

# Conf. 14.1

## Financing and the costed programme of work for the Secretariat for the triennium 2009-2011

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RECALLING that the financial amendment to the Convention, adopted in Bonn in 1979, entered into force on 13 April 1987;

RECALLING Resolution Conf. 13.1 adopted at the 13th meeting of the Conference of the Parties (Bangkok, 2004);

HAVING NOTED the 2004-2006 actual expenditures incurred by the Secretariat [document CoP14 Doc. 7.1 (Rev. 1)];

HAVING NOTED the revised estimates of expenditures for 2007 presented by the Secretariat [document CoP14 Doc. 7.2 (Rev. 1)];

HAVING REVIEWED the proposed costed programme of work for the triennium 2009-2011, submitted by the Secretariat [document CoP14 Doc. 7.3 (Rev. 1)];

RECOGNIZING the continuing need for administrative and financial arrangements between the Parties and the Executive Director of UNEP;

NOTING the considerable increase in the number of Parties to the Convention; the need for greater assistance to the Parties to achieve more effective implementation; the necessity to provide adequately for implementation of all Decisions and Resolutions of the Conference of the Parties as well as the *Strategic Vision: 2008-2013*, and the resulting increasing expenditure incurred by the Secretariat;

### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

ACCEPTS the report of expenditures for the triennium 2004-2006 and APPROVES the estimates of expenditure for the year 2007;

INSTRUCTS the Secretariat to develop a costed programme of work based on the Strategic Vision adopted at CoP14, taking into account available staffing resources and financial means and to submit it for consideration of the Standing Committee at its 57th meeting;

DECIDES that the costed programme of work for the triennium 2009-2011 shall be covered by contributions from the Parties for the amount of USD 4,904,991 for 2009, USD 5,426,937 for 2010 and USD 5,150,247 for 2011 and ADOPTS the scale of contributions for 2009, 2010 and 2011 as contained in Annex 1;

INSTRUCTS the Secretariat, where activities that are to be externally-funded are concerned, to proactively seek funds, preferably non-earmarked, for the implementation of those with priority A and to subsequently seek funds for those with priority B;

REQUESTS the Secretariat to maintain an operating cash reserve of USD 700,000 to ensure financial liquidity and AUTHORIZES the Secretariat to draw additional funds from the CITES Trust Fund balance at the end of each year, provided that it is not reduced below USD 700,000 at the commencement of each year;

APPROVES the Terms of Reference for the Administration of the Trust Fund, in Annex 2, for the financial period beginning on 1 January 2009 and ending on 31 December 2011;

AGREES that:

- a) contributions to the Trust Fund shall be based on the United Nations scale of assessment, as amended from time to time, adjusted to take account of the fact that not all members of the United Nations are Parties to the Convention;
- b) any other basis of assessment of contributions shall not be used without the consent of all Parties present and voting at a meeting of the Conference of the Parties;

- c) any change in the basic scale of contributions which would increase the liability of a Party to contribute, or would impose a new such liability, shall not apply to that Party without its consent, and that any proposal to change the basic scale of contributions from that currently in use shall only be considered by the Conference of the Parties if notice of such proposal has been communicated by the Secretariat to all Parties at least 150 days before the meeting; and
- d) Parties should pay their contributions to the Trust Fund in accordance with the agreed scale and, whenever possible, should make special contributions to the Trust Fund above their assessed contributions;

REQUESTS all Parties to pay their contributions as far as possible during the year prior to the one to which they relate or, otherwise, promptly by the beginning of the calendar year (1 January to 31 December) to which the contributions apply;

NOTES with concern that a number of Parties have not paid their contributions to the core budget (CITES Trust Fund) for 2006 and prior years which were due on 1 January of each year, thus affecting adversely the implementation of the Convention;

RECOMMENDS all Parties with arrears, that have ratified the amendment on the Convention adopted on 22 June 1979, to pay without delay and, in the event that there is no improvement in the payment of contributions by Parties, INVITES the Secretary-General to submit proposals with a facilitative approach for dealing with non-payment of contributions by Parties for consideration and review by the Conference of the Parties at its 15th meeting;

URGES all Parties that have not yet done so to deposit as soon as possible an instrument of acceptance of the amendments to the Convention adopted on 22 June 1979 and 30 April 1983;

INVITES States not Parties to the Convention, other governmental, inter-governmental and non-governmental organizations, and other sources to contribute to the CITES Trust Fund;

INVITES all Parties to support, through their representatives in UNEP, UNDP and the World Bank, the requests for additional funding of CITES-related projects by the Global Environment Facility;

DECIDES that the standard participation charge for all observer organizations other than the United Nations and its specialized agencies shall be set at a minimum of USD 600 (except as otherwise decided by the Secretariat as required) and URGES such organizations to make a greater contribution if possible at least to meet their effective costs of participation;

AGREES that:

- a) all meetings of the Conference of the Parties and all regular meetings of the Standing Committee, the Animals Committee and the Plants Committee should be held in Geneva unless a candidate host country pays the difference in costs between its proposed venue and Geneva; and
- b) no more than two regular meetings each of the Standing Committee, and the Animals and Plants Committees should be convened between regular meetings of the Conference of the Parties;

DECIDES that the CITES Trust Fund should not be used to cover travel costs and *per diem* of committee members and other representatives from developed countries;

INSTRUCTS the Standing Committee:

- a) to establish a Finance and Budget Subcommittee for the consideration of all financial and budgetary matters, which shall:
  - i) meet one day prior to the start of every regular meeting of the Standing Committee, and shall work intersessionally by electronic or other means; and
  - ii) work with the Secretariat to prepare all financial and budgetary documents for consideration by the Standing Committee;

- b) to develop the terms of reference for the Finance and Budget Subcommittee under which it will operate until these terms of reference are endorsed at the 15th meeting of the Conference of the Parties;
- c) to develop a roadmap to put the CITES Trust Fund on a sustainable footing; and
- d) to report at the meetings of the Conference of the Parties, making recommendations on all financial and budgetary documents and proposals developed through this process;

INSTRUCTS the Secretariat:

- a) to make provisions for all the costs the Secretariat incurs, including staff costs, when seeking funds for the implementation of externally-funded projects;
- b) in consultation with proponent Parties, when necessary, to advise the Conference of the Parties on proposals with budgetary implications, including staff costs; and
- c) in consultation with the Chairs of the Animals and Plants Committees, to assign scientific consultants and define terms of reference for specific science-based projects. Such a process should be implemented in a fashion that would not have a negative impact on the budget but rather effectively utilize the scientific excellence of the Parties which is available to the Secretariat via the Chairs of the technical committee;

DECIDES that:

- a) in respect of the review of activities in any work unit, the Secretary-General shall have the authority to make staffing decisions as necessary to implement the priorities of the Parties within the overall budget and in accordance with the UN rules; and
- b) any change in the costed programme of work of the Secretariat deriving from a new resolution or decision shall be made only if the source of the necessary additional funds has been decided or if that programme is reprioritized at the time such a resolution or decision is adopted by the Conference of the Parties; and

REPEALS the following Resolutions, which however remain on the record as an indication of the agreed levels of annual contributions for Parties that have not paid the amounts due:

- a) Resolution Conf. 2.1 (San José, 1979) – Financing of the Secretariat and of Meetings of the Conference of the Parties;
- b) Resolution Conf. 3.2 (New Delhi, 1981) – Financing of the Secretariat and of Meetings of the Conference of the Parties;
- c) Resolution Conf. 4.3 (Gaborone, 1983) – Financing and Budgeting of the Secretariat and of Meetings of the Conference of the Parties;
- d) Resolution Conf. 5.1 (Buenos Aires, 1985) – Financing and Budgeting of the Secretariat and of Meetings of the Conference of the Parties;
- e) Resolution Conf. 6.2 (Ottawa, 1987) – Financing and Budgeting of the Secretariat and of Meetings of the Conference of the Parties;
- f) Resolution Conf 7.2 (Rev. CoP12) (Lausanne, 1989, as amended at Santiago, 2002) – Financing and budgeting of the Secretariat and of meetings of the Conference of the Parties;
- g) Resolution Conf 8.1 (Rev. CoP12) (Kyoto, 1992, as amended at Santiago, 2002) – Financing and budgeting of the Secretariat and of meetings of the Conference of the Parties;
- h) Resolution Conf. 9.2 (Rev. CoP12) (Fort Lauderdale, 1994, as amended at Santiago, 2002) – Financing and budgeting of the Secretariat and of meetings of the Conference of the Parties;

- i) Resolution Conf. 10.1 (Rev. CoP12) (Harare, 1997, as amended at Santiago, 2002) – Financing and budgeting of the Secretariat and of meetings of the Conference of the Parties;
- j) Resolution Conf. 11.2 (Rev. CoP12) (Gigiri, 2000, as amended at Santiago, 2002) – Financing and budgeting of the Secretariat and of meetings of the Conference of the Parties;
- k) Resolution Conf. 12.1 (Santiago, 2002) – Financing and budgeting of the Secretariat and of meetings of the Conference of the Parties; and
- l) Resolution Conf. 13.1 (Bangkok, 2004) – Financing and budgeting of the Secretariat and of meetings of the Conference of the Parties.

