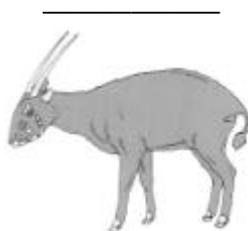


CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES  
OF WILD FAUNA AND FLORA



Seventeenth meeting of the Animals Committee  
Hanoi (Viet Nam), 30 July-3 August 2001

Implementation of Resolution Conf. 8.9 (Rev.)

REVISION OF RESOLUTION CONF. 8.9 (REV.) AND DECISIONS 11.106-11.108

This document has been prepared by Africa Resources Trust under contract to the CITES Secretariat.

Introduction

1. Resolution Conf. 8.9, entitled "The Trade in Wild-caught Animal Specimens", created a process through which the Animals Committee could identify and rectify problems in the implementation of Article IV. As a result of discussion within the Animals and Plants Committees, and based on document Doc.11.41.2 produced by the Secretariat, the Conference of the Parties (CoP) at its 11th meeting (Gigiri, Kenya) adopted Resolution Conf. 8.9 (Rev.) to modify the process. In the revised Resolution the Parties created a single process for both animals and plants. In addition, Resolution Conf. 8.9 (Rev.) differed from its progenitor in that it:
  - a) explicitly referred to paragraph 2 (a) of Article IV in the operative paragraphs for the first time;
  - b) added paragraph 6 (a) to the list of concerns with respect to the implementation of Article IV reflecting increasing interest in non-detriment findings for introduction from the sea;
  - c) amended the process to increase the level of consultation with range States;
  - d) created a new procedure to deal with species for which information is inadequate to determine whether the provisions of Article IV are being implemented;
  - e) formalized a mechanism for the introduction of "cautious quotas" as an interim measure for dealing with problems; and
  - f) removed rigid periodicity for dealing with species that have already been the subject of review.

2. A number of Decisions were also adopted/maintained at CoP 11 to interpret or complement Resolution Conf. 8.9 (Rev.):

- a) Decision 11.106 and Decision 11.117 provide detailed guidelines to the Animals and Plants Committees, respectively, how they should identify candidate species for review, how consultation should be handled and under what conditions species can be eliminated from the process.
- b) Decision 11.107 simply renewed Decision 10.80 which instructed the Animals Committee that "When formulating recommendations, care shall be taken to specify intentions precisely and not leave the country concerned and the Secretariat to try to interpret what the Animals Committee wanted".
- c) Decision 11.108 renewed Decision 10.81, again directed to the Animals Committee, and it states "When a State subject to a recommendation of the Animals Committee has agreed to set an export quota considered as cautious by the Secretariat, the case shall be reviewed by the Committee in due course".
- d) Decision 11.109 continued the instruction to the Animals Committee, first contained in Decision 10.82, that "Trade in animal species for use in traditional medicines shall be reviewed to assess the implications for wild populations".

3. In addition, the Parties amended Resolution Conf. 10.12 "*Conservation of Sturgeons*" to produce Resolution Conf. 10.12 (Rev.). In operative paragraph i) this included the following recommendation to the Animals Committee:

*that the Animals Committee consider the trade in sturgeon specimens in the context of the review of significant trade, pursuant to Resolution Conf. 8.9 (Rev.) as also reflected in Decision 11.95, that the Committee "shall consider Acipenseriformes species (sturgeons and paddlefish) in the Review of Significant Trade, as recommended in Resolution Conf. 10.12 (Rev.) pursuant to Resolution Conf. 8.9 (Rev.) and report at the 12th meeting of the Conference of the Parties".*

4. Finally, the Parties adopted Resolution Conf. 11.18, "Trade in Appendix-II and -III Species". It has relevance to the significant-trade review process because, as in Resolution Conf. 2.6 (Rev.), which it repealed, this Resolution recognises:

*the concerns expressed by various Parties that trade in plants and animals listed in Appendices II and III of the Convention may be detrimental to the survival of some species.*

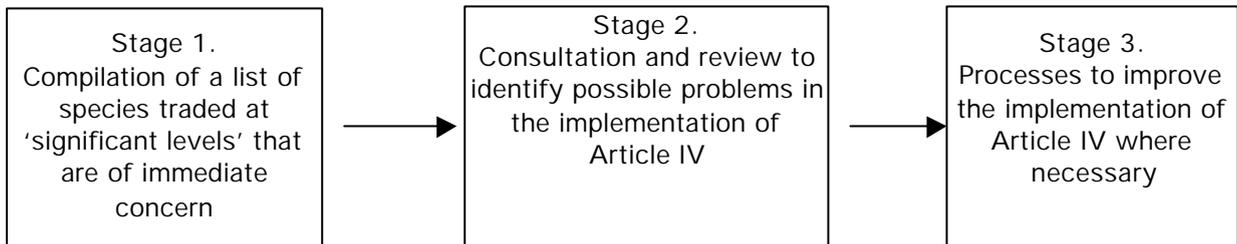
5. It provides the Parties with guidance on how to respond to such concerns.

