

***Decisions
of the Conference of the Parties***

NOTE FROM THE SECRETARIAT

The source documents for the Decisions are indicated below:

Decisions	Sources
regarding ivory	
10.1	Com. 10.34
10.2	Com. 10.35
directed to the Parties	
10.3-4	Com. 10.38
10.5-12	Com. 10.26
10.13-17	CoP9
10.18-23	Com. 10.5
10.24-29	CoP9
10.30	Com. 10.6
10.31-39	CoP9
10.40-43	Com. 10.22
10.44	Com. 10.13
10.45	Doc. 10.47 (Rev.) para. 35
10.46-47	Com. 10.16
10.48	Com. 10.2 (Rev.)
10.49-50	CoP9
10.51-53	Com. 10.21 (Rev.)
10.54	Com. 10.32
10.55	Com. 10.4
10.56	CoP9
10.57	Doc. 10.19 para. 5
directed to the Chairmen of Committees I and II	
10.58	CoP9
directed to the Standing Committee	
10.59-63	Com. 10.26
10.64	Com. 10.5
10.65	Com. 10.13
10.66	Com. 10.36
10.67-69	Com. 10.21 (Rev.)
10.70	Com. 10.41
directed to the Animals Committee	
10.71-72	Com. 10.26
10.73-74	Com. 10.2 (Rev.)
10.75-76	Com. 10.32
10.77	Com. 10.30 (Rev.)
10.78	Com. 10.17

Decisions	Sources
10.79	CoP9
10.80-82	Doc. 10.55; Com. 10.37
directed to the Plants Committee	
10.83-84	Com. 10.26
10.85-86	Com. 10.32
10.87	Com. 10.21 (Rev.)
10.88	Doc. 10.56
10.89	Doc. 10.16 (Rev. 2)
directed to the Nomenclature Committee	
10.90-91	Doc. 10.18 (Rev.) paras 21-30; 39-44
directed to UNEP	
10.92	Com. 10.26
directed to FAO	
10.93	Com. 10.2 (Rev.)
directed to the Secretariat	
10.94	CoP9
10.95-110	Com. 10.26
10.111	Com. 10.27
10.112	Com. 10.9
10.113-114	CoP9
10.115	Com. 10.5
10.116-117	CoP9
10.118-119	Com. 10.6; 10.28
10.120	Com. 10.7 (Rev.)
10.121	CoP9
10.122	Com. 10.7 (Rev.)
10.123	CoP9
10.124	Com. 10.13
10.125	Com. 10.11
10.126	Com. 10.2 (Rev.)
10.127-134	Com. 10.21 (Rev.)
10.135	CoP9
10.136	Doc. 10.56 para. 21
10.137-141	CoP9
10.142	Doc. 10.74 (Rev.) Annex
10.143	Com. 10.37
10.144	CoP9

Regarding ivory

10.1 Conditions for the resumption of trade in African elephant ivory from populations transferred to Appendix II at the 10th meeting of the Conference of the Parties

Part A

Trade in raw ivory shall not resume unless:

- a) deficiencies identified by the CITES Panel of Experts (established pursuant to Resolution Conf. 7.9, replaced by Resolution Conf. 10.9) in enforcement and control measures have been remedied;
- b) the fulfilment of the conditions in this Decision has been verified by the CITES Secretariat in consultation with the African regional representatives on the Standing Committee, their alternates and other experts as appropriate;
- c) the Standing Committee has agreed that all of the conditions in this Decision have been met;
- d) the reservations entered by the range States¹ with regard to the transfer of the African elephant to Appendix I were withdrawn by these range States prior to the entry into force of the transfer to Appendix II;
- e) the relevant range States¹ support and commit themselves to international co-operation in law enforcement through such mechanisms as the Lusaka Agreement;
- f) the relevant range States¹ have strengthened and/or established mechanisms to reinvest trade revenues into elephant conservation;
- g) the Standing Committee has agreed to a mechanism to halt trade and immediately re-transfer to Appendix I populations that have been transferred to Appendix II², in the event of non-compliance with the conditions in this Decision or of the escalation of illegal hunting of elephants and/or trade in elephant products owing to the resumption of legal trade;
- h) all other precautionary undertakings by the relevant range States in the supporting statements to the proposals adopted at the 10th meeting of the Conference of the Parties have been complied with; and
- i) the relevant range States¹, the CITES Secretariat, TRAFFIC International and any other approved party agree to:
 - i) an international system for reporting and monitoring legal and illegal international trade, through an international database

in the CITES Secretariat and TRAFFIC International; and

- ii) an international system for reporting and monitoring illegal trade and illegal hunting within or between elephant range States, through an international database in the CITES Secretariat, with support from TRAFFIC International and institutions such as the IUCN/SSC African Elephant Specialist Group and the Lusaka Agreement.

Part B

- a) If all of the conditions in this Decision are met, the Standing Committee shall make available its evaluation of legal and illegal trade and legal offtake pursuant to the implementation of Resolution Conf. 10.10 as soon as possible after the experimental trade has taken place.
- b) The Standing Committee shall identify, in co-operation with the range States, any negative impacts of this conditional resumption of trade and determine and propose corrective measures.

10.2 Conditions for the disposal of ivory stocks and generating resources for conservation in African elephant range States

- a) The African elephant range States recognize:
 - i) the threats that stockpiles pose to sustainable legal trade;
 - ii) that stockpiles are a vital economic resource for them;
 - iii) that various funding commitments were made by donor countries and agencies to offset the loss of assets in the interest of unifying these States regarding the inclusion of African elephant populations in Appendix I;
 - iv) the significance of channelling such assets from ivory into improving conservation and community-based conservation and development programmes;
 - v) the failure of donors to fund elephant conservation action plans drawn up by the range States at the urging of donor countries and conservation organizations; and
 - vi) that, at its ninth meeting, the Conference of the Parties directed the Standing Committee to review the issue of stockpiles and to report back at the 10th meeting.