## Annex 1

## Trust Fund for the Convention on International Trade in Endangered Species of Wild Fauna and Flora

SCALE OF CONTRIBUTIONS FOR THE TRIENNium 2009-2011  
in US dollars (USD)

Party	UN scale for 2009 %	CITES adjusted scale %	2009-2011 contributions	Annual contributions
Afghanistan	0.00100	0.00100	155	52
Albania	0.00600	0.00602	931	310
Algeria	0.08500	0.08522	13,193	4,398
Antigua and Barbuda	0.00200	0.00201	310	103
Argentina	0.32500	0.32583	50,445	16,815
Australia	1.78700	1.79155	277,371	92,457
Austria	0.88700	0.88926	137,676	45,892
Azerbaijan	0.00500	0.00501	776	259
Bahamas	0.01600	0.01604	2,483	828
Bangladesh	0.01000	0.01003	1,552	517
Barbados	0.00900	0.00902	1,397	466
Belarus	0.02000	0.02005	3,104	1,035
Belgium	1.10200	1.10480	171,048	57,016
Belize	0.00100	0.00100	155	52
Benin	0.00100	0.00100	155	52
Bhutan	0.00100	0.00100	155	52
Bolivia	0.00600	0.00602	931	310
Botswana	0.01400	0.01404	2,173	724
Brazil	0.87600	0.87823	135,969	45,323
Brunei Darussalam	0.02600	0.02607	4,036	1,345
Bulgaria	0.02000	0.02005	3,104	1,035
Burkina Faso	0.00200	0.00201	310	103
Burundi	0.00100	0.00100	155	52
Cambodia	0.00100	0.00100	155	52
Cameroon	0.00900	0.00902	1,397	466
Canada	2.97700	2.98458	462,077	154,026
Cape Verde	0.00100	0.00100	155	52
Central African Republic	0.00100	0.00100	155	52

Party	UN scale for 2009 %	CITES adjusted scale %	2009-2011 contributions	Annual contributions
Chad	0.00100	0.00100	155	52
Chile	0.16100	0.16141	24,990	8,330
China	2.66700	2.67379	413,960	137,987
Colombia	0.10500	0.10527	16,298	5,433
Comoros	0.00100	0.00100	155	52
Congo	0.00100	0.00100	155	52
Costa Rica	0.03200	0.03208	4,967	1,656
Côte d'Ivoire	0.00900	0.00902	1,397	466
Croatia	0.05000	0.05013	7,761	2,587
Cuba	0.05400	0.05414	8,382	2,794
Cyprus	0.04400	0.04411	6,829	2,276
Czech Republic	0.28100	0.28172	43,616	14,539
Democratic Republic of the Congo	0.00300	0.00301	466	155
Denmark	0.73900	0.74088	114,704	38,235
Djibouti	0.00100	0.00100	155	52
Dominica	0.00100	0.00100	155	52
Dominican Republic	0.02400	0.02406	3,725	1,242
Ecuador	0.02100	0.02105	3,260	1,087
Egypt	0.08800	0.08822	13,659	4,553
El Salvador	0.02000	0.02005	3,104	1,035
Equatorial Guinea	0.00200	0.00201	310	103
Eritrea	0.00100	0.00100	155	52
Estonia	0.01600	0.01604	2,483	828
Ethiopia	0.00300	0.00301	466	155
Fiji	0.00300	0.00301	466	155
Finland	0.56400	0.56544	87,542	29,181
France	6.30100	6.31704	978,014	326,005
Gabon	0.00800	0.00802	1,242	414
Gambia	0.00100	0.00100	155	52
Georgia	0.00300	0.00301	466	155
Germany	8.57700	8.59883	1,331,286	443,762
Ghana	0.00400	0.00401	621	207
Greece	0.59600	0.59752	92,509	30,836
Grenada	0.00100	0.00100	155	52
Guatemala	0.03200	0.03208	4,967	1,656
Guinea	0.00100	0.00100	155	52
Guinea-Bissau	0.00100	0.00100	155	52
Guyana	0.00100	0.00100	155	52
Honduras	0.00500	0.00501	776	259
Hungary	0.24400	0.24462	37,873	12,624
Iceland	0.03700	0.03709	5,743	1,914
India	0.45000	0.45115	69,847	23,282
Indonesia	0.16100	0.16141	24,990	8,330
Iran (Islamic Republic of)	0.18000	0.18046	27,939	9,313
Ireland	0.44500	0.44613	69,071	23,024
Israel	0.41900	0.42007	65,035	21,678
Italy	5.07900	5.09193	788,341	262,780
Jamaica	0.01000	0.01003	1,552	517
Japan	16.62400	16.66631	2,580,307	860,102

Party	UN scale for 2009 %	CITES adjusted scale %	2009-2011 contributions	Annual contributions
Jordan	0.01200	0.01203	1,863	621
Kazakhstan	0.02900	0.02907	4,501	1,500
Kenya	0.01000	0.01003	1,552	517
Kuwait	0.18200	0.18246	28,249	9,416
Kyrgyzstan	0.00100	0.00100	155	52
Lao People's Democratic Republic	0.00100	0.00100	155	52
Latvia	0.01800	0.01805	2,794	931
Lesotho	0.00100	0.00100	155	52
Liberia	0.00100	0.00100	155	52
Libyan Arab Jamahiriya	0.06200	0.06216	9,623	3,208
Liechtenstein	0.01000	0.01003	1,552	517
Lithuania	0.03100	0.03108	4,812	1,604
Luxembourg	0.08500	0.08522	13,193	4,398
Madagascar	0.00200	0.00201	310	103
Malawi	0.00100	0.00100	155	52
Malaysia	0.19000	0.19048	29,491	9,830
Mali	0.00100	0.00100	155	52
Malta	0.01700	0.01704	2,639	880
Mauritania	0.00100	0.00100	155	52
Mauritius	0.01100	0.01103	1,707	569
Mexico	2.25700	2.26274	350,322	116,774
Moldova	0.00100	0.00100	155	52
Monaco	0.00300	0.00301	466	155
Mongolia	0.00100	0.00100	155	52
Montenegro	0.00100	0.00100	155	52
Morocco	0.04200	0.04211	6,519	2,173
Mozambique	0.00100	0.00100	155	52
Myanmar	0.00500	0.00501	776	259
Namibia	0.00600	0.00602	931	310
Nepal	0.00300	0.00301	466	155
Netherlands	1.87300	1.87777	290,719	96,906
New Zealand	0.25600	0.25665	39,735	13,245
Nicaragua	0.00200	0.00201	310	103
Niger	0.00100	0.00100	155	52
Nigeria	0.04800	0.04812	7,450	2,483
Norway	0.78200	0.78399	121,379	40,460
Pakistan	0.05900	0.05915	9,158	3,053
Palau	0.00100	0.00100	155	52
Panama	0.02300	0.02306	3,570	1,190
Papua New Guinea	0.00200	0.00201	310	103
Paraguay	0.00500	0.00501	776	259
Peru	0.07800	0.07820	12,107	4,036
Philippines	0.07800	0.07820	12,107	4,036
Poland	0.50100	0.50228	77,763	25,921
Portugal	0.52700	0.52834	81,799	27,266
Qatar	0.08500	0.08522	13,193	4,398
Republic of Korea	2.17300	2.17853	337,284	112,428
Romania	0.07000	0.07018	10,865	3,622
Russian Federation	1.20000	1.20305	186,259	62,086