6. Unfortunately, in attempts to implement the revised process for the review of significantly traded Appendix-II species, subsequent to CoP 11, a number of problems have been identified. For example, there appear to be inconsistencies between Resolution Conf. 8.9 (Rev.) and Decisions 11.106 and 11.117 which guide key parts of the Committees' work. As a result a range of interpretations are possible as to the intentions of the Parties with respect to way that the process is to be implemented.

7. This document seeks to highlight inconsistencies, inefficiencies and deficiencies in the Review of Significant Trade process as it is currently laid down in resolutions and decisions. It suggests some ways that these might be remedied which the Animals and Plants Committees may wish to consider.

## Stage by Stage Examination of the Process

8. For the purpose of this analysis we have examined all the relevant documents adopted by the Parties, and on this basis have divided the Review of Significant Trade process into three principal operative stages as follows:



9. In Stage 1, the Committee relies on trade data from the CITES database held by UNEP-WCMC to identify species that are traded at significant levels. It then uses information from the Secretariat and range States to compile a list of species that are of immediate concern. "Species" can mean any species, subspecies, or geographically separate population as defined in the text of the Convention. Virtually all of this part of the process is specified and laid-out in Decisions 11.106 and 11.117.
10. In Stage 2, consultants may be engaged to consult with the range States, compile and review information, summarising their conclusions in three categories as a basis for action. The Secretariat consults further with range States after which the Committee reviews all the available information and puts the species into final categories for action as follows:
- Category 1 where data indicate that the provisions of Article IV are not being implemented,
  - Category 2 where it is unclear whether Article IV is being implemented, and
  - Category 3 where trade is evidently not a problem.
11. All of this part of the process is defined by Decisions 11.106 and 11.117, including the three categories which are not mentioned in Resolution Conf. 8.9 (Rev).
12. In Stage 3, the Secretariat transmits the Committee's concerns on Category 1 and 2 species to the range States concerned. Wherever a satisfactory response is received within 6 weeks the species in question is eliminated from the process. Where there is an unsatisfactory response the Committee makes recommendations for action. These are transmitted to the range States by the Secretariat with a timeframe for implementation (90 days, 12 months or 2 years depending on the nature of the recommended action). If implementation by the range State is satisfactory then the Secretariat and Committee end the process for the species in question, though it may be reintroduced at a later stage if further concerns are brought forward. If implementation is unsatisfactory, the Secretariat will recommend strict measures to the Standing Committee, including the suspension of trade where appropriate, and the Parties are informed of any such decisions. Suspended trade is only reinstated when the affected Party satisfies the Standing Committee of its compliance. The bulk of this part of the process is laid down in Resolution Conf. 8.9 (Rev.).
13. In Figures 1 to 3 the detail at each stage of the process is provided as well as an interpretation of the instructions given in the various documents while at the same time

identifying in which document (and where exactly within the document) each action is specified. Conclusions from this exercise are as follows.

### Stage 1

14. It is currently unclear what is to trigger UNEP-WCMC to produce a print out from the CITES database. Presumably they will be requested to do so by the Committee or the Secretariat, but no guidance is given as to how often a new printout (essentially the start of a new Phase) is needed. Should it be for each Committee meeting or less frequently? Who decides?

*Suggestion:* If the current Stages are to be maintained, the Decision could be amended to specify that the Secretariat, possibly in consultation with the Committee, will request UNEP-WCMC to produce a print-out and that the periodicity should be such that the list normally be made available 3 months after each Conference of the Parties.

15. If the Committee intends to set in advance of the process a blanket level of trade determined to be safe (this has previously been 100 specimens) then UNEP-WCMC can produce the global list of all trade in Appendix-II species and the country-by-country list of species for which exports exceed the "safe" level at the same time. However, if the Committee wishes to consider species separately, and to set taxon-appropriate "safe" limits then the current process will require UNEP-WCMC to produce the global print out, for the Committee to examine this, determine "safe" levels and produce a list of species that UNEP-WCMC will then use to produce country-by-country data. The Committee will then decide which species from this list are of immediate concern. This latter option will be relatively time-consuming and require considerable coordination. It is not clear which of these options the Committee is planning to adopt.

*Suggestion:* The Committee might find it preferable to continue to set the arbitrary level of 100 specimens.

16. While the Secretariat may inform the Committee about possible concerns with respect to species that have previously been eliminated or reviewed in a satisfactory manner, there is no clearly articulated process for the Secretariat, Parties or Observers to introduce new species to the process that might otherwise not be identified in the process as it is currently described. It is clear, for example, that trade data will not be available to UNEP-WCMC for species newly added to Appendix-II, and yet there have been concerns that Article IV is not being properly implemented for such species. In a similar vein, Resolution Conf. 11.18 deals with circumstances in which a Party may deem an Appendix-II species is being traded in a manner detrimental to the survival of that species. It calls upon Parties to consult directly with the Management Authority of the range State involved, to call up on the assistance of the Secretariat or to apply stricter domestic measures. It is presumably the case that, when contacted in this regard, the Secretariat may find it appropriate to include the species in question in the Review of Significant Trade. Similarly, the Parties themselves might have liked an explicit entry point into the process for species of particular concern.