Notes from the Secretariat:

¹ This is understood to mean the States whose populations of African elephant have been transferred to Appendix II [as in paragraph h)].

² This decision is in conflict with the text of the Convention. The mechanism for the transfer of species (including populations) from Appendix II to Appendix I is specified in Article XV of the Convention. Any such transfer can be done only if it is proposed by a Party and is agreed by the Conference of the Parties, either at a regular meeting or by the postal procedure, and will enter into force only 90 days after the proposal is adopted by the Conference. An appropriate action for the Standing Committee would be to request a Party (such as the Depositary Government) to submit the required proposal.

- b) Accordingly, the African elephant range States agree that all revenues from any purchase of stockpiles by donor countries and organizations will be deposited in and managed through conservation trust funds, and that:
- i) such funds shall be managed by Boards of Trustees (such as representatives of governments, donors, the CITES Secretariat, etc.) set up, as appropriate, in each range State, which would direct the proceeds into enhanced conservation, monitoring, capacity building and local community-based programmes; and
 - ii) these funds must have a positive rather than harmful influence on elephant conservation.
- c) It is understood that this decision provides for a one-off purchase for non-commercial purposes of government stocks declared by African elephant range States to the CITES Secretariat within the 90-day period before the transfer to Appendix II of certain populations of the African elephant takes effect. The ivory stocks declared should be marked in accordance with the ivory marking system approved by the Conference of the Parties in Resolution Conf. 10.10. In addition, the source of ivory stocks should be given. The stocks of ivory should be consolidated in a pre-determined number of locations. An independent audit of any declared stocks shall be undertaken under the auspices of TRAFFIC International, in co-operation with the CITES Secretariat.
- d) The African elephant range States that have not yet been able to register their ivory stocks and develop adequate controls over ivory stocks require priority assistance from donor countries to establish a level of conservation management conducive to the long-term survival of the African elephant.
 - e) The African elephant range States therefore urge that this matter be acted upon urgently since any delays will result in illegal trade and the premature opening of ivory trade in non-proponent range States.
 - f) This mechanism only applies to those range States wishing to dispose of ivory stocks and agreeing to and participating in:
 - i) an international system for reporting and monitoring legal and illegal international trade, through an international database in the CITES Secretariat and TRAFFIC International; and
 - ii) an international system for reporting and monitoring illegal trade and illegal hunting within or between elephant range States, through an international database in the CITES Secretariat, with support from TRAFFIC International and institutions such as the IUCN/SSC African Elephant Specialist Group and the Lusaka Agreement.

Regarding regional representation in the Standing Committee

10.3 The following guidelines should be implemented:

A. Selection of regional members and alternate regional members

The membership of the Standing Committee is determined in Resolution Conf. 9.1 (Rev.) Annex 1. In the selection of regional members and alternate regional members, the following considerations should be taken into account:

- a) for regions with one member and one alternate member (North America and Oceania), a rotation in the selection is recommended; and
- b) for regions with two members and two alternate members (Asia and Central and South America and the Caribbean) or with three members and three alternate members (Africa and Europe), the selection should try to achieve a balanced representation (geopolitical, cultural, ecological).

The regional candidatures should be officially submitted by the interested Parties through a governmental channel, at the latest 120 days before a meeting of the Conference of the Parties. These candidatures should be communicated to all the Parties of the region through the Secretariat.

If more candidatures are submitted than there are positions available for any region, a vote should take place in a session of the Parties of that region to be held during the meeting of the Conference of the Parties. To be elected, a candidate should obtain an absolute majority (i.e. more than half the votes). Only the Parties duly accredited by the Conference should have the right to vote. The election should take place during the second week of the meeting.

The election of a member and of his/her alternate should take place at the end of the term of office of their predecessors, in accordance with the above-mentioned procedure, through successive votes during a single process.

B. Shared or split representation

The regions with more than one member should decide the way the representation should be exercised until the next meeting of the Conference. This should be reviewed at each meeting.

C. Timing of replacement of members and alternate members

In accordance with Resolution Conf. 9.1 (Rev.) Annex 1, the terms of office of the regional members shall commence at the close of the regular meeting at which they are elected and shall expire at the close of the second regular meeting thereafter. The Resolution does not refer to alternate members but it may be assumed that the same rule applies. It is followed in the paragraphs below:

- a) for regions with one member and one alternate member, the selection may be conducted as it has been so far, taking into account however the recommendation made in paragraph A a); and
- b) for regions with more than one member and one alternate member, to guarantee some continuation, not all members and alternate members should be changed at the same meeting.

D. Regional sessions at meetings of the Conference of the Parties

The regional sessions have an official character and should have an agenda, and proceedings should be prepared concerning the proposals and agreements dealt with.

The chairman of each regional session should be the representative of a regional member of the Standing Committee.

Each region has specific tasks to fulfil, as follows:

- a) selection, if appropriate, of members and alternate members of the Standing Committee, which are Parties;
- b) selection of the members and alternate members of the Animals and Plants Committees. In accordance with Resolution Conf. 9.1 (Rev.) Annexes 2 and 3, the members and alternate members of the Animals and Plants Committees are persons. Although this is not indicated in the Resolution, the persons to be chosen should be experts in animals or plants in general and of the region they are representing in particular. Decision 10.4 provides information on the timing of replacement that could help the regions to make their decisions; and
- c) other tasks depending to a large extent on the agenda of the meeting of the Conference of the Parties. The regional representatives, perhaps with the help of their alternates, should establish the agenda of the session before the session. This agenda should cover the points mentioned in subparagraphs a) and b) and provide for discussion of the main items of the agenda of the meeting to be considered by the Conference of the Parties, at plenary sessions or at sessions of Committees I and II, in particular those of special interest to the region concerned.