Party	UN scale for 2009 %	CITES adjusted scale %	2009-2011 contributions	Annual contributions
Rwanda	0.00100	0.00100	155	52
Saint Kitts and Nevis	0.00100	0.00100	155	52
Saint Lucia	0.00100	0.00100	155	52
Saint Vincent and the Grenadines	0.00100	0.00100	155	52
Samoa	0.00100	0.00100	155	52
San Marino	0.00300	0.00301	466	155
Sao Tome and Principe	0.00100	0.00100	155	52
Saudi Arabia	0.74800	0.74990	116,101	38,700
Senegal	0.00400	0.00401	621	207
Serbia	0.02100	0.02105	3,260	1,087
Seychelles	0.00200	0.00201	310	103
Sierra Leone	0.00100	0.00100	155	52
Singapore	0.34700	0.34788	53,860	17,953
Slovakia	0.06300	0.06316	9,779	3,260
Slovenia	0.09600	0.09624	14,901	4,967
Solomon Islands	0.00100	0.00100	155	52
Somalia	0.00100	0.00100	155	52
South Africa	0.29000	0.29074	45,013	15,004
Spain	2.96800	2.97555	460,680	153,560
Sri Lanka	0.01600	0.01604	2,483	828
Sudan	0.01000	0.01003	1,552	517
Suriname	0.00100	0.00100	155	52
Swaziland	0.00200	0.00201	310	103
Sweden	1.07100	1.07373	166,236	55,412
Switzerland	1.21600	1.21909	188,742	62,914
Syrian Arab Republic	0.01600	0.01604	2,483	828
Thailand	0.18600	0.18647	28,870	9,623
The former Yugoslav Republic of Macedonia	0.00500	0.00501	776	259
Togo	0.00100	0.00100	155	52
Trinidad and Tobago	0.02700	0.02707	4,191	1,397
Tunisia	0.03100	0.03108	4,812	1,604
Turkey	0.38100	0.38197	59,137	19,712
Uganda	0.00300	0.00301	466	155
Ukraine	0.04500	0.04511	6,985	2,328
United Arab Emirates	0.30200	0.30277	46,875	15,625
United Kingdom of Great Britain and Northern Ireland	6.64200	6.65890	1,030,943	343,648
United Republic of Tanzania	0.00600	0.00602	931	310
United States of America	22.00000	22.00000	3,406,078	1,135,359
Uruguay	0.02700	0.02707	4,191	1,397
Uzbekistan	0.00800	0.00802	1,242	414
Vanuatu	0.00100	0.00100	155	52
Venezuela (Bolivarian Republic of)	0.20000	0.20051	31,043	10,348
Viet Nam	0.02400	0.02406	3,725	1,242
Yemen	0.00700	0.00702	1,087	362
Zambia	0.00100	0.00100	155	52
Zimbabwe	0.00800	0.00802	1,242	414
<b>Total</b>	<b>99.80200</b>	<b>100.00000</b>	<b>15,482,175</b>	<b>5,160,733</b>

## **Annex 2**

# **Terms of Reference for the Administration of the Trust Fund for the Convention on International Trade in Endangered Species of Wild Fauna and Flora**

1. The Trust Fund for the Convention on International Trade in Endangered Species of Wild Fauna and Flora (hereinafter referred to as the Trust Fund) shall be further continued for a period of three calendar years, which begins on 1 January 2009 and ends on 31 December 2011, to provide financial support for the aims of the Convention.
2. Pursuant to the Financial Regulations and Rules of the United Nations, the Executive Director of the United Nations Environment Programme (UNEP), with the approval of the Governing Council of UNEP and the Secretary-General of the United Nations, shall continue the Trust Fund for the administration of the Convention.
3. The appropriations of the Trust Fund shall be financed from:
  - a) the contributions made by the Parties by reference to the table attached in Annex 1 including contributions from any new Parties which are to be added to the table;
  - b) contributions from States not Parties to the Convention, other governmental, inter-governmental and non-governmental organizations and other sources; and
  - c) any uncommitted appropriations from any of the financial periods prior to 1 January 2009.
4. The estimates for each of the calendar years covered by a financial period shall be specified in a costed programme of work and shall be accompanied by such information as may be required by, or on behalf of, the contributors and such further information as the Executive Director of UNEP may deem useful and advisable.
5. The proposed costed programme of work covering the income and expenditure for each of the calendar years constituting the financial period to which it relates, prepared in US dollars, including all the necessary information, shall be dispatched by the Secretariat to all Parties at least 150 days before the date fixed for the opening of the next regular meeting of the Conference of the Parties.
6. The costed programme of work shall be adopted by a three-quarters majority of the Parties present and voting at the regular meeting.
7. In the event that the Executive Director of UNEP expects that there might be a shortfall in resources, over the year as a whole, he shall consult with the Secretary-General of the Convention, who shall seek the advice of the Standing Committee as to its priorities for expenditure.
8. The Secretary-General of the Convention is authorized, to the extent consistent with the Financial Regulations and Rules of the United Nations, to transfer resources within the costed programme of work up to a maximum of 20 % over and above the annual amount foreseen in the costed programme of work under any main appropriation line provided that such action does not negatively affect any high-priority activities. When any such transfers are made, these shall be reported to the Standing Committee at its following meeting. Any budget adjustments over and above the 20 % flexibility mentioned above may be made only after they have been agreed by the Standing Committee. However, the total costed programme of work approved by the Parties for that financial period shall not be exceeded unless this is specifically sanctioned in writing by the Standing Committee.
9. Commitments against the resources of the Trust Fund may be made only if they are covered by the necessary income of the Convention.
10. All contributions shall be paid in any convertible currency. The amount of any payment, however, shall be at least equal to the amount payable in US dollars on the day the



contribution is made. Contributions from States that become Parties after the beginning of the financial period should be made on a pro-rata basis for the balance of the financial period.

11. At the end of each calendar year of a financial period, the Executive Director of UNEP shall submit to the Parties the accounts for the year. He shall also submit, as soon as practicable, the audited accounts for the financial period.
12. The Secretary-General of the Convention shall provide the Standing Committee with an estimate of proposed expenditure over the coming calendar year simultaneously with, or as soon as possible after, distribution of the accounts and reports referred to in the preceding paragraph.
13. The general procedures governing the operations of the Fund of UNEP and the Financial Regulations and Rules of the United Nations shall govern the financial operations of the Trust Fund for the Convention.
14. These Terms of Reference shall be effective for the financial period of 1 January 2009 to 31 December 2011 subject to amendments at the 15th meeting.

RECALLING Decision 11.1, adopted at the 11th meeting of the Conference of the Parties (Gigiri, 2000), through which the Conference adopted the *Strategic Vision through 2005* and the *Action Plan*;

RECALLING Decision 13.1, adopted at the 13th meeting of the Conference of the Parties (Bangkok, 2004) through which the Conference extended to 2007 the period of validity of the *Strategic Vision through 2005* and established a Strategic Plan Working Group as a subcommittee of the Standing Committee to prepare a new strategic vision for the period 2008 to 2013;

RECOGNIZING, with gratitude, the work of the Strategic Plan Working Group;

CONSCIOUS of the need to improve the implementation of the Convention globally;

CONVINCED that CITES should consider the broader international community relating to the environment and trade;

REAFFIRMING the commitment of the Conference of the Parties, expressed in Decision 13.1, to contribute to the World Summit on Sustainable Development target of significantly reducing the rate of biodiversity loss by 2010;

### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

ADOPTS the *CITES Strategic Vision: 2008-2013*, annexed to this Resolution;

RECOMMENDS that Parties take the necessary action at the national level to help ensure that the Goals specified in the *CITES Strategic Vision: 2008-2013* are achieved;

REQUESTS the Secretariat to ensure that its programme of work for the period 2008 to 2013 supports the implementation of the *CITES Strategic Vision: 2008-2013* in the Annex;

INVITES intergovernmental environmental fora, the secretariats of multilateral environmental agreements, other intergovernmental bodies and other organizations with an interest in the objectives of CITES to review their policies and their current and planned programmes and activities, with the aim of supporting achievement of the Goals specified in the *CITES Strategic Vision: 2008-2013*; and

INSTRUCTS the Standing Committee to review the progress in implementation of the *CITES Strategic Vision: 2008-2013*, and in achievement of the Objectives, at each of its ordinary meetings during the term of the Vision, and to report at the 15th and 16th meetings of the Conference of the Parties.