*Suggestion:* It might be explicitly stated that the Secretariat may introduce new species into the process either on the basis of their own information and concerns or those transmitted to it by Parties in terms of Resolution Conf. 11.18. To assist the Parties in this regard it may be helpful for the Secretariat to develop a database of evaluated species (considered further below).

## Stage 2

17. Although consultants may be engaged “when necessary”, the process as laid out in the decisions does not appear to make allowance for any situation where this is not the case. In particular, paragraph i) of Decisions 11.106 and 11.117 only envisages the Committee revising the categories proposed by the consultants. In some circumstances the Secretariat may not commission a consultant’s review, perhaps because the species has been reviewed in some previous Phase of the process.

*Suggestion:* Presumably when a consultant is not hired, it means that the relevant information is already available to the Secretariat and Committee, but the Committee may wish to suggest a change the text of the Decisions to make the process completely clear when a consultant’s report is not necessary.

18. It is in this Stage that the first possible inconsistency and question of interpretation is introduced into the process. Central to Resolution Conf. 8.9 (Rev.) is the differing treatment received by species with data and species without data. Operative paragraph b) refers to “those species under review for which sufficient information is available on trade and biological status, to determine possible problems with the implementation of Article IV”. The Committee is to produce Primary and Secondary Recommendations for such species. At the same time, Operative paragraph c) refers to “those species under review for which sufficient information on trade and biological status of the species under review is not available”. For such species the Committee is to recommend taxon or country-specific assessments or cautious interim quotas. On the other hand, Decisions 11.106 and 11.117 establish three Categories. Category 1 includes species for which the available information indicates that the provisions of Article IV of the Convention are not being implemented, while Category 2 species are those for which it is not clear whether or not the provisions of Article IV of the Convention are being implemented<sup>1</sup>. We assume that the congruence between the two groups of species in the Resolution and the two categories in the decisions was intended by the Parties and, indeed, that the decision establishes Category 1 as the basis for listing the species subject to Primary and Secondary Recommendations and Category 2 for species subject to assessments and cautious quotas. Other interpretations are possible, however.

*Suggestion:* The Decision might be amended to make it clear that the Categories it describes are equivalent to those in the Resolution. Alternatively, the Resolution might be amended to include (and describe) the three categories and the Decision modified to refer to the relevant paragraphs of the Resolution.

## Stage 3

19. Resolution Conf. 8.9 (Rev.) unambiguously requires the Committee to treat species for which there is sufficient information to demonstrate a problem with the implementation of Article IV (taken to be Category 1 species) by formulating Primary or Secondary Recommendations. It similarly requires the Committee to deal with data deficient species by recommending specific assessments or cautious interim quotas. However, this appears to be an artificial dichotomy. It is likely that the Committee will often wish to include cautious interim quotas amongst its primary recommendations and taxon or country specific assessments will surely comprise many secondary recommendations. Similarly, cautious interim quotas, when applied to data deficient species, have all the characteristics of primary recommendations. This dichotomy, which is perhaps unnecessary, has the potential to cause considerable confusion amongst the Committee, the Parties and the Secretariat.

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<sup>1</sup> Category 3 simply includes species where there is evidently not a problem and these are eliminated from the process.

*Suggestion:* It may be appropriate to amend the Resolution so that there are only two types of recommendation, primary and secondary recommendations, as per established practice. Primary recommendations would continue to have a 90-day implementation horizon and could include cautious interim quotas and secondary recommendations could include taxon and country assessments. It may be necessary to allow either 12 months or two years for secondary assessments.

20. As it currently stands, operative paragraph c) of Resolution Conf. 8.9 (Rev.) implies that every species for which there is insufficient data should receive recommendations for taxon-specific status assessments, country-specific status assessments and cautious interim quotas.

*Suggestion:* Presumably, the Committee might wish to recommend one or more of these options and it might be better if this is expressly stated in the Resolution.

21. The Resolution establishes cautious interim quotas as one measure that the Committee might recommend for species where there is insufficient data to determine whether or not Article IV is being implemented. However, there is no clear procedure for amending these quotas. For animals (but not plants) this is addressed, at least in part, by Decision 11.108 which states that: "When a State subject to a recommendation of the Animals Committee has agreed to set an export quota considered as cautious by the Secretariat, the case shall be reviewed by the Committee in due course". But what does "in due course" mean? It is appropriate for the Secretariat to reintroduce these species when the Committee is compiling a new list of species of immediate concern? Is there a need for a quicker and more specific way of amending quotas?