E. Duties of the regional representatives

Regional representatives should maintain a fluid and permanent communication with the Parties of their region and the Secretariat.

Before the meetings of the Standing Committee, the representatives should communicate to the Parties of their region the items on the agenda, to request their opinions, preferably on matters specifically relevant to the countries or the region. They should also

inform them of the results of the meeting. At least two regional meetings should take place between meetings of the Conference of the Parties, one of which should be specifically to deal with proposals to be submitted to the Conference at its next meeting. The regional representatives should convene these meetings.

The regional representatives should report in detail on their activities, initiatives and achievements at the regional sessions that are taking place during meetings of the Conference of the Parties. The Parties may make comments on these reports, which should be included in the proceedings.

Regarding regional representation in the Animals and Plants Committees

10.4 The following guidelines should be implemented:

A. Election of the candidates

The proposals for candidates as representatives should be supported by the relevant governments in order to ensure as far as possible that they will obtain the necessary means to undertake their activities.

The names of the proposed candidates, and their *curricula vitae*, should be circulated to the Parties of the region concerned at least 120 days before the meeting of the Conference of the Parties at which the representatives will be elected.

As long as the regional representatives are persons, a Party shall not be accepted as a proposed candidate, subject to a later identification of the person concerned by the Party.

B. Timing of replacement of members and alternate members

If the same procedure as that for the Standing Committee is applied, the present members and alternate members should be replaced as follows:

- a) for regions with one member and one alternate member, the selection should be conducted as it has been so far for the Standing Committee, taking into account however that a rotation in the selection is recommended; and
- b) for regions with two members and two alternate members, to guarantee some continuation, the two members should not be changed at the same meeting.

As alternate members are alternates of specified members, they should be elected at the same time as the members.

If a region wishes to re-elect a member or alternate member, there is nothing to prevent it from doing so.

Regarding improvement of the effectiveness of the Convention

10.5 The Conference of the Parties should further strengthen the Reviews of Significant Trade in Species Included in Appendix II through the Animals and Plants Committees.

10.6 The Parties should submit draft resolutions and adopt Resolutions that are clear.

10.7 The Parties should take action to encourage additional training and capacity building at the bilateral level.

10.8 All Parties are urged to involve their Customs and Police Authorities with the ICPO-Interpol Subgroup on Wildlife Crime and to co-operate with the CITES Enforcement Working Group of the World Customs Organization. They are also urged to consider establishing individual memoranda of understanding between their relevant enforcement authorities and the CITES Secretariat.

10.9 The Parties should increase their efforts to make contributions to CITES implementation in kind, e.g. through staff secondments.

10.10 The Parties should consider giving support to subsequent stages of the initiative to harmonize the reporting requirements of biodiversity related Conventions, subject to the results of the WCMC feasibility study.

10.11 The Parties should encourage co-ordination between the CITES Secretariat and the Secretariat of the World Trade Organization (WTO).

10.12 The CITES Management Authorities are encouraged to work with trade experts in their countries to improve mutual understanding of the objectives of both CITES and the WTO.

Regarding entry into force of Resolutions and Decisions of the Conference of the Parties

10.13 (ex-9.1) The recommendations contained in Resolutions and Decisions adopted by the Conference of the Parties shall be effective from the date on which they are sent by Notification to the Parties at the latest, unless otherwise specified in the recom-

mendation concerned.

10.14 (ex-9.2) Their implementation by the individual Parties is subject to the procedures required under their national legislation.

Regarding the submission of amendment proposals, draft resolutions and other documents

10.15 (ex-9.3)	The term "the text of the proposed amendment" in Article XV, paragraph 1, of the Convention includes the substantially complete supporting statement accompanying it, and this interpretation is extended to certain amendment proposals	draft resolutions and other documents submitted for consideration at meetings of the Conference of the Parties, for which deadlines for submission are established under Resolutions of the Conference.
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Regarding the preparation of draft resolutions of the Conference of the Parties

10.16 (ex-9.4)	When drafting a resolution that is intended to be exhaustive, or to treat a subject comprehensively, or to make significant changes in the way in which a subject is dealt with, a Party should prepare the draft so that, if adopted, it will replace and repeal all existing Resolutions (or, as appropriate, the relevant paragraphs) on the same subject.	a) instructions or requests to Committees, Working Groups or the Secretariat, unless they are part of a long-term procedure;
		b) decisions on the presentation of the appendices; and
		c) recommendations (or other forms of decision) that will be implemented soon after their adoption and will then be obsolete.
10.17 (ex-9.5)	Unless practical considerations dictate otherwise, draft resolutions should not include:	

Regarding implementation of Resolution Conf. 8.4 – Parties whose legislation was analysed during Phase I

