

RECALLING that Article IV, paragraph 2 (a), of the Convention requires, as a condition for granting an export permit, that a Scientific Authority of the State of export has advised that the export will not be detrimental to the survival of the species concerned;

RECALLING that Article IV, paragraph 3, requires a Scientific Authority of each Party to monitor exports of Appendix-II species and to advise the Management Authority of suitable measures to be taken to limit such exports in order to maintain such species throughout their range at a level consistent with their role in the ecosystem;

RECALLING also that Article IV, paragraph 6 (a), requires, as a condition for granting a certificate of introduction from the sea, that a Scientific Authority of the State of introduction from the sea has advised that the introduction will not be detrimental to the survival of the species concerned;

CONCERNED that some States permitting export of Appendix-II species are not effectively implementing Article IV, paragraphs 2 (a), 3 and 6 (a), and that, in such cases, measures necessary to ensure that the export of an Appendix-II species takes place at a level that will not be detrimental to the survival of that species, such as population assessments and monitoring programmes, are not being undertaken, and that information on the biological status of many species is frequently not available;

RECALLING that the proper implementation of Article IV is essential for the conservation and sustainable use of Appendix-II species;

NOTING the important benefits of the review of trade in specimens of Appendix-II species by the Animals and Plants Committees as set out in Resolution Conf. 8.9 (Rev.), adopted by the Conference of the Parties at its eighth meeting (Kyoto, 1992) and amended at its 11th meeting (Gigiri, 2000), referred to as the Review of the Significant Trade, and the need to clarify further and simplify the procedure to be followed;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

Regarding conduct of the Review of Significant Trade

DIRECTS the Animals and Plants Committees, in cooperation with the Secretariat and experts, and in consultation with range States, to review the biological, trade and other relevant information on Appendix-II species subject to significant levels of trade, to identify problems and solutions concerning the implementation of Article IV, paragraphs 2 (a), 3 and 6 (a), in accordance with the following procedure:

Selection of species to be reviewed

- a) the Secretariat shall request the UNEP World Conservation Monitoring Centre to produce, within 90 days after each meeting of the Conference of the Parties, a summary from the CITES database of annual report statistics showing the recorded net level of exports¹ for Appendix-II species over the five most recent years;
- b) on the basis of recorded trade levels and information available to the Animals or Plants Committee, the Secretariat, Parties or other relevant experts, species of priority concern

* Amended at the 13th meeting of the Conference of the Parties.

¹ 'Net level of exports' means the total gross number of specimens exported from a range State minus the gross number imported by the same range State, based on the reported export and import data in the annual reports of the Parties.

shall be selected for review by the Animals or Plants Committee (whether or not such species have been the subject of a previous review);

- c) in exceptional cases where new information indicates an urgent concern, the Animals or Plants Committee may add a species to the list of species of concern at another stage;

Consultation with the range States concerning implementation of Article IV

- d) the Secretariat shall, within 30 days after the meeting of the Animals or Plants Committee at which species are selected, notify range States of the species selected, providing an explanation for this selection and requesting comments regarding possible problems of implementing Article IV identified by the Committee. Range States shall be given 60 days to respond;
- e) the Secretariat shall report to the Animals or Plants Committee on the response of the range States concerned, including any other pertinent information;
- f) when the Animals or Plants Committee, having reviewed the available information, is satisfied that Article IV, paragraph 2 (a), 3 or 6 (a), is correctly implemented, the species shall be eliminated from the review with respect to the State concerned. In that event, the Secretariat shall notify the Parties accordingly within 60 days;

Compilation of information and preliminary categorization

- g) in the event that the species is not eliminated from the review in accordance with paragraph f) above, the Secretariat shall proceed with the compilation of information regarding the species;
- h) when necessary, consultants shall be engaged by the Secretariat to compile information about the biology and management of and trade in the species and shall contact the range States or relevant experts to obtain information for inclusion in the compilation;
- i) the Secretariat or consultants, as appropriate, shall summarize their conclusions about the effects of international trade on the selected species, the basis on which such conclusions are made and problems concerning the implementation of Article IV, and shall provisionally divide the selected species into three categories:
 - i) 'species of urgent concern' shall include species for which the available information indicates that the provisions of Article IV, paragraph 2 (a), 3 or 6 (a), are not being implemented;
 - ii) 'species of possible concern' shall include species for which it is not clear whether or not these provisions are being implemented; and
 - iii) 'species of least concern' shall include species for which the available information appears to indicate that these provisions are being met;
- j) before the report of the Secretariat, or consultant, is considered by the Animals or Plants Committee, the Secretariat shall transmit it to the relevant range States, seeking comments and, where appropriate, additional information. Range States shall be given 60 days to respond;

Review of information and confirming of categorization by the Animals or Plants Committee

- k) the Animals or Plants Committee shall review the report of the Secretariat or the consultants and the responses received from the States concerned and, if appropriate, revise the preliminary categorization proposed;
- l) species of least concern shall be eliminated from the review. Problems identified in the course of the review that are not related to the implementation of Article IV, paragraph 2 (a), 3 or 6 (a), shall be addressed by the Secretariat in accordance with other provisions of the Convention and relevant Resolutions;