*Suggestion:* It may be worthwhile amending the decisions to allow the Secretariat, in consultation with the Committee, to consider quota amendments, either in response to new information or at the request of the range State.

22. Resolution Conf. 8.9 (Rev.) requires Parties to "demonstrate to the satisfaction of the Secretariat that it has implemented the recommendations", while paragraph n) in Decisions 11.106 and 11.117 says "the Secretariat, which shall, in consultation with the Animals Committee, determine whether the recommendations have been implemented". This is a small, but potentially important difference. Consultation with the entire Committee is difficult in practice and this dual responsibility could lead to friction between the Committee and the Secretariat.

*Suggestion:* It may be appropriate to modify the decision so that the Parties have to satisfy the Secretariat, but the Secretariat has to notify the Committee of its decision, together with an explanation of why it was satisfied.

23. Paragraph h) of the Resolution requires that range States must demonstrate compliance with the recommendations of the Committee before any suspension of trade can be lifted. In practice, these cases can last many months or, conceivably, years, and the original recommendations can, presumably, lose their relevance.

*Suggestion:* The Committee may feel confident that it can make recommendations that are comprehensive and time-insensitive, and that there is no value in changing this part of the Resolution. However, it may be appropriate to consider further whether this is, in fact, the case. Instead of rigidly requiring the Party to comply with the recommendation(s) of the Committee, it might be possible, as an alternative, to allow the Party to demonstrate to the Standing Committee that Article IV is being implemented for the species in question.

24. The process, as it is currently drafted, requires the Secretariat to inform the Parties when the Standing Committee adopts strict measures, but does not require a similar notification when a Party returns to compliance.

*Suggestion:* Although current practice, a clause might be added to the Resolution to make it clear that the Secretariat will send out a notification when a Party demonstrates that Article IV is being implemented.

25. Resolution Conf. 8.9 (Rev.) directs the Secretariat to report to each Committee meeting on the implementation by the countries concerned of the recommendations made by the Committee. While this is important, one important shortcoming highlighted in previous reviews of the process has been the lack of a standard tracking process and an official record that tabulates the history of the species dealt with in each "Phase" of the process. In addition, the Secretariat may have such a system, but it may be of value to all concerned for the requirement to be spelt out in the Resolution.

*Suggestion:* There may be a case for a tracking system to be included in the Resolution, at least in outline.

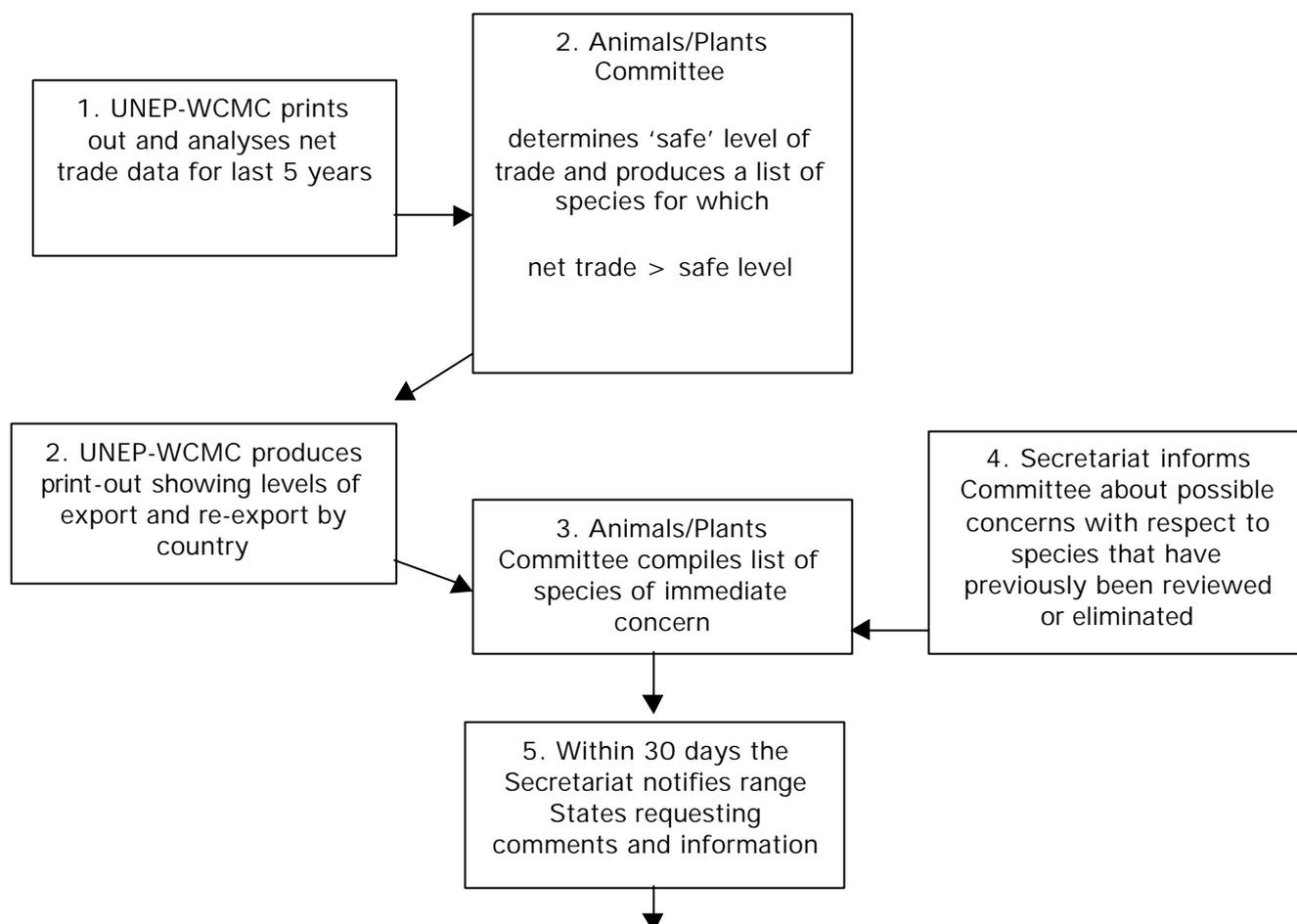
26. Decision 11.109, with the heading "Regarding Implementation of Resolution Conf. 8.9 (Rev.)", directs the Animals Committee to the effect that "Trade in animal species for use in traditional medicines shall be reviewed to assess the implications for wild populations". However, while there may be no problem in principle with such a decision being directed to the Animals Committee, it is far from clear that this should be linked to the Review of Significant Trade, not least because this decision does not restrict itself to Appendix-II species. There is also no explicit link to the implementation of Article IV. Difficulties were encountered at the 14th Meeting of the Animals Committee and as a result, the Committee decided not to include all species subject to traditional medicine in the short list for review.