10.18	The following action should be taken in relation to the Parties, identified in Annex 1, paragraph 10, of document Doc. 10.31 (Rev.), whose national legislation is believed generally not to meet the requirements for implementation of CITES; which did not comply with Decision 6 a) directed to the Parties, adopted at the ninth meeting of the Conference of the Parties, by reporting improvements in their legislation; and which have been identified as Parties engaged in significant amounts of international trade in specimens of CITES species: a) all Parties should, from 9 June 1998, refuse any import from, and export and re-export to, these countries of CITES specimens, if so advised by the Standing Committee; and b) any Party identified in Annex 1, paragraph 10, of document Doc. 10.31 (Rev.) that enacts legislation meeting the criteria specified in Resolution Conf. 8.4 should report to the Secretariat regarding such enactment. Such report should be in writing, include the text that has been enacted and has taken effect and be translated into one of the three working languages of the Convention, if necessary. It should be received by the Secretariat no later than 1 February 1998.	10.19 Parties identified in document Doc. 10.31 (Rev.) Annex 1 as having national legislation in categories 2 and 3, but which are not identified in paragraph 10, should: a) take all necessary measures to develop national legislation for implementation of CITES and to ensure that this legislation will be in effect by the 11th meeting of the Conference of the Parties; b) report to the Secretariat any progress made in this regard no later than six months before that meeting; and c) provide to the Secretariat copies of all relevant new legislation and, where applicable, a translation of this legislation into one of the three working languages of the Convention.
		10.20 With respect to Parties described in Decision 10.19 that have not taken positive steps to implement it, the Conference of the Parties at its 11th meeting shall consider appropriate measures, which may include restrictions on the commercial trade in specimens of CITES-listed species to or from such Parties.

Regarding implementation of Resolution Conf. 8.4 – Parties whose legislation was analysed during Phase II

10.21	a) Parties identified in document Doc. 10.31 (Rev.) Annex 2, paragraph 3, whose national legislation is believed generally not to meet the requirements for implementation of CITES should: i) take all necessary measures to develop national legislation for implementation of CITES and to ensure that this legislation will be introduced (this means submitted to the legislature) by the 11th meeting of the Conference of the Parties; and	ii) report to the Secretariat any progress made in this regard no later than six months before that meeting. b) If any of these Parties believes that the Secretariat's analysis of legislation is not accurate, it should, by 1 September 1997, provide to the Secretariat: i) copies of all relevant legislation not referred to in the analysis and, where applicable, a translation of this legislation
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	into one of the three working languages of the Convention; and		areas of weakness indicated in the analysis; and
	ii) its comments as to how such legislation applies to the implementation of CITES.		ii) report to the Secretariat any progress made in this regard no later than six months before the 11th meeting of the Conference of the Parties.
	c) Notwithstanding the new information provided by the Party, Decision 10.21, paragraph a), should apply until the Party receives different advice from the Secretariat.	b)	If any of these Parties believes that the Secretariat's analysis of legislation is not accurate, it should, by 1 September 1997, provide to the Secretariat:
10.22	With respect to Parties described in Decision 10.21, paragraph a), that have not taken positive steps to implement recommendations i) and ii), the Conference of the Parties at its 11th meeting shall consider appropriate measures, which may include restrictions on the commercial trade in specimens of CITES-listed species to or from such Parties.	i)	copies of all relevant legislation not referred to in the analysis and, where applicable, a translation of this legislation into one of the three working languages of the Convention; and
10.23	a) Parties identified in document Doc. 10.31 (Rev.) Annex 2, paragraph 2, whose national legislation is believed not to meet all requirements for implementation of CITES should:	ii)	its comments as to how such legislation applies to the implementation of CITES.
	i) take steps to improve their national legislation for implementation of CITES in the	c)	Notwithstanding the new information provided by the Party, Decision 10.23, paragraph a), should apply unless the Party is advised by the Secretariat that its legislation is believed to generally meet all requirements for CITES implementation.

Regarding issuance of permits

10.24 (ex-9.6)	The Parties should not issue permits for pre-Convention stocks, except for export to countries having become Parties to the Convention after the date of entry into force of the Convention in the issuing country or for export to States not party to the Convention.	10.26 (ex-9.8)	The Parties should be particularly vigilant regarding the issuance of documents for very valuable specimens and specimens of species included in Appendix I.
10.25 (ex-9.7)	The Parties should verify the origin and the species of specimens for which they issue export permits, in order to avoid permits being issued for specimens of Appendix-I species when the transaction is for primarily commercial purposes and no import permit has been previously issued.	10.27 (ex-9.9)	To avoid abusive or fraudulent use, the Parties should not use forms for their internal-trade certificates that are identical to CITES forms.

Regarding acceptance of permits

10.28 (ex-9.10)	The Parties should check with the Secretariat when they have doubts about the validity of permits accompanying suspect shipments.	10.29 (ex-9.11)	The Parties should ask for the Secretariat's advice before accepting the import of live specimens of Appendix-I species declared as bred in captivity.
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Regarding the control and checking of shipments of CITES specimens

10.30	In order to improve enforcement, Parties should take the necessary measures to develop a comprehensive strategy for border controls, audits and investigations, by:	c)	implementing document control in order to ensure the authenticity and validity of CITES permits and certificates, especially, if necessary, by requesting the Secretariat to confirm their validity;
	a) taking into account the different procedures for Customs clearance of goods and Customs procedures such as transit, temporary admission, warehouse storage, etc.;	d)	conducting physical examination of goods, based on a policy of risk assessment and targeting;
	b) ensuring that officers in charge of control are aware of and trained in CITES matters regarding, for example, CITES requirements, identification of specimens and the handling of live animals;	e)	increasing the quality of controls at the time of export and re-export; and
		f)	providing the necessary resources in order to reach these objectives.

Regarding illegal trade

10.31 (ex-9.12)	When a Party is presented with a false document, it should do everything in its power to find out where the specimens are and where the false document originated.	instigators of the crime, calling on ICPO-Interpol where necessary.
10.32 (ex-9.13)	When a Party is informed by the Secretariat of the fraudulent use of documents issued by that Party, it should carry out an inquiry to identify the	10.33 (ex-9.14) When specimens are seized, the Parties concerned should do all they can to identify and convict those responsible.