**General introduction**

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) was concluded on 3 March 1973. It entered into force after ratification by 10 States, on 1 July 1975.

Since then, the number of countries that have ratified, approved, accepted or acceded to the Convention has continued to increase. With 172 Parties, CITES is widely regarded as one of the most important international conservation instruments. During this period, the Conference of the Parties has shown itself to be capable of adapting to changing circumstances and, through the adoption of Resolutions and Decisions, has demonstrated an ability to construct practical solutions to increasingly complex wildlife trade and conservation problems.

At its ninth meeting (Fort Lauderdale, 1994), the Conference of the Parties commissioned a review of the Convention's effectiveness. The principal purposes of the review were to evaluate the extent to which the Convention had achieved its objectives and the progress made since CITES came into being and, most importantly, to identify deficiencies and requirements necessary to strengthen the Convention and help plan for the future. At its 10th meeting (Harare, 1997), the Conference agreed to an Action Plan for implementing certain findings and recommendations of the review. A central finding was the need for a strategic plan and, at its 11th meeting (Gigiri, 2000), the Conference of the Parties adopted the *Strategic Vision through 2005*, and an *Action Plan*.

At its 13th meeting (Bangkok, 2004), the Conference of the Parties adopted Decision 13.1, which extended the validity of the Strategic Vision and Action Plan until the end of 2007. It also established a procedure for developing a new Strategic Vision through 2013, particularly to contribute to the achievement of the World Summit on Sustainable Development (WSSD) target of significantly reducing the rate of biodiversity loss by 2010. The present document is the result of this process.

With this new Strategic Vision, the Conference of the Parties to CITES outlines the Convention's direction in the new millennium and takes into account, within the context of its mandate issues such as:

- contributing to the UN Millennium Development Goals relevant to CITES;
- contributing to the WSSD target of significantly reducing the rate of biodiversity loss by 2010;
- contributing to the conservation of wildlife as an integral part of the global ecosystem on which all life depends;
- cultural, social and economic factors at play in producer and consumer countries;
- promoting transparency and wider involvement of civil society in the development of conservation policies and practices; and
- ensuring that a coherent and internationally agreed approach based on scientific evidence is taken to address any species of wild fauna and flora subject to unsustainable international trade.

**Purpose**

The twofold purpose of the Strategic Vision is:

- to improve the working of the Convention, so that international trade in wild fauna and flora is conducted at sustainable levels; and
- to ensure that CITES policy developments are mutually supportive of international environmental priorities and take into account new international initiatives, consistent with the terms of the Convention.

**Structure**

In order to achieve this purpose, three broad goals, of equal priority, have been identified as the key components of the Strategic Vision:

- Goal 1: Ensure compliance with and implementation and enforcement of the Convention.

- Goal 2: Secure the necessary financial resources and means for the operation and implementation of the Convention.
- Goal 3: Contribute to significantly reducing the rate of biodiversity loss by ensuring that CITES and other multilateral instruments and processes are coherent and mutually supportive.

The goals aim at consolidating the existing strengths of CITES, ensuring the implementation of the mandate of the Convention, and further improving the relationship with relevant multilateral environmental agreements and related conventions, agreements and associations.

Within the framework provided by each of these goals, this Strategic Vision identifies a number of objectives to be achieved. Corresponding indicators of progress are to be developed by the Standing Committee and reviewed by the Conference of the Parties.

This document provides a framework for the future development of the existing body of Resolutions and Decisions. While it should provide guidance on how the goals and objectives are to be achieved, the Conference of the Parties, the Committees or the Secretariat as appropriate will take required action. The document also serves the Parties as a tool for the prioritization of activities, and decisions on how best to fund them, in light of the need for the rational application of costs and the efficient and transparent use of resources.

It should be noted that all references to 'trade' in the Strategic Vision refer to trade as defined in Article I of the Convention.

## **CITES vision statement**

**Conserve biodiversity and contribute to its sustainable use by ensuring that no species of wild fauna or flora becomes or remains subject to unsustainable exploitation through international trade, thereby contributing to the significant reduction of the rate of biodiversity loss**

### THE STRATEGIC GOALS

#### **GOAL 1                      ENSURE COMPLIANCE WITH AND IMPLEMENTATION AND ENFORCEMENT OF THE CONVENTION**

##### ***Introduction***

The effectiveness of the Convention depends upon its full implementation by all Parties, whether they are consumers or producers of wild animals and plants. Full implementation relies, in turn, upon each Party's:

- commitment to the Convention and its principles;
- scientific expertise and analyses;
- capacity building; and
- enforcement.

##### ***Commitment to the Convention and its principles***

The proper functioning of the Convention depends to a great extent on the commitment of Parties to comply with and implement the Convention and its principles.

- |                      |   |
|----------------------|---|
| <b>Objective 1.1</b> | Parties comply with their obligations under the Convention through appropriate policies, legislation and procedures.  |
| <b>Objective 1.2</b> | Parties have in place administrative procedures that are transparent, practical, coherent and user-friendly, and reduce unnecessary administrative burdens. |
| <b>Objective 1.3</b> | Implementation of the Convention at the national level is consistent with decisions adopted by the Conference of the Parties.                               |

- Objective 1.4** The Appendices correctly reflect the conservation needs of species.
- Objective 1.5** Best available scientific information is the basis for non-detriment findings.
- Objective 1.6** Parties cooperate in managing shared wildlife resources.
- Objective 1.7** Parties are enforcing the Convention to reduce illegal wildlife trade.
- Objective 1.8** Parties and the Secretariat have adequate capacity-building programmes in place.
- 
- GOAL 2** SECURE THE NECESSARY FINANCIAL RESOURCES AND MEANS FOR THE OPERATION AND IMPLEMENTATION OF THE CONVENTION
- Objective 2.1** Financial resources are sufficient to ensure operation of the Convention.
- Objective 2.2** Sufficient resources are secured at the national/international levels to ensure compliance with and implementation and enforcement of the Convention.
- Objective 2.3** Sufficient resources are secured at the national/international levels to implement capacity-building programmes.
- 
- GOAL 3** CONTRIBUTE TO SIGNIFICANTLY REDUCING THE RATE OF BIODIVERSITY LOSS BY ENSURING THAT CITES AND OTHER MULTILATERAL INSTRUMENTS AND PROCESSES ARE COHERENT AND MUTUALLY SUPPORTIVE
- Objective 3.1** Cooperation between CITES and international financial mechanisms and other related institutions is enhanced in order to support CITES-related conservation and sustainable development projects, without diminishing funding for currently prioritized activities.
- Objective 3.2** Awareness of the role and purpose of CITES is increased globally.
- Objective 3.3** Cooperation with relevant international environmental, trade and development organizations is enhanced.
- Objective 3.4** The contribution of CITES to the relevant Millennium Development Goals and sustainable development goals set at WSSD is strengthened by ensuring that international trade in wild fauna and flora is conducted at sustainable levels.
- Objective 3.5** Parties and the Secretariat cooperate with other relevant international organizations and agreements dealing with natural resources, as appropriate, in order to achieve a coherent and collaborative approach to species which can be endangered by unsustainable trade, including those which are commercially exploited.

RECALLING Decision 12.84, whereby the Conference of the Parties instructed the Secretariat to draft a set of guidelines on compliance with implementation of the Convention for consideration by the Standing Committee;

RECALLING FURTHER that the Standing Committee at its 50th meeting (Geneva, March 2004) decided to establish an open-ended working group to draft such guidelines;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

TAKES NOTE of the *Guide to CITES compliance procedures* annexed to this Resolution; and

RECOMMENDS that the Guide be referred to, when dealing with compliance matters.