*Suggestion:* Although this decision is included amongst the decisions related to Resolution Conf. 8.9 (Rev.) there does not appear to be a case for the linkage and the Committee may wish to make this explicit.

27. Two minor issues are worth including. Decision 11.106 and Decision 11.117 differ only in that the former is addressed to the Animals Committee and the latter to the Plants Committee. Decision 11.107, requiring careful formulation so that recommendations specify the Committees intentions precisely, is addressed only to the Animals Committee. This may also be appropriate advice for the Plants Committee.

*Suggestion:* It may be appropriate to extend the terms of Decision 11.107 to plants, and to combine these decisions.

Figure 1. Schematic diagram of Stage 1, the activities involved in the compilation of a list of species traded at 'significant levels' that are of immediate concern.



Box 1. From Decisions 11.106 and 11.117 paragraphs a) and b):

- a) UNEP-WCMC shall produce a print-out from the CITES database showing the recorded net levels of trade in all Appendix-II species over the five most recent years.
- b) In preparing these data, UNEP-WCMC will analyse the available trade information, highlighting for the relevant committee, inadequacies and/or deficiencies in the trade data available, in order to assist the committee with its review.

Box 2. From Decisions 11.106 and 11.117 paragraph c):

- c) Species for which the average net trade over this period has exceeded a level determined by the relevant committee to be "safe" should be selected and a print-out should be produced showing the levels of export and re-export of these species, by country. This will constitute the list of taxa that might be subject to significant levels of trade.

Box 3. From Decisions 11.106 and 11.117 paragraph d):

- d) On the basis of knowledge available in the Animals Committee or Plants Committee, and information from other relevant experts species of immediate concern will be selected because of their recorded trade levels.

Box 4. From Resolution Conf. 8.9 (Rev.) second DIRECTS:

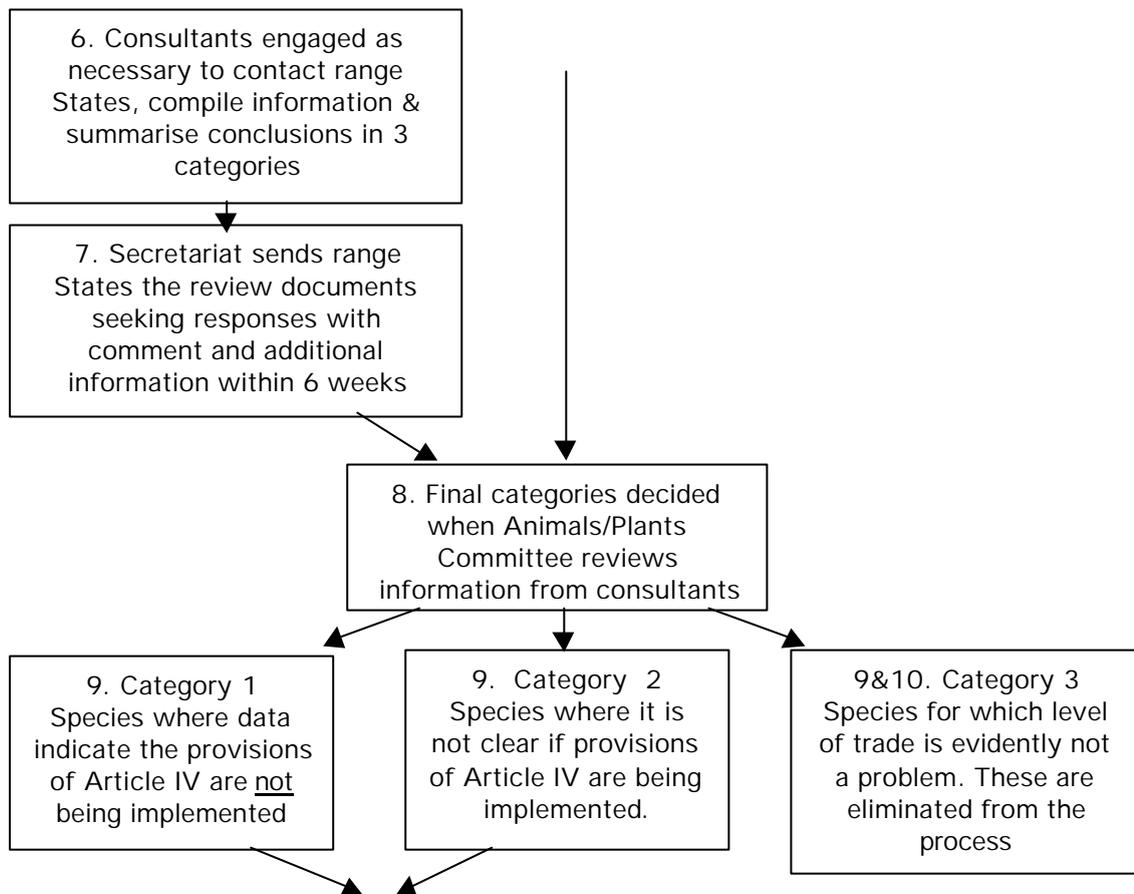
*DIRECTS the Secretariat for the purpose of monitoring and facilitating the implementation of this Resolution and the relevant paragraphs of Article IV of the Convention, and for allowing the reintroduction of a species into the review process in case of concern;*

- b) *to immediately inform the Animals Committee and the Plants Committee about possible concerns regarding trade in species:*
  - i) *that had been eliminated from the review process at a time when the committee concerned believed that the trade data available indicated that the trade was not detrimental to the survival of the species concerned; or*
  - ii) *for which the Secretariat was satisfied that the primary or secondary recommendations had been fulfilled by the Parties concerned.*

Box 5. From Decisions 11.106 and 11.117 paragraph e):

- e) The Secretariat should within 30 days after the meeting of the relevant committee, notify range States of the species selected, providing an explanation for this selection and requesting comments and co-operation in providing information on the taxon to assist the review.

Figure 2. Schematic diagram of Stage 2, the activities involved in consultation and review to identify possible problems in the implementation of Article IV.



Box 6. From Decisions 11.106 and 11.117 paragraphs f) and g):

- f) When necessary, consultants shall be engaged to compile information about the biology and management of the selected species and shall contact the range States and/or relevant experts to obtain information for inclusion in the compilation.
- g) The consultants shall summarize their conclusions about the effects of international trade and should divide the species into three categories:
  - i) Category 1 species being those for which the available information indicates that the provisions of Article IV of the Convention are not being implemented;
  - ii) Category 2 species being those for which it is not clear whether or not the provisions of Article IV of the Convention are being implemented; and
  - iii) Category 3 species being those for which the level of trade is evidently not a problem.

Box 7. From Decisions 11.106 and 11.117 paragraph h):

- h) Before consideration by the relevant Committee, the Secretariat shall transmit the review documents prepared by the consultants to relevant range States, seeking comments and, where appropriate, additional information. Range States should be given six weeks to respond.

Box 8. From Decisions 11.106 and 11.117 paragraph i):

- i) The relevant Committee should review the information provided by the consultants and the responses received from the Parties concerned and, if appropriate, revise the categories proposed by the consultants.