Regarding violations of the Convention by diplomats and troops serving under the flag of the United Nations

10.34 (ex-9.15)	The Parties are urged to remind their diplomatic missions, their delegates on mission in foreign countries and their troops serving under the flag	of the United Nations that they are not exempted from the provisions of the Convention.
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Regarding annual reports

10.35 (ex-9.16)	Those Parties failing to submit annual reports regularly should make greater efforts to comply with this requirement and should inform the Secretariat urgently if the situation can be remedied through the provision of technical assistance.	10.37 (ex-9.18) Parties that do not report the plant trade at all should be encouraged to do so through the provision of technical and financial assistance to set up reporting systems.
10.36 (ex-9.17)	Parties submitting their reports late should identify the main causes of this shortcoming and take urgent steps to remedy the situation.	10.38 (ex-9.19) Parties wishing to continue to distribute their annual reports to other Parties should undertake this responsibility themselves.

Regarding biennial reports

10.39 (ex-9.20)	The Parties should make greater efforts to provide to the Secretariat the biennial reports required under Article VIII, paragraph 7(b), of the Convention, in particular because of the import-	ance of information on changes that have occurred with regard to national legislation for implementation of CITES.
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Regarding co-operation in monitoring illegal trade in whale parts and derivatives

10.40	All countries concerned are encouraged to voluntarily: a) inventory all frozen whale parts and derivatives possessed in commercial quantities, indicating the species, quantity and geographic origin; and b) collect and inventory skin or meat samples for DNA identification from all such frozen whale specimens.	a) where assistance is requested, providing skin or meat samples or digitized DNA sequencing to countries that have the capability to determine species and geographic origin of the animal, or to confirm the initial analysis; b) analysing the samples provided by the country that has collected them, and fully consulting it regarding the results of the analysis before releasing them to other Parties or to the public; and c) obtaining and issuing necessary CITES documentation for export and import of the samples for analysis.
10.41	All countries concerned should collect and inventory skin or meat samples for DNA identification from baleen whales: a) taken in a directed harvest; b) taken in aboriginal subsistence hunts; and c) taken incidentally to other fishing operations, and if any specimens from these whales will be entered into commerce.	10.43 Every country concerned is urged to submit to the CITES Secretariat any information relevant to its inventory of whale parts and derivatives and to examination of unknown whale products, for dissemination by the Secretariat to interested Parties upon request.
10.42	All countries concerned are invited to co-operate in determining sources of whale parts and derivatives, and the species concerned, in cases of smuggling, by:	

Regarding trade in bears

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| 10.44 | The domestic demand for bear parts and derivatives should be documented and quantified by Parties and non-Parties, which should send | reports to the Secretariat by 31 December 1997, for submission to the Standing Committee. |
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Regarding the conservation of Rhinoceroses

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| 10.45 | The range States should report at the 11th meeting of the Conference of the Parties, through | the Secretariat, the measures that they have taken to conserve their rhinoceros populations. |
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Regarding the inclusion of *Ovis vignei vignei* in Appendix I

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| 10.46 | As the Conference of the Parties decided that only the subspecies <i>Ovis vignei vignei</i> is included in Appendix I and because some Parties have assumed that the full species (including all subspecies) were so included, the range States of subspecies not included in the appendices are encouraged to enforce and/or adopt legislation covering these subspecies comparable to that | which they would apply to Appendix-II species in their country. |
| | 10.47 | The States of import of specimens of subspecies of <i>Ovis vignei</i> not included in the appendices are encouraged to request presentation of export permits issued by CITES Management Authorities (or competent authorities of countries not party to CITES) of the countries of origin. |

Regarding the biological and trade status of sharks

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| 10.48 | To achieve effective implementation of Resolution Conf. 9.17:
a) the Parties concerned should, in collaboration with FAO and regional fisheries organizations, improve methods to accurately identify, by species, record and report landings of sharks from directed fisheries and sharks taken as a by-catch in another fishery;
b) Parties that have a shark fishery and/or trade in sharks and shark parts and derivatives should establish appropriate species-specific recording and reporting systems for all sharks that are landed as a directed catch or a by-catch;
c) Parties that have a shark fishery should initiate efforts to:
i) collect species-specific data on landings, discards and fishing effort;
ii) compile information on life-history and biological parameters such as growth | rate, life span, sexual maturity, fecundity and stock-recruitment relationships of sharks taken in their fisheries;
iii) document the distribution of sharks by age and sex, as well as their seasonal movements and interactions between populations; and
iv) reduce mortality of sharks captured incidentally in the course of other fishing activities; and
d) the Parties concerned are encouraged to initiate management of shark fisheries at the national level and establish international/regional bodies to co-ordinate management of shark fisheries throughout the geographic range of species that are subject to exploitation, in order to ensure that international trade is not detrimental to the long-term survival of shark populations. |
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Regarding trade in plants

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| 10.49
(ex-9.21) | The Parties should carefully check material in trade in order to improve enforcement and in particular check plants declared to have been artificially propagated, both on import and on export. | 10.50
(ex-9.22) Management Authorities should supply to the CITES Secretariat information on nurseries involved in the export of CITES-listed plants, in order to facilitate implementation of CITES for plants. |
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Regarding the identification of timber

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| 10.51 | The Parties should determine whether national standards organizations have already developed agreed vernacular nomenclatures for timber | species and, if so, should provide this information to the Secretariat. |
| | 10.52 | A list of agreed scientific names and their agreed vernacular names should be provided to timber |

importers and agencies dealing with CITES enforcement and border inspection for the standardization mentioned in Decision 10.51 to be useful and effective.