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### Annex

### Guide to CITES compliance procedures

#### *Objective and scope*

1. The objective of this Guide is to inform Parties and others of CITES procedures concerning promoting, facilitating and achieving compliance with obligations under the Convention and, in particular, assisting Parties in meeting their obligations regarding such compliance.

Specifically, the Guide describes existing procedures in order to facilitate consistent and effective handling of compliance matters relating to obligations under the Convention, taking into account relevant Resolutions and Decisions, in both specific and general compliance matters.

This Guide is non-legally binding.

2. This Guide addresses compliance matters relating to the obligations under the Convention, taking into account relevant Resolutions and Decisions. Particular attention should be paid to the following:
  - a) designating Management Authority(ies) and Scientific Authority(ies) (Article IX);
  - b) permitting trade in CITES-listed specimens only to the extent consistent with the procedures laid down in the Convention (Articles III, IV, V, VI, VII and XV);
  - c) taking appropriate domestic measures to enforce the provisions of the Convention and prohibit trade in violation thereof (Article VIII, paragraph 1);
  - d) maintaining records of trade and submitting periodic reports (Article VIII, paragraphs 7 and 8); and
  - e) responding as soon as possible to communications of the Secretariat related to information that a species included in Appendix I or II is being adversely affected by trade in specimens of that species or that the provisions of the Convention are not being effectively implemented (Article XIII).
3. The procedures described in this Guide are without prejudice to any rights and obligations and to any dispute settlement procedure under the Convention.

#### *General principles*

4. A supportive and non-adversarial approach is taken towards compliance matters, with the aim of ensuring long-term compliance.

5. Compliance matters are handled as quickly as possible. Such matters are considered and ensuing compliance measures are applied in a fair, consistent and transparent manner.
6. Generally, findings, reports and communications in compliance matters are not treated confidentially.

However, communications between the Secretariat and individual Parties on specific compliance matters are generally confidential.

7. Decisions on whether to close or keep open debates in compliance matters are taken according to the Rules of Procedure of the body considering the matter and generally reasons are given.
8. The Secretariat communicates compliance-related decisions to the relevant authorities.

***The various bodies and their compliance-related tasks***

9. Compliance matters are handled by the following CITES bodies. Their main compliance-related tasks are listed below.
10. The Conference of the Parties:
  - a) provides general policy guidance on compliance issues;
  - b) directs and oversees the handling of compliance matters particularly through the identification of key obligations and procedures;
  - c) reviews as needed decisions of the Standing Committee related to specific compliance matters; and
  - d) may delegate certain authority to the Standing Committee or other CITES bodies in accordance with the Convention.
11. When the Conference of the Parties decides to carry out itself the tasks delegated to the Standing Committee, it follows the same procedures as those described below for the Standing Committee.
12. The Standing Committee, acting in accordance with instructions from and authority delegated by the Conference of the Parties, handles general and specific compliance matters, including:
  - a) monitoring and assessing overall compliance with obligations under the Convention;
  - b) advising and assisting Parties in complying with obligations under the Convention;
  - c) verifying information; and
  - d) taking compliance measures as described below.
13. The Animals and Plants Committees, acting in accordance with instructions from and authority delegated by the Conference of the Parties, advise and assist the Standing Committee and the Conference of the Parties with regard to compliance matters, *inter alia*, by undertaking necessary reviews, consultations, assessments and reporting. These Committees are entrusted with specific tasks in the handling of matters related to the Review of Significant Trade.
14. The Secretariat:
  - a) assists and supports the Animals and Plants Committees, the Standing Committee and the Conference of the Parties in carrying out their functions concerning compliance matters as described in this Guide and, where applicable, according to the procedures set out in relevant Resolutions and Decisions;
  - b) receives, assesses and communicates to the Parties information on compliance matters;
  - c) advises and assists Parties in complying with obligations under the Convention;

- d) makes recommendations for achieving compliance; and
- e) monitors the implementation of compliance-related decisions.

### ***Handling of specific compliance matters***

#### ***A. Identification of potential compliance matters***

15. Annual and biennial reports, legislative texts as well as other special reports and responses to information requests, for example within the Review of Significant Trade or the National Legislation Project, provide the primary, but not exclusive, means of monitoring compliance with obligations under the Convention.
16. The Secretariat provides a Party concerned with information it receives about that Party's compliance, and communicates with the Party regarding this matter.
17. In response, the Party informs the Secretariat as soon as possible of any relevant facts in so far as its laws permit and, where appropriate, proposes remedial action. Where the Party considers that an inquiry is desirable, such inquiry may be carried out by one or more persons expressly authorized by the Party.
18. Any Party concerned over matters related to trade in specimens of CITES-listed species by another Party may bring the matter up directly with that Party and/or call upon the Secretariat for assistance.
19. Parties themselves are encouraged to give the Secretariat early warning of any compliance matter, including the inability to provide information by a certain deadline, and indicate the reasons and any need for assistance.
20. Where compliance matters are identified, the Parties concerned are given every opportunity to correct them within reasonable time limits, if necessary with the assistance of the Secretariat.

#### ***B. Consideration of compliance matters***

21. If the Party fails to take sufficient remedial action within a reasonable time limit, the compliance matter is brought to the attention of the Standing Committee by the Secretariat, in direct contact with the Party concerned.
22. If a compliance matter is otherwise brought to the attention of the Standing Committee in accordance with the Rules of Procedure, the Standing Committee:
  - a) refers the matter to the Secretariat for action according to the procedure in paragraphs 16-20 above; or
  - b) rejects it as trivial or ill-founded; or
  - c) in exceptional circumstances, after consultation with the Party concerned, follows the procedures as described below.
23. When compliance matters are brought to the attention of the Standing Committee, it is generally done in writing and includes details as to which specific obligations are concerned and an assessment of the reasons why the Party concerned may be unable to meet those obligations.
24. When a compliance matter is brought to the attention of the Standing Committee, the Secretariat immediately informs the Party or Parties concerned.
25. The Standing Committee rejects compliance matters which it considers are trivial or ill-founded.

Where the Standing Committee has decided that the submission is not trivial or ill-founded, the Party concerned is given the opportunity to provide comments within a reasonable time limit.



26. The Standing Committee decides whether to gather or request further information on a compliance matter whenever such information may be found and whether to seek an invitation from the Party concerned to undertake the gathering and verification of information in the territory of that Party or wherever such information may be found.
27. The Party concerned has the right to participate in discussions with respect to its own compliance, in accordance with the Rules of Procedure of the relevant body.
28. If a Party cannot access the financial resources needed to participate in CITES meetings where its own compliance is being considered, it is able to request assistance from the Secretariat or the Standing Committee in identifying such resources.

*C. Measures to achieve compliance*

29. If a compliance matter has not been resolved, the Standing Committee decides to take one or more of the following measures:
  - a) provide advice, information and appropriate facilitation of assistance and other capacity-building support to the Party concerned;
  - b) request special reporting from the Party concerned;
  - c) issue a written caution, requesting a response and offering assistance;
  - d) recommend specific capacity-building actions to be undertaken by the Party concerned;
  - e) provide in-country assistance, technical assessment and a verification mission, upon the invitation of the Party concerned;
  - f) send a public notification of a compliance matter through the Secretariat to all Parties advising that compliance matters have been brought to the attention of a Party and that, up to that time, there has been no satisfactory response or action;
  - g) issue a warning to the Party concerned that it is in non-compliance, e.g. in relation to national reporting and/or the National Legislation Project; and
  - h) request a compliance action plan to be submitted to the Standing Committee by the Party concerned identifying appropriate steps, a timetable for when those steps should be completed and means to assess satisfactory completion.
30. In certain cases, the Standing Committee decides to recommend the suspension of commercial or all trade in specimens of one or more CITES-listed species, consistent with the Convention. Such a recommendation may be made in cases where a Party's compliance matter is unresolved and persistent and the Party is showing no intention to achieve compliance or a State not a Party is not issuing the documentation referred to in Article X of the Convention. Such a recommendation is always specifically and explicitly based on the Convention and on any applicable Resolutions and Decisions of the Conference of the Parties<sup>1</sup>.
31. The list of measures above is not necessarily an exhaustive list of measures applied to date.
32. When the Standing Committee decides upon one or more of the measures mentioned above, it takes into account:
  - a) the capacity of the Party concerned, especially developing countries, and in particular the least developed and small island developing States and Parties with economies in transition;

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<sup>1</sup> These currently include:

- Resolution Conf. 11.17 (Rev. CoP14) (National reports);
- Decision 14.29 (National laws for implementation of the Convention);
- Resolution Conf. 12.8 (Rev. CoP13) (Review of Significant trade in specimens of Appendix-II species);
- Convention Article XIII and Resolution Conf. 11.3 (Rev. CoP14) (Compliance and enforcement); and
- Resolution Conf 11.1 (Rev. CoP14) (Establishment of committees).