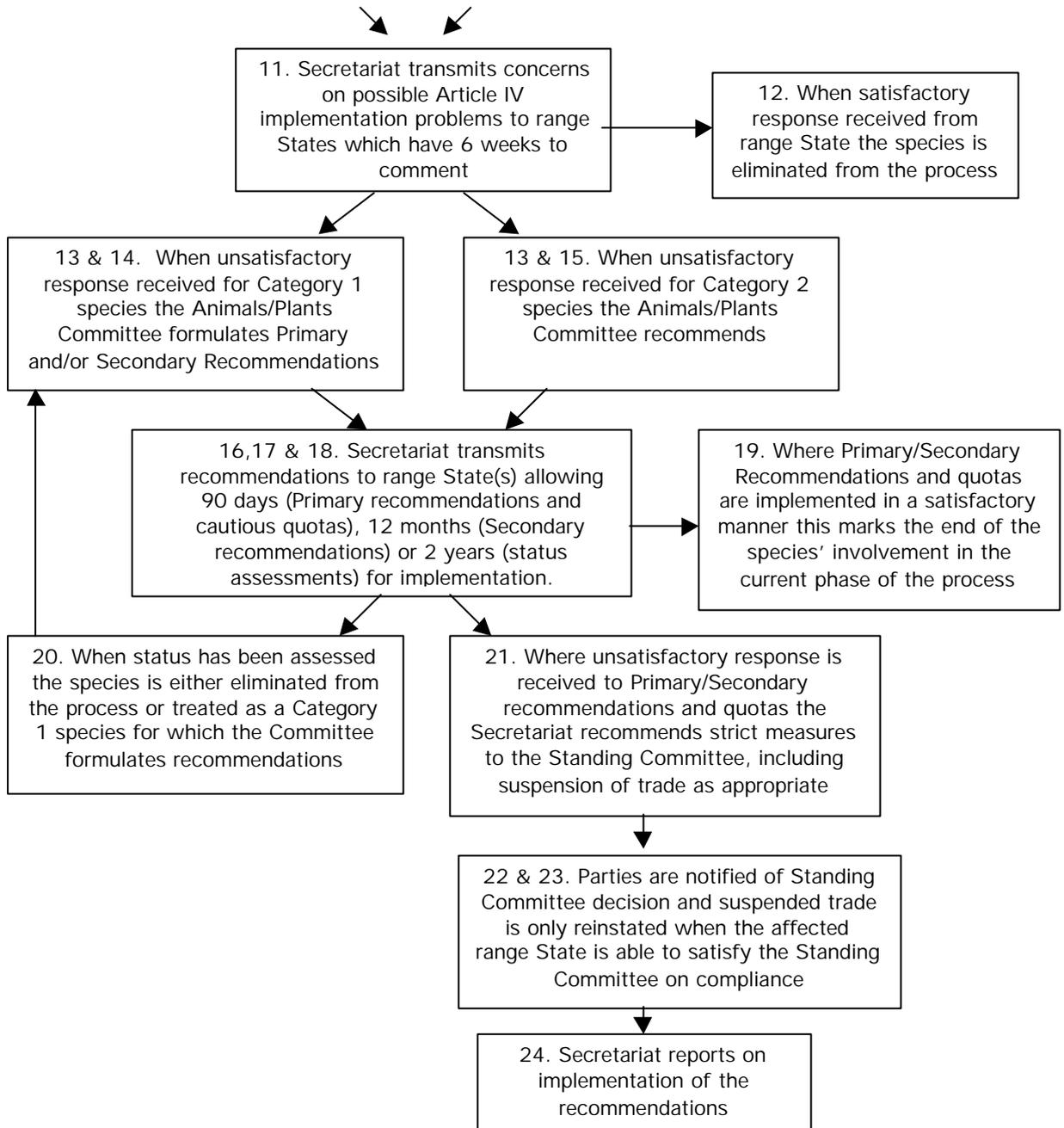
Box 9. From paragraph g) of Decisions 11.106 and 11.117 sub-paragraphs i), ii) and iii):

- i) Category 1 shall include species for which available information indicates that the provisions of Article IV of the Convention are not being implemented
- ii) Category 2 shall include species for which it is not clear whether or not the provisions or Article IV of the Convention are being implemented, and
- iii) Category 3 shall include species for which the level of trade is evidently not a problem.

Box 10. From Decisions 11.106 and 11.117 paragraph j):

- j) Species in Category 3 should be eliminated from the review process.

Figure 3. Schematic diagram of Stage 3, the processes to improve the implementation of Article IV



Box 11. From Decisions 11.106 and 11.117 paragraph k):

- k) With respect to species in Categories 1 and 2, the Secretariat, on behalf of the relevant committee, shall consult the range States seeking comments regarding possible Article IV implementation problems identified by the committee. Range States should be given six weeks to respond.

Box 12. From Decisions 11.106 and 11.117 paragraph l):

- l) If a response satisfactory to the relevant committee is received, the species shall be eliminated from the review process with respect to the State concerned.

Box 13. From Decisions 11.106 and 11.117 paragraph m):

- m) Otherwise, the relevant committee shall, in consultation with the Secretariat, formulate recommendations in accordance with the provisions of Resolution Conf. 8.9 (Rev.), relating to species in Categories 1 and 2.