10.53 The Parties that have proposed and obtained the inclusion of timber species in the appendices should comply with their obligation to produce identification materials for the species concerned.

Regarding trade in alien species

10.54 The Parties should:

- a) recognize that non-indigenous species can pose significant threats to biodiversity, and that fauna and flora species in commercial trade are likely to be introduced to new habitat as a result of international trade;
- b) consider the problems of invasive species when developing national legislation and regulations that deal with the trade in live animals or plants;

- c) consult with the Management Authority of a proposed country of import, when possible and when applicable, when considering exports of potentially invasive species, to determine if there are domestic measures regulating such imports; and
- d) consider the opportunities for synergy between CITES and the Convention on Biological Diversity, and explore appropriate co-operation and collaboration between the two Conventions on the issue of introductions of alien (invasive) species.

Regarding listings of geographically separate populations in the appendices

10.55 Entire geographically separate populations should not be included in the appendices without prior consideration of negative consequences to

conservation and management programmes for national populations or to sustainable development programmes involving such populations.

Regarding communication

10.56 The Parties should carefully check the telexes and telefaxes they receive to confirm the validity of permits; they should ensure that the information

(*ex-9.23*) that appears on the telexes and telefaxes, including the numbers, corresponds to that in the CITES Directory.

Regarding standard references and the status of species

10.57 The adoption of a standard checklist or reference by the Conference of the Parties does not by itself change the status vis-à-vis CITES of any entity, whether it is listed in the appendices or not,

and the status of the entity remains as intended in the proposal adopted by the Conference unless specifically changed by the adoption of a further proposal.

Directed to the Chairmen of Committees I and II

Regarding the consideration of draft resolutions

10.58 Unless practical considerations dictate otherwise,
(ex-9.24) draft resolutions should not include:

a) instructions or requests to Committees, Working Groups or the Secretariat, unless they are part of a long-term procedure;

b) decisions on the presentation of the appendices; and

c) recommendations (or other forms of decision) that will be implemented soon after their adoption and will then be obsolete.

Directed to the Standing Committee

Regarding improvement of the effectiveness of the Convention

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| 10.59 | In co-operation with the other permanent Committees, a subcommittee shall be set up to develop, with the co-operation of the Secretariat, a medium/long-term (3-6 years) framework document for the structure of the work of the permanent Committees. This document shall give consideration to the development of performance indicators for the Convention. | 10.61 | Regional representatives shall co-ordinate and consult with other countries in their region, prior to meetings of the Standing Committee and meetings of the Conference of the Parties. |
| 10.60 | The work with the Secretariat shall continue to consolidate existing Resolutions and Decisions of the Conference of the Parties, when necessary and appropriate, provided their original text and preamble are maintained to preserve their original intent. | 10.62 | A mechanism shall be developed (possibly through the creation of a Finance Subcommittee) for the consideration of budgetary matters immediately before the start of each meeting of the Standing Committee. |
| | | 10.63 | It shall be ensured that the issue of the synergy between the biodiversity related Conventions remains on the agenda of future meetings of the Conference of the Parties. |

Regarding implementation of Resolution Conf. 8.4 – Parties whose legislation was analysed during Phase I

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| 10.64 | The Standing Committee shall decide whether Decision 10.18, paragraph a), shall apply or not to the Parties in question. |
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Regarding trade in bears

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| 10.65 | Bear-trade issues in range and consumer States shall be reviewed and a report on progress made shall be submitted at the 11th meeting of the Conference of the Parties, with a focus on addi- | tional legislative and enforcement measures necessary to stop the illegal trade in bear parts and derivatives. |
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Regarding trade in tigers

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| 10.66 | The Standing Committee shall:
a) continue its review of tiger-trade issues in range and consumer States, by including illegal trade in tiger parts and derivatives as a priority issue at its 40th and 41st meetings; report to the Parties on progress made, with a view to identifying, on a country-by-country basis, additional legislative and enforcement measures that may be necessary to stop the illegal trade in tigers and tiger parts and derivatives; and, as necessary, advise those countries directly;
b) in consultation with interested Parties and where appropriate, undertake technical and political missions to tiger range and consumer States, to assist in developing strategies for | improving control of tiger trade and for related activities;
c) report to the 11th meeting of the Conference of the Parties on progress made in tiger range and consumer States in implementing the provisions of the Convention with respect to tiger trade and the measures provided by Resolution Conf. 9.13 (Rev.), notably the specific recommendations for reducing the illegal trade in tiger parts and derivatives, including manufactured medicines; and
d) continue to review on an annual basis the progress of tiger range and consumer States in controlling the illegal tiger trade and to review the implementation of legislative and enforcement measures taken by them. |
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Regarding the Timber Working Group

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| 10.67 | The Timber Working Group shall be maintained with its current balance of membership and approximate size until the 11th meeting of the Conference of the Parties. | that, for the purposes described in Decisions 10.131 and 10.133 and in paragraph c) of the section regarding parts and derivatives in Resolution Conf. 10.13 on the Implementation of the Convention for Timber Species, the Group shall review and make recommendations for any necessary definition of terms and units used to describe parts and derivatives of timber in trade, to the extent possible, based on the tariff classi- |
| 10.68 | The Timber Working Group shall be reconvened when tasks and issues so warrant. | |
| 10.69 | New terms of reference for the Timber Working Group shall be established. They should specify | |

fication of the Harmonized System of the World
Customs Organization, and shall communicate
these to the Secretariat for inclusion in the

"Guidelines for the Preparation and Submission
of CITES Annual Reports".