- b) such factors as the cause, type, degree and frequency of the compliance matters;
- c) the appropriateness of the measures so that they are commensurate with the gravity of the compliance matter; and
- d) the possible impact on conservation and sustainable use with a view to avoiding negative results.

These considerations are clearly set out in the Standing Committee's recommendations.

*D. Monitoring and implementation of measures to achieve compliance*

33. The Standing Committee, with the assistance of the Secretariat, monitors the actions taken by the Party concerned to implement measures taken. In this regard, the Standing Committee may, *inter alia*:

- a) request the Party concerned to submit progress reports in accordance with a schedule; and
- b) arrange, upon the invitation of the Party concerned, for an in-country technical assessment and for a verification mission.

In the light of progress, the Standing Committee decides whether to adjust the measures it has taken, or to take other measures.

34. Existing recommendations to suspend trade are generally reviewed at each Standing Committee meeting. They are also monitored intersessionally by the Secretariat. A recommendation to suspend trade is withdrawn as soon as the compliance matter has been resolved or sufficient progress has been made. The Secretariat notifies Parties of any such withdrawal as soon as possible.

35. The general guidelines in paragraphs 33 and 34 above are in some cases supplemented by more precise provisions regarding specific categories of compliance matters, e.g. in the case of significant trade in specimens of Appendix-II species, as laid out in the Resolutions and Decisions related thereto.

***Reporting and reviews***

- 36. The Standing Committee reports to the Conference of the Parties on compliance matters. The Secretariat reports to the Standing Committee and the Conference of the Parties on compliance matters.
- 37. The Conference of the Parties may review this document periodically and revise it where appropriate.

# Conf. 14.4

## Cooperation between CITES and ITTO regarding trade in tropical timber

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RECOGNIZING that CITES aims to ensure the protection of certain species of wild fauna and flora against over-exploitation through international trade;

ALSO RECOGNIZING that CITES can play a positive role in promoting the conservation of timber species through trade in accordance with the requirements of Articles III, IV and V of the Convention;

FURTHER RECOGNIZING that the objectives of the International Tropical Timber Agreement (ITTA), 1994, include providing an effective forum for consultation, international cooperation and policy development with regard to all relevant aspects of the world timber economy and promoting trade in tropical timber from sustainable sources;

NOTING the important role that the International Tropical Timber Organization (ITTO) has played and continues to play with respect to international trade in tropical timber species;

WELCOMING the increase in cooperation between CITES and ITTO and especially the support provided by ITTO for meetings of the Bigleaf Mahogany (*Swietenia macrophylla*) Working Group, the International Experts Workshop on Non-detriment Findings for Bigleaf Mahogany, the Expert Meeting on the Effective Implementation of the Uplisting of Ramin (*Gonystylus* spp.) to Appendix II of CITES, as well as the assistance provided by ITTO to its members to enhance their capacity to implement CITES listings of tropical timber species;

WELCOMING the ITTO project to support capacity building in range States for the implementation of CITES timber listings for *Gonystylus* spp., *Pericopsis elata* and *Swietenia macrophylla* as an important tool for increased cooperation between CITES and ITTO;

ALSO WELCOMING the successful conclusion to the negotiation of a successor agreement to the International Tropical Timber Agreement, 1994;

### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

URGES Parties that are also party to ITTA, 1994, or its successor agreement, and that intend to submit proposals for listing of tropical timber species, to consult ITTO as part of the consultation process recommended in Resolution Conf. 10.13 (Rev. CoP14) on Implementation of the Convention for timber species;

RECOMMENDS that CITES Parties that are also party to ITTA, 1994, or its successor agreement, bring to the attention of the International Tropical Timber Council any concerns regarding the effects of international trade on tropical timber species;

WELCOMES the work of ITTO in promoting transparent markets, trade in tropical timber from sustainably managed tropical forests and, in that context, promoting forest law enforcement;

ENCOURAGES Parties to support and facilitate the work of ITTO and CITES to build increased capacity and improve implementation of CITES timber listings;

URGES Parties to support and contribute to work, guided by the CITES Plants Committee, to develop appropriate listing proposals based on the best available science to ensure the conservation of timber species and help ensure that trade does not threaten their survival;

DIRECTS the CITES Secretariat to cooperate closely with the Secretariat of ITTO on matters related to tropical timber species threatened by international trade and sustainable management of tropical timber producing forests; and

ENCOURAGES all Parties, CITES, ITTO and other relevant intergovernmental organizations to promote improved forest law enforcement.

RECALLING that dialogue meetings have been held to examine proposals to amend the CITES Appendices in relation to the African elephant and the hawksbill turtle since 1996 and 2001 respectively;

RECOGNIZING, with thanks, the role of IUCN – The World Conservation Union in the organization of the first meetings and its participation in subsequent meetings;

NOTING that dialogue meetings provide the opportunity for the representatives of States to express their concerns, to share information, to exchange views frankly and freely, without the pressures that exist on delegations during meetings of the Conference of the Parties, and to seek ways forward;

CONSIDERING that the results of a dialogue meeting may include, amongst other things, agreement on a position regarding a proposal for amendment of the CITES Appendices submitted to the Conference of the Parties;

RECOGNIZING that terms of reference and rules of procedure are an essential requirement to standardize the organization and conduct of such meetings;

### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

DECIDES to establish dialogue meetings as a formal series of CITES meetings;

AGREES that dialogue meetings are consultative meetings between range States of a certain species or group of species, with the aim of seeking consensus in relation to a proposal submitted for amendment of the CITES Appendices when there are strong divisions between those States;

AGREES that:

- a) a dialogue meeting may be called for either by the Conference of the Parties or by the Standing Committee;
- b) if, following the discussion of, amongst other things, a proposal to amend the Appendices, the Conference of the Parties believes that there is a need for an exchange of views between range States of the species, it may instruct the Secretariat that, if it receives a further amendment proposal relating to the same species, it should organize a dialogue meeting of the range States. In this case, the Conference of the Parties should preferably allocate funds for such a meeting. Otherwise, the holding of such a meeting will be subject to the availability of external funding;
- c) if a Party intends to submit, amongst other things, a proposal to amend the Appendices and, as a result of seeking the comments of the other range States, becomes aware that there is a need for an exchange of views between them, it may ask the Standing Committee to instruct the Secretariat to organize a dialogue meeting, subject to the availability of external funding; and
- d) when the Conference of the Parties or the Standing Committee calls a CITES dialogue meeting for a species, they should consider whether it is necessary for the range States of related species to be invited as observers; and

ADOPTS the rules of procedure for CITES dialogue meetings in the Annex to the present Resolution.

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## Annex

## Rules of procedure of CITES dialogue meetings

### *Representation*

1. Each Party that is a range State of an extant population of the species (or group of species) to be discussed shall be entitled to be represented at a dialogue meeting by a representative and an alternate representative, who shall be government officials designated to attend by the Management Authority of the Party that they represent.

2. Other Parties and organizations (including donors) may be represented by observers only if their attendance is approved by a consensus of the representatives of the range States.
3. The CITES Secretariat shall participate in dialogue meetings in order to advise the Parties and to serve as Secretary and organizer of the meeting.
4. The Secretariat shall be responsible for inviting the range States to send representatives to a dialogue meeting.
5. Following the recommendations of the range States, the Secretariat may invite intergovernmental organizations and other technical experts to attend a meeting as resource persons.