Formulation of recommendations and their transmission to the range States

- m) the Animals or Plants Committee shall, in consultation with the Secretariat, formulate recommendations for the remaining species. These recommendations shall be directed to the range States concerned;
- n) for species of urgent concern, these recommendations should propose specific actions to address problems related to the implementation of Article IV, paragraph 2 (a), 3 or 6 (a). Such recommendations should differentiate between short-term and long-term actions, and may include, for example:
 - i) the establishment of administrative procedures, cautious export quotas or temporary restrictions on exports of the species concerned;
 - ii) the application of adaptive management procedures to ensure that further decisions about the harvesting and management of the species concerned will be based on the monitoring of the impact of previous harvesting and other factors; or
 - iii) the conducting of taxon- and country-specific status assessments, field studies or evaluation of threats to populations or other relevant factors to provide the basis for a Scientific Authority's non-detriment finding, as required under the provisions of Article IV, paragraph 2 (a) or 6 (a).

Deadlines for implementation of these recommendations should be determined by the Animals or Plants Committee. They must be appropriate to the nature of the action to be undertaken, and should normally be not less than 90 days but not more than two years after the date of transmission to the State concerned;

- o) for species of possible concern, these recommendations should specify the information required to enable the Animals or Plants Committee to determine whether the species should be categorized as either of urgent concern or of least concern. They should also specify interim measures where appropriate for the regulation of trade. Such recommendations should differentiate between short-term and long-term actions, and may include, for example:
 - i) the conducting of taxon and country-specific status assessments, field studies or evaluation of threats to populations or other relevant factors; or
 - ii) the establishment of cautious export quotas for the species concerned as an interim measure.

Deadlines for implementation of these recommendations should be determined by the Animals or Plants Committee. They must be appropriate to the nature of the action to be undertaken, and should normally be not less than 90 days but not more than two years after the date of transmission to the State concerned;

- p) these recommendations shall be transmitted to the range States concerned by the Secretariat;

Measures to be taken regarding the implementation of recommendations

- q) the Secretariat shall, in consultation with the Chairman of the Animals or Plants Committee, determine whether the recommendations referred to above have been implemented and report to the Standing Committee accordingly;
- r) where the recommendations have been met, the Secretariat shall, following consultation with the Chairman of the Standing Committee, notify the Parties that the species was removed from the process;
- s) when the Secretariat, having consulted with the Chairman of the Animals or Plants Committee, is not satisfied that a range State has implemented the recommendations made by the Animals or Plants Committee in accordance with paragraph n) or o), it should recommend to the Standing Committee appropriate action, which may include, as a last resort, a suspension of trade in the affected species with that State. On the basis of the

report of the Secretariat, the Standing Committee shall decide on appropriate action and make recommendations to the State concerned, or to all Parties;

- t) the Secretariat shall notify the Parties of any recommendations or actions taken by the Standing Committee;
- u) a recommendation to suspend trade in the affected species with the State concerned should be withdrawn only when that State demonstrates to the satisfaction of the Standing Committee, through the Secretariat, compliance with Article IV, paragraph 2 (a), 3 or 6 (a); and
- v) the Standing Committee, in consultation with the Secretariat and the Chairman of the Animals or Plants Committee, shall review recommendations to suspend trade that have been in place for longer than two years and, if appropriate, take measures to address the situation;

Regarding support to the range States

URGES the Parties and all organizations interested in the conservation and sustainable use of wildlife to provide the necessary financial support or technical assistance to those States in need of such assistance to ensure that wild populations of species of fauna and flora subject to significant international trade are not subject to trade that is detrimental to their survival. Examples of such measures could include:

- a) training of conservation staff in the range States;
- b) provision of information and guidance to persons and organizations involved in the production and export of specimens of the species concerned;
- c) facilitation of information exchange among range States; and
- d) provision of technical equipment and support; and

DIRECTS the Secretariat to assist with identification and communication of funding needs in the range States and with identification of potential sources of such funding;

Regarding monitoring, reporting and reintroduction of species into the review process

DIRECTS the Secretariat, for the purpose of monitoring and facilitating the implementation of this Resolution and the relevant paragraphs of Article IV:

- a) to report at each meeting of the Animals or Plants Committee on the implementation by the range States concerned of the recommendations made by the Committee; and
- b) to maintain a register of species that are included in the review process set out in this Resolution and a record of progress with the implementation of recommendations; and

Regarding coordination of field studies

DIRECTS the Secretariat, where appropriate, in consultation with the Chairman of the Animals or Plants Committee, to contract IUCN or other appropriate experts to coordinate, in collaboration with UNEP-WCMC, the conduct of the field studies required for Appendix-II species identified as being subject to significant levels of trade, and to raise the funds necessary for such studies; and

REPEALS Resolution Conf. 8.9 (Rev.) (Kyoto, 1992, as amended at Gigiri, 2000) – Trade in specimens of Appendix-II species taken from the wild.