Box14. From Resolution Conf. 8.9 (Rev.) first DIRECTS paragraph b):

*in relation to those species under review for which sufficient information is available on trade and biological status, to determine possible problems with the implementation of the relevant paragraphs of Article IV, and following consultation with the range States, to make specific recommendations. Such recommendations shall be either primary or secondary recommendations.*

- i) primary recommendations include, for example, administrative procedures, specific quotas, zero quotas or temporary restrictions on exports of the species concerned; and*
- ii) secondary recommendations include, for example, field studies or evaluation of threats to populations or other relevant factors, including illegal trade, habitat destruction, internal or other uses, designed to provide the information necessary for a Scientific Authority non-detriment finding.*

Box 15. From Resolution Conf. 8.9 (Rev.) first DIRECTS paragraph c):

*for those species under review for which sufficient information on trade and biological status of the species under review is not available:*

- i) to recommend taxon-specific status assessments;*
- ii) to recommend country-specific status assessments; and*
- iii) to recommend to range States the establishment of cautious quotas as an interim measure.*

Box 16. From Resolution Conf. 8.9 (Rev.) RECOMMENDS paragraphs a), b) and c):

- a) the above-mentioned recommendations of the Animals Committee and the Plants Committee be communicated by the Secretariat to each Party concerned;
- b) for primary recommendations, each Party concerned, within 90 days of receipt, demonstrate to the satisfaction of the Secretariat that it has implemented the recommendations; and
- c) for secondary recommendations, each Party concerned, within 12 months of receipt, demonstrate to the satisfaction of the Secretariat that it has implemented or taken action to implement the recommendations.

Box 17. From Resolution Conf. 8.9 (Rev.) RECOMMENDS paragraphs d) and e):

- d) *for recommendations made pursuant to paragraphs c) i) and ii) under 'DIRECTS' above, each range State concerned, in consultation with the Secretariat and the Chairman of the Animals Committee or Plants Committee, as appropriate, complete a status assessment within two years of receipt of the recommendations of the committee concerned; and*
- e) *for recommendations made under the provisions of paragraph c) iii) under 'DIRECTS' above, each Party concerned, within 90 days of receipt of the recommendations of the Animals Committee or the Plants Committee, demonstrate to the satisfaction of the Secretariat that it has implemented the recommendations.*

Box 18. From Decisions 11.106 and 11.117 paragraph n):

- n) *These recommendations shall be transmitted to the States concerned by the Secretariat which shall, in consultation with the **relevant** committee, determine whether the recommendations have been implemented.*

Box 19. This part of the process is implied but not stated in either the Resolution or the Decisions.

Box 20. From Resolution Conf. 8.9 (Rev.) DIRECTS paragraph c)

- iv) *to make, as appropriate, recommendations as described under paragraph b) above once the assessments referred to in paragraphs c) i) and ii) have been completed.*

Box 21. From Resolution Conf. 8.9 (Rev.) RECOMMENDS paragraph f):

- f) *upon failure of a concerned Party to satisfy the Secretariat that it has fulfilled the requirements specified in paragraph b), c), d) or e) of this section, the Secretariat recommend to the Standing Committee that all Parties immediately take strict measures, including as appropriate suspension of trade in the affected species with that Party.*

Box 22. From Resolution Conf. 8.9 (Rev.) RECOMMENDS paragraph g):

- g) *following acceptance of the Secretariat's recommendation by the Standing Committee, the Secretariat notify the Parties accordingly.*

Box 23. From Resolution Conf. 8.9 (Rev.) RECOMMENDS paragraph h):

- h) *in the case of suspension of trade in accordance with paragraph f) above, trade in the affected species with the Party concerned be reinstated only when that Party demonstrates to the satisfaction of the Standing Committee, through the Secretariat, compliance with the recommendations made by the Animals Committee or Plants Committee with respect to the implementation of Article IV, paragraph 2 (a), 3 or 6 (a).*

Box 24. From Resolution Conf. 8.9 (Rev.) second DIRECTS paragraph a):

- a) *to report to each meeting of the Animals Committee and the Plants Committee on the implementation by the countries concerned of the recommendations made by the committee.*

## Comments from the Secretariat

28. The Secretariat is grateful for this discussion document provided by Africa Resources Trust, which arose out of work to develop a guide to the Review of Significant Trade which led to the discovery of ambiguities in the process and apparent contradictions between Resolution Conf. 8.9 (Rev.) and relevant Decisions.
29. The Secretariat largely agrees with the analysis presented and the suggestions for change, recognizing that there are several options that could be considered in the management of the review process. Of primary importance is to enhance the level of understanding of the process by the Parties and to ensure maximum transparency. The Secretariat therefore is in favour of a further revision of Resolution Conf. 8.9 (Rev.) aimed at simplifying the review and incorporating as much as possible of the relevant Decisions in the Resolution in order to reduce the possibility of ambiguity and contradiction, and to facilitate general understanding of the process. The Secretariat hopes to conduct this revision in collaboration with the Animals and Plants Committees (but will only initiate the revision after consultation with the Plants Committee at its 11th meeting).