Regarding annotations in the appendices

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| 10.70 | Ways and means of clarifying legal and implementation issues related to the use of annotations in the appendices shall be considered and a | report shall be presented at the 11th meeting of the Conference of the Parties. |
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Directed to the Animals Committee

Regarding improvement of the effectiveness of the Convention

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| 10.71 The review of species in connection with the criteria for amendment of Appendices I and II contained in Resolution Conf. 9.24 shall continue. | 10.72 Regional representatives shall co-ordinate and consult with other countries in their region, before meetings of the Animals Committee and meetings of the Conference of the Parties. |
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Regarding the biological and trade status of sharks

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| 10.73 The CITES Animals Committee, together with the CITES Secretariat, shall co-operate in the expert consultation organized by the FAO Committee of Fisheries to develop and propose guidelines leading to a plan of action for the conservation and effective management of sharks, in an effort to further the implementation of Resolution Conf. 9.17. | 10.74 The Chairman of the Animals Committee shall serve as liaison with the United Nations Food and Agriculture Organization (FAO) and with intergovernmental fisheries management and/or research organizations in relation to all activities concerning the implementation of Resolution Conf. 9.17. |
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Regarding trade in alien species

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| 10.75 Formal liaison shall be established with the IUCN/SSC Invasive Species Specialist Group between the 10th and 11th meetings of the Conference of the Parties to review species in international trade with respect to their biological potential for becoming invasive, and collaboration with them should take place in the development of databases on invasive species to identify the species which may become invasive if introduced. | 10.76 Co-operation shall be established with the IUCN/SSC Invasive Species Specialist Group in the implementation of their document "Draft IUCN Guidelines for the Prevention of Biodiversity Loss Due to Biological Invasion", of which parts are related to the trade in and transport of live specimens of species of wildlife. |
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Regarding specimens of animal species bred in captivity

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| 10.77 The Animals Committee shall:
a) examine the effectiveness of and the need for the existing registration system for operations breeding specimens of Appendix-I species in captivity for commercial purposes; | b) provide advice at the 11th meeting of the Conference of the Parties on the need for any changes; and
c) consider the proposed definition of "bred in captivity for commercial purposes" in document Doc. 10.67. |
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Regarding the universal tagging system for the identification of crocodilian skins

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| 10.78 In collaboration with the Secretariat and the IUCN/SSC Crocodile Specialist Group, Resolutions Conf. 6.17 and Conf. 9.22 shall be reviewed and proposals shall be made for consideration at | the 11th meeting of the Conference of the Parties regarding their consolidation and a system for tracking the use of crocodilian skin tags. |
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Regarding implementation of Resolution Conf. 8.9

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| 10.79 The following system shall be implemented:
(<i>ex-9.25</i>)
a) A normally "safe" level of trade for Appendix-II species should be chosen by the Animals Committee (e.g. an average of 100 animals taken from the wild globally and entering international trade each year).
b) WCMC should 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 for which reasonable data are available.

Species for which the average net trade over this period has exceeded the "normally safe" level 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, |
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- for consideration in the current period of the cycle.
- c) On the basis of common knowledge in the Animals Committee and other relevant experts:
- i) species should be eliminated from the list if it is clear that the level of trade does not adversely affect their populations; and
 - ii) species should be added if there is evidence that the low volume of trade could adversely affect their populations or if there is evidence that there has been a recent increase in trade or that the trade data do not correctly reflect the true level of trade.
- d) Consultants should be engaged to compile information about the biology and management of species remaining in the list and should contact the range States to obtain information for inclusion in the compilation. The consultants should summarize their conclusions about the effects of the international trade and should divide the species into three categories:
- i) those for which the information indicates that the global population or the population in a particular range State is being adversely affected by international trade;
 - ii) those for which there is insufficient information on which to base a judgement; and
 - iii) those for which the level of trade is evidently not a problem.
- e) The Animals Committee should review the information and, if appropriate, revise the categorization.
- f) Species in Category d) iii) should be eliminated from the list for the current period.
- g) With respect to species in Categories d) i) and ii), the Secretariat, on behalf of the Animals Committee, should request the range States that have authorized exports of more than a few specimens to advise on the scientific basis for permitting the recorded levels of trade, if it is not already clear. Range States should be given six weeks to respond.
- h) If a response satisfactory to the Animals Committee is received, the species may be eliminated from the list for the current period with respect to the State concerned.
- i) Otherwise, the Animals Committee shall, in consultation with the Secretariat, formulate recommendations in accordance with Resolution Conf. 8.9, relating to species in Categories d) i) and ii).
- j) These recommendations shall be transmitted to the States concerned by the Secretariat which shall, in consultation with the Animals Committee, determine whether the recommendations have been implemented and report to the Standing Committee.
- Species that have been subject to primary recommendations will normally be subject to further review after two consecutive periods between meetings of the Conference of the Parties.
- Note: The foregoing procedure should be regarded as cyclical in nature with each cycle extending for the period between two consecutive meetings of the Conference of the Parties.
- 10.80 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.
- 10.81 Where 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 again by the Committee in due course.
- 10.82 Trade in animal species for use in traditional medicines shall be reviewed to assess the implications for wild populations.