### **Meetings**

6. CITES dialogue meetings are convened and organized by the CITES Secretariat on behalf of the Parties. At least two-thirds of the representatives of the range States of the species shall constitute a quorum.
7. When the Conference of the Parties or the Standing Committee has instructed the Secretariat to organize a dialogue meeting, it shall seek a host country for the meeting from among the range States and, if there is more than one offer, select a host country in consultation with the Chairman of the Standing Committee and, where applicable, the relevant regional representatives in the Committee. The host country is usually expected to cover the cost of rental of the meeting rooms and refreshments for the participants and to work with the Secretariat in the organization of the meeting.
8. If funds have not been allocated in the Trust Fund budget, the Secretariat shall seek sufficient funds to cover the attendance of at least one representative of each Party range State of the species concerned coming from developing countries or countries with economies in transition.
9. Dialogue meetings should, as far as possible, take place well in advance of meetings of the Conference of the Parties so that the outcomes may be used by the Parties when considering their positions in preparation for such meetings. However, sometimes, for reasons of financial constraints, it is necessary to hold a dialogue meeting immediately before a meeting of the Conference of the Parties. In such cases, the Host Country of the meeting of the Conference is not expected to serve as the host for the dialogue meeting.
10. The provisional agenda for each dialogue meeting should be prepared at least 60 days in advance by the Chairman of the Standing Committee with the assistance of the Secretariat, following consultation with the range States of the species concerned. The Secretariat is responsible for distributing the provisional agenda to all range States at least 45 days before the meeting.

### **Chairman**

11. The Chairman of the Standing Committee shall serve as the Chairman of each CITES dialogue meeting. If he/she is unable to serve, he/she should appoint the Vice-Chairman or Alternate Vice-Chairman of the Standing Committee to serve in his/her place or identify a Chairman who is acceptable to the range States.

### **Vice-Chairmen**

12. Two Vice-Chairmen for each meeting shall be elected from among the participants.

### **Decisions**

13. All decisions of dialogue meetings shall be made by the representatives of the range States. In the absence of a representative, the alternate representative shall for all purposes serve in his/her place.
14. Decisions shall as far as possible be made by consensus. Where this is not possible, this should be indicated in the final communiqué of the meeting, which may indicate majority and minority views.

### **Communications**

15. No record shall be kept of the discussions that take place at dialogue meetings and they shall be considered as confidential. Consequently, participants shall not communicate with the media or

with organizations that are not participating, or have not participated, in a dialogue meeting concerning the statements made by other participants.

16. A communiqué from each meeting shall be drafted by the Secretary in consultation with the Chairman and Vice-Chairmen, and shall be presented to the representatives of the range States for agreement. Such communiqué, if agreed, shall serve as the official record of the outcome of the meeting, and shall be made available in the three working languages of the Convention. Communiqués shall be formally presented at the following meeting of the Conference of the Parties.

***Final provisions***

17. In matters not covered by the present Rules, the Rules of Procedure of the Standing Committee that are currently in effect shall apply as far as practicable.

TAKING INTO ACCOUNT the CITES Workshop on Introduction from the Sea Issues (Geneva, 30 November – 2 December 2005) held pursuant to Decision 13.18 of the Conference of the Parties;

RECALLING that 'introduction from the sea' is defined in Article I, paragraph e), of the Convention as "transportation into a State of specimens of any species which were taken in the marine environment not under the jurisdiction of any State";

RECALLING ALSO that Article XIV, paragraph 6, of the Convention provides that "Nothing in the present Convention shall prejudice the codification and development of the law of the sea by the United Nations Conference on the Law of the Sea";

RECALLING FURTHER that Article III, paragraph 5, and Article IV, paragraphs 6 and 7, of the Convention, provide a framework to regulate the introduction from the sea of specimens of species included in Appendices I and II, respectively;

RECOGNIZING the need for a common understanding of the provisions of the Convention relating to introduction from the sea in order to facilitate the standard implementation of trade controls for specimens introduced from the sea and improve the accuracy of CITES trade data;

### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

AGREES that 'the marine environment not under the jurisdiction of any State' means those marine areas beyond the areas subject to the sovereignty or sovereign rights of a State consistent with international law, as reflected in the United Nations Convention on the Law of the Sea.

CONVINCED that nationally established export quotas for Appendix-II species are important tools to assist in regulating and monitoring wildlife trade to ensure that the use of natural resources remains sustainable;

NOTING that, for many Parties, export quotas are used as an essential management tool in the conservation of species of wild fauna and flora;

RECOGNIZING however that the use and implementation of export quotas are not described in detail either in the text of the Convention or in any text adopted by the Conference of the Parties, but that it is desirable that all Parties have a common understanding of the way in which such quotas should be managed at the national and international levels;

CONSIDERING that exporting and importing countries share a responsibility to ensure that export quotas are respected;

### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS that Parties follow the *Guidelines for management of nationally established export quotas* that are annexed to this Resolution.

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## Annex

## Guidelines for management of nationally established export quotas

### *Introduction*

1. This document specifies a number of general principles regarding the establishment and management of annual export quotas at the national level in the context of CITES. It is understood that there may be exceptions and reasons for departing from these general principles in certain cases. In particular, it should be noted that certain exceptions may be found in Resolutions of the Conference of the Parties, which take precedence over these guidelines.
2. In the context of CITES, an annual export quota is a limit on the number or quantity of specimens of a particular species that may be exported from the country concerned within a 12-month period. An annual export quota is not a target and there is no need for a quota to be fully used. It is recognized that there are some cases in which it is likely that the export of specimens removed from the wild will occur after the year in which the removal took place, as happens with hunting trophies.
3. An export quota system is a management tool, used to ensure that exports of specimens of a certain species are maintained at a level that has no detrimental effect on the population of the species. The setting of an export quota advised by a Scientific Authority effectively meets the requirement of CITES to make a non-detriment finding for species included in Appendix I or II and, for species in Appendix II, to ensure that the species is maintained throughout its range at a level consistent with its role in the ecosystems in which it occurs.
4. A well-implemented export quota system can be an advantage for any Party to CITES that authorizes exports. It eliminates the need for a non-detriment finding for each individual shipment of CITES specimens, provides a basis for monitoring the trade and may facilitate the issuance of export permits. In the case of species whose populations span international borders, the establishment of export quotas can be coordinated at a regional level, which is of particular relevance in the case of migratory species.



5. It must be recognized, however, that there are also other management tools that may be better suited to the biological, administrative or other management context. In some cases, the use of quotas could have an undesirable effect, particularly if they are not adjusted as necessary to take into account changing biological, legal or administrative needs. For example, where a quota has been set for a particular year but the species is impacted by climatic factors, such as a drought, there could still be pressure to fill the quota.
6. The fundamental principle to follow is that decision-making regarding the level of sustainable exports must be scientifically based, and harvests managed in the most appropriate manner. This requires that implementation, including administrative, legislative and enforcement measures, take account of the regulatory and biological context.
7. In contexts where the establishment of an export quota would be the most effective management tool, it is important that the use of that tool is not made less attractive to exporting countries by the imposition of unnecessary administrative layers. For this reason, the guidelines in this document have been prepared with the thought in mind that they need to be practical and uncomplicated, and not to add to the existing administrative burdens.

