories to this Convention all available guides and materials concerning the identification of specimens of listed species under this Convention, with the goal of providing the maximum preparatory work;
4. That the general terms of reference for this special working session be set forth as follows:
  - a) The development of identification aids to facilitate the enforcement of trade restrictions under the Convention;
  - b) The development of guidelines on the care and shipment of live specimens of species listed under the Convention;
  - c) The consideration of points raised in the discussion paper on the control of "readily recognisable parts and derivatives" of species listed under the Convention and subsequent Committee discussion upon it;
  - d) The consideration of the feasibility of applying a similar procedure to that recommended in the discussion paper, regarding the exchange of herbarium specimens, so as to include preserved animal specimens of registered scientific institutions; and
  - e) An analysis of Appendices I and II for scientific validity with a view to making recommendations to the next meeting of the Parties.
5. That in accordance with all of the foregoing items, the Secretariat with the assistance of the Committee convene such a special working session. The goal of this session is to produce such items of practical use as will, in the session's judgement, be most helpful in the implementation of the Convention.

---

\* This document was prepared after the meeting from Conference paper Com.II.1.3 (Rev.) adopted by the Plenary Session after being amended. (Note from the Secretariat).

**Resolution Concerning the Secretariat of the Convention**

NOTING that Article XII, paragraph 1 of the Convention states that the Executive Director of the United Nations Environment Programme shall provide a Secretariat; and

RECOGNIZING that the Plenipotentiary Conference to Conclude an International Convention on Trade in Certain Species of Wildlife, held in Washington in 1973, decided not to establish an intergovernmental body to carry forward the work of the Convention, but instead provided for a strong Secretariat whose functions are clearly set out in the Convention;

**THE FIRST MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION**

RESOLVES that a strong Secretariat is essential to the proper implementation of the Convention;

RECOGNIZES, with appreciation, the contribution made by UNEP to date;

RECOGNIZES, also that the Secretariat does not now have adequate resources to deal with its increasing workload and to meet its full responsibilities under the Convention;

URGES

- (1) that the Executive Director of UNEP provide further Secretariat capabilities based on the analysis presented in the attached paper; and
- (2) that the Parties give strong support at the May 1977 meeting of the UNEP Governing Council for the question of a reinforced Secretariat to be considered and treated by the Council as a matter of high priority.

**Annex**

Introduction

The UNEP/IUCN Contract for Secretariat services expires at the end of June, 1977. Activity under the Convention has, so far, been relatively light and the Secretariat has performed its role satisfactorily.

However:

- over 30 States are now Party to the Convention and more will soon ratify or accede, which may involve the use of more official languages;
- activity will increase considerably after the November meeting;
- the effectiveness of the Convention will depend, to a large extent, upon the effectiveness of the Secretariat.

Background

The Convention assigns a number of responsibilities and sets forth a number of functions to be performed by a permanent Secretariat. These are set forth in:

- A. Article VIII, 4 and 7: Consultation on the disposition of living specimens, receipt of periodic reports from Parties; summarization of permits issued, specimens involved, etc., and preparation of an annual report thereon; preparation of biennial report on legislative regulatory and administrative measures and related activities;

---

\* This document was prepared after the meeting from Conference paper Com.II.1.7 adopted by the Plenary Session after being amended. (Note from the Secretariat).

- B. Article IX, 2, 3 and 4: Establish communication with National Authorities; keep all Parties continually informed of changes in National Authorities; obtain specimens of stamps, seals, etc., used by Management Authorities;
- C. Article XI, 1, 2, 3 and 7: Convene regular meetings of the Parties at least every two years and extraordinary meetings as requested; submit reports to and carry out instructions received from Parties to such meetings; coordinate attendance to such meetings;
- D. Article XII: Sets forth specific charges to the Secretariat. That Article reads as follows:

"Article XII

1. Upon entry into force of the present Convention, a Secretariat shall be provided by the Executive Director of the United Nations Environment Programme. To the extent and in the manner he considers appropriate, he may be assisted by suitable inter-governmental or non-governmental international or national agencies and bodies technically qualified in protection, conservation and management of wild fauna and flora.