#### ***Establishment of national export quotas***

8. Where export quotas have not already been agreed at the international level (e.g. by the Conference of the Parties), Parties are encouraged to establish national export quotas for CITES-listed species whenever this is relevant to the management and conservation of the species concerned.
9. As far as possible the period covered by an export quota should be the calendar year (i.e. 1 January to 31 December).
10. When export quotas are established, they should be set as a result of a non-detriment finding by a Scientific Authority, in accordance with Article III, paragraph 2 (a), or Article IV, paragraph 2 (a), of the Convention, and should ensure that the species is maintained throughout its range at a level consistent with its role in the ecosystems in which it occurs, in accordance with Article IV, paragraph 3. Export quotas for wild-taken specimens should be set at a level that takes account of the number or quantity of specimens that are taken from the wild legally or illegally. A non-detriment finding should be made whenever an export quota is established for the first time or revised, and reviewed annually.
11. Export quotas are usually established for specimens of wild source. However, separate quotas may be established for specimens of different sources (e.g. wild-taken, ranches, captive-bred, artificially propagated). An export quota applies to wild-taken specimens unless indicated otherwise. A non-detriment finding that supports the export of specimens of any specific source (e.g. ranching) should not be relied upon to authorize the export of specimens of other sources.
12. Export quotas are usually established for a specific number or quantity of animals or plants. However, they may be established for certain types of parts or derivatives (e.g. elephant tusks, caviar, skins, bark, sawn wood, bulbs).
13. To indicate the species for which quotas have been set, Parties should use the names indicated in the standard nomenclatures adopted by the Conference of the Parties<sup>1</sup>. The approved names can be found in the most recent edition of the *Checklist of CITES Species*, which is updated after each meeting of the Conference of the Parties<sup>2</sup>.

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<sup>1</sup> The most recent list of adopted nomenclatural references is contained in Resolution Conf. 12.11 (Rev. CoP14).

<sup>2</sup> The most recent is the 2007 edition.

14. Terms used to define or clarify a quota (such as those indicating the type or source, when appropriate, of specimens to which the quota applies) should be used in accordance with agreed definitions contained in Resolutions of the Conference of the Parties or follow the guidance provided in the most recent edition of the *Guidelines for the preparation and submission of CITES annual reports*<sup>3</sup>.

#### ***Communication of nationally established export quotas***

15. In accordance with Resolution Conf. 12.3 (Rev. CoP14), Parties should inform the CITES Secretariat of their nationally established export quotas and of revisions of such quotas. Such information can be provided at any time but, as far as possible, should be communicated at least 30 days before the start of the period to which the export quota relates.
16. If a Party establishes an annual export quota for a period other than a calendar year, it should indicate the period to which the quota applies when communicating it to the Secretariat.
17. When the Secretariat is informed about export quotas or revisions, it should publish them on the CITES website as soon as possible after they are received, with an indication of the date of publication. The publication should normally take place within 30 days of receipt.
18. When the Secretariat receives information about a quota for publication and it appears that there are technical problems, or it has questions about technical or administrative aspects of the quota needing clarification (for example, the standard nomenclature is not followed, there is an incoherence between the quota and available information on the species, past quotas have been regularly exceeded, etc.), it should discuss these with the Party concerned before placing the quota on the CITES website. In such cases the Secretariat and the Parties concerned should try to resolve the issue as quickly as possible. Once it is resolved, the Secretariat should promptly publish the quota on its website. If the case is not resolved, the Secretariat shall publish the quota with an annotation to indicate its concerns and the issue will be taken up through one of the existing CITES procedures.
19. Unless otherwise indicated by the Conference of the Parties, once the Secretariat has received and published details of an annual export quota from a Party, it should publish the same quota for following years until it receives a revised quota from that Party. If any Party is concerned that a published quota may be too high, it should consult the appropriate Management Authority of the Party that established the quota regarding its concerns, in accordance with Resolution Conf. 11.18 on Trade in Appendix-II and -III species.

#### ***Quotas not fully utilized in a particular year***

20. The level of an export quota reflects the number or quantity of specimens of a species that may be exported in any particular year (the specimens having been removed from the wild, bred in captivity, artificially propagated, etc., in that year). It sometimes happens, however, that, although specimens are obtained for export, it is not possible to ship them in the year in which they were obtained.
21. A Party may decide exceptionally to authorize export in one year of specimens that were obtained in a previous year, and under the quota for that previous year. In such cases, the quota for the current year should not be increased in order to include the specimens obtained in the previous year. Rather the number or quantity of such specimens that will be exported should be deducted from the quota of the previous year.

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<sup>3</sup> The most recent edition was circulated with Notification to the Parties No. 2006/030 of 2 May 2006.

### *Monitoring and trade reporting*

22. Every Party that has established an export quota is responsible for monitoring its use and must ensure that it is not exceeded. For that purpose, it should maintain data on the number or quantity of specimens actually exported, to be used as a reference when reviewing applications to authorize further exports.
23. The data from national annual reports of Parties are stored in the CITES trade database that is maintained by the UNEP World Conservation Monitoring Centre under contract to the CITES Secretariat. This database provides the basis for monitoring the trade and the implementation of the export quotas at the international level.

### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

AGREES to the following.

- a) The Animals and Plants Committees should share their experience, especially during joined meetings, regarding the undertaking of periodic reviews of taxa included in the Appendices (including financing of reviews, processes, format and outputs).
- b) The Animals and Plants Committees shall establish a schedule for the Periodic Review of the Appendices and identify a list of taxa they propose to review during the next two intersessional periods between meetings of the Conference of the Parties (CoP). The list should be established at their first meeting after the meeting of the Conference of the Parties that initiates the review period.
- c) The Animals and Plants Committees are strongly encouraged to follow the following guidelines:
  - i) the Animals and Plants Committees, in consultation with the UNEP World Conservation Monitoring Centre, shall select a practical taxonomic entity or entities and specimens traded for analysis;
  - ii) the following taxa should not be considered for review:
    - A. species that were the subject of listing proposals at the previous two meetings of the Conference of the Parties (whether or not the proposals were adopted);
    - B. species listed under the new criteria [Resolution Conf. 9.24 (Rev. CoP14)] in the last 10 years;
    - C. species subject to ongoing reviews, such as the Review of Significant Trade [Resolution Conf. 12.8 (Rev. CoP13)] or periodic reviews conducted within the last 10 years; or
    - D. species subject to other reviews targeted by valid Decisions and Resolutions of the Conference of the Parties;
  - iii) the selected taxonomic entity or entities shall be assessed using the process outlined in the Annex to the present Resolution; and
  - iv) outputs 3 and 4 resulting from the assessment conducted in accordance with the Annex shall contain the following information in a summary table that includes:
    - A. a summary of trade data since the initial inclusion of that taxon in the Appendices;
    - B. current conservation status, including the IUCN category of the species; and
    - C. current listing in the CITES Appendices, date of first listing, number of trade records, commercial trade, and remarks.
- d) From this summary table, and list generated in Output 2 from the assessment, the Animals and Plants Committees will identify the list of taxa to be reviewed.
- e) The Secretariat shall send a copy of the proposed list of taxa to be reviewed to all Parties, and request range States of the taxa to comment within 90 days on the need to review the taxa and express their interest in undertaking the reviews. The responses shall be relayed by the Secretariat to the Animals or Plants Committee.
- f) Taking these comments into account, the Animals and Plants Committees will inform the Standing Committee about the finalized selection of taxa to be reviewed.
- g) The Chairmen of the Animals and Plants Committees shall keep the Standing Committee informed about the conduct of periodic reviews of taxa included in the Appendices. A list of

species previously reviewed, including dates of the review and links to the appropriate documents, shall be maintained by the Secretariat.

- h) The Animals and Plants Committees shall conduct or organize the reviews, seeking information, participation and support from the range States. The regional representatives of the Animals, Plants and Standing Committees shall seek assistance from range States within their region to support the taxon reviews.
- i) Each review (in the format of a proposal used to amend the Appendices) is to be submitted as a working document to the Animals or Plants Committee for review. The Secretariat shall notify the relevant range States of these working documents.
- j) In cases where a review indicates, and the technical committee concerned agrees, that it would be appropriate to transfer a taxon from one Appendix to another, or to delete a taxon from the Appendices, the Animals or Plants Committee shall, in consultation with the range States, prepare (or arrange the preparation of) a proposal to amend the Appendices.
- k) The Secretariat, on behalf of the Standing Committee and the Animals or Plants Committee, shall provide copies of the proposal to the range States and request that one or more should submit the proposal for consideration at the following meeting of the Conference of the Parties.
- l) If no range State is willing to submit the proposal, the Secretariat shall request the Depositary Government to submit it [as specified in Resolution Conf. 11.1 (Rev. CoP14)] and to include the comments of the range States in the supporting statement.
- m) Proposals resulting from the periodic review of the Appendices must be submitted for decision to the Conference of the Parties.

# Protocol for the assessment of taxa for consideration in the Periodic Review of the Appendices