2. The functions of the Secretariat shall be:

- (a) to arrange for and service meetings of the Parties;
- (b) to perform the functions entrusted to it under the provisions of Articles XV and XVI of the present Convention;
- (c) to undertake scientific and technical studies in accordance with programmes authorized by the Conference of the Parties as will contribute to the implementation of the present Convention, including studies concerning standards for appropriate preparation and shipment of living specimens and the means of identifying specimens;
- (d) to study the reports of Parties and to request from Parties such further information with respect thereto as it deems necessary to ensure implementation of the present Convention;
- (e) to invite the attention of the Parties to any matter pertaining to the aims of the present Convention;
- (f) to publish periodically and distribute to the Parties current editions of Appendices I, II and III together with any information which will facilitate identification of specimens of species included in those appendices;
- (g) to prepare annual reports to the Parties on its work and on the implementation of the present Convention and such other reports as meetings of the Parties may request;
- (h) to make recommendations for the implementation of the aims and provisions of the present Convention, including the exchange of information of a scientific or technical nature;
- (i) to perform any other function as may be entrusted to it by the Parties".

- E. Article XIII: Monitor trade in specimens of species on Appendix I or II; advise appropriate Parties that a species is being adversely affected or that provisions of the Convention are not being effectively implemented; receive responses to such communications; present facts contained in such communications to next meeting of contracting Parties for appropriate action;
- F. Article XV: Coordinate and comment upon proposed amendments to Appendices I and II;
- G. Article XVI: Coordinate amendments of Appendix III; advise Parties of such amendments; receive National laws, regulations, etc., pertaining to the species and products on the various Appendix IIIs;
- H. Article XVII: Coordinate extraordinary meetings called for the purpose of amending the Convention.

Five languages are recognized (English, French, Spanish, Russian and Chinese) as equally authentic.

The United Nations Environment Programme was named Secretariat and has contracted the IUCN to perform this service.

#### Proposed Staff and Functional Responsibilities

1. Scientific and Technical Coordination – This Secretariat unit would be responsible for coordinating the review of and comment upon (where appropriate) amendments to the appendices, identification aids, shipping and housing criteria and other matters requiring biological expertise. The Secretariat role would be principally one of coordination, standardization of formats, development of systems, criteria, etc. Scientific input would be solicited from National Scientific Authorities, known scientific specialists, and principally from the IUCN Survival Service Commission (preferably under a "Sub-Contract" arrangement).
2. Statistical Coordination – This Secretariat unit would be responsible for developing standardized methods, techniques and formats for gathering, compiling, and reporting upon numbers of permits issued, specimens involved and related matters and would insure the proper analysis of such statistics to detect trends which may be detrimental to the species.

It is possible that much of this analysis could be performed, under a "Sub-Contract" arrangement, by the IUCN/SSC/TRAFFIC Group.

3. Legal Coordination – This unit would coordinate the acquisition, compilation, interpretation and distribution of relevant National laws, regulations, decrees, etc.

It is possible that much of the compilation, interpretation and other appropriate aspects could be performed, under a "Sub-Contract" arrangement, by the IUCN Environmental Law Commission.

4. Administration of the Secretariat – This unit would provide overall direction to the Secretariat and would handle the budgetary, personnel, contractual, logistical and administrative matters, including translation.

#### Recommendations for Staffing of the Secretariat

It is the considered opinion of the Conference of the Parties to the Convention that, at present, the minimum staff requirements for the Secretariat in order to fulfil its functions, as set out in the Convention, are:

Executive Secretary	1
Combined Scientific, Technical, Statistical and Legal Officers	5
Administrator	1
Secretaries	3
Translators	1

The question of staffing and other requirements would, of course, have to be reviewed as the number of Parties to the Convention increases. Presumably there will be a requirement for translators for other languages in due course.

There must be adequate provision budgeted in advance for the arrangement of meetings, the use of consultants, various other consultative mechanisms and sub-contracts.

## **Conf. 1.9\***

### **Resolution on Ratification or Accession by Non-Party States**

RECOGNIZING that this Convention covers all the world's wildlife including that occurring in the high seas, and that such wildlife knows no political boundaries;

AWARE that the ultimate effectiveness of this Convention depends on its universal application;

CONSCIOUS of the spirit of universality that prevailed at the 1973 Plenipotentiary Conference where this Convention was adopted and kept open indefinitely for accession;

#### **THE FIRST MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION**

URGES that those States that are not participating fully should ratify or accede to the Convention at the earliest possible opportunity and, until they become Parties, should act in the spirit of the Convention; and

REQUESTS the Secretariat to transmit to them this resolution and the proceedings of the first Conference of the Parties.

---

\* *This document was prepared after the meeting from Conference paper Com.II.1.8 accepted by the Plenary Session without amendments. (Note from the Secretariat).*