Directed to the Plants Committee

Regarding improvement of the effectiveness of the Convention

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| 10.83 The review of species in connection with the criteria for amendment of Appendices I and II contained in Resolution Conf. 9.24 shall continue. | 10.84 Regional representatives shall co-ordinate and consult with other countries in their region, before meetings of the Plants Committee and meetings of the Conference of the Parties. |
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Regarding trade in alien species

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| 10.85 Formal liaison shall be established with the IUCN/SSC Invasive Species Specialist Group between the 10th and 11th meetings of the Conference of the Parties to review species in international trade with respect to their biological potential for becoming invasive, and collaboration with them should take place in the development of databases on invasive species to identify the species which may become invasive if introduced. | 10.86 Co-operation shall be established with the IUCN/SSC Invasive Species Specialist Group in the implementation of their document "Draft IUCN Guidelines for the Prevention of Biodiversity Loss Due to Biological Invasion", of which parts are related to the trade in and transport of live specimens of species of wildlife. |
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Regarding the periodic review of the appendices

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| 10.87 In accordance with the terms of reference specified in Resolution Conf. 9.1 (Rev.) Annex 3, paragraph vii), all timber species currently | included in the appendices shall be reviewed and the results of this review shall be reported at the 11th meeting of the Conference of the Parties. |
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Regarding significant trade in Appendix-II species

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| 10.88 The Co-ordinator for Significant Trade Studies on Plants, together with the Secretariat, shall:
a) prepare a draft resolution for consideration by the Plants Committee and the Conference of the Parties; and
b) in co-operation with WCMC, make recommendations regarding the possible need to | design a system to link the CITES trade database maintained by WCMC with the WCMC plants database, with a view to storing and processing data resulting from the Review of Significant Trade in Plants Included in Appendix II. |
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Regarding the working programme until the 11th meeting of the Conference of the Parties

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| 10.89 The following tasks shall be carried out:
a) development of a programme for a Review of Significant Trade in Plants Included in Appendix II;
b) review of the appendices, applying the criteria included in Resolution Conf. 9.24, carried out in close connection with the Review of Significant Trade;
c) continuation of the preparation of a checklist of those taxa that should be included in the Review of Significant Trade; | d) preparation of sheets for the Identification Manual; and
e) improvement of the co-operation within the regions through the preparation of special directories containing information on the persons in Management and Scientific Authorities who are responsible for CITES implementation for plants. |
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Directed to the Nomenclature Committee

Regarding the working programme until the 11th meeting of the Conference of the Parties

- 10.90 Subject to approval of the requested budget, the Fauna Subcommittee shall undertake the following activities:
- a) complete the preparation of the third volume of the snake checklist;
 - b) continue to assist in revision and updating of the taxonomic checklists that have been adopted by the Parties as standard references;
 - c) identify and nominate published taxonomic reviews to serve as standard references for nomenclature of the lizard species that are listed in the appendices;
 - d) review *Amphibian Species of the World: Additions and Corrections* (Duellman, W.E., 1993) and advise the Secretariat about changes in the nomenclature of species listed in the appendices;
 - e) provide timely advisory services in response to enquiries from Parties;
 - f) provide, in consultation with the Secretariat, periodic reviews of the nomenclature of the taxa that have been listed in the appendices;
 - g) when called upon, identify appropriate taxonomic authorities for taxonomic groups not included in the standard references that have been adopted by the Parties;
 - h) review the nomenclature of species proposed for listing in the appendices prior to their consideration at the meetings of the Conference of the Parties; and
 - i) where appropriate, advise the Secretariat, which in turn should inform the Parties, of recommended changes in the nomenclature that should be used.
- 10.91 If the proposed operating budget is approved, the Flora Subcommittee shall:
- a) continue the preparation of *The CITES Orchid Checklist* to include the following genera: *Aerangis*, *Angraecum*, *Ascocentrum*, *Bletilla*, *Brassavola*, *Calanthe*, *Catasetum*, *Coelogyne*, *Comparettia*, *Epidendrum*, *Lycaste*, *Masdevallia*, *Miltonia*, *Miltoniopsis*, *Odontoglossum*, *Oncidium*, *Renanthera*, *Rhynchostylis*, *Rossioglossum*, *Vanda* and *Vandopsis*. Given that this selection is probably beyond the scope and budget of the Convention, and would certainly require many more years of work, the genera selected for inclusion in Volume 3 will be reviewed by an international panel of experts with the intention to produce a reference covering approximately 2,000 names for genera for which no suitable references are available;
 - b) produce an updated list of carnivorous plants, meeting the standards of CITES plant checklists including explanatory texts in English, Spanish and French, in association with the IUCN/SSC Carnivorous Plant Specialist Group;
 - c) extract the pertinent information from a specialized lexicon on succulent plants that will soon be available, supplement it with information relevant to CITES and publish it as a widely available and cheaply produced standard text;
 - d) determine whether it is necessary to develop checklists for selected plant groups that previously have been neglected; and
 - e) include all the information used to produce the CITES plant checklists in databases and encourage the institutions that hold this information to update and maintain it in a form useful to the Parties to make the databases accessible to third parties for CITES purposes.

Directed to the United Nations Environment Programme (UNEP)

Regarding improvement of the effectiveness of the Convention

- 10.92 UNEP should produce meaningful results from the process of co-ordination of the activities of the Secretariats of environmental Conventions.

Regarding the biological and trade status of sharks

- 10.93 To achieve effective implementation of Resolution Conf. 9.17, it is suggested that FAO should:
- a) as a matter of urgency, initiate a work programme involving:
 - i) changing the manner in which it requests members to record and report data on shark landings;
 - ii) continuing a consultancy, commenced in 1996, to design and undertake an inquiry into the availability of biological and trade data on sharks;
 - iii) updating the *Shark World Species Catalogue* and the *1978 Shark Utilization and Marketing Monograph*; and
 - iv) finalizing and publishing the *World Catalogue of Rajiformes*;
 - b) transmit the results of the consultancy to the CITES Secretariat for circulation to and comment by the Parties to the Convention; and
 - c) encourage its member States that have a shark fishery, or a fishery that takes sharks as a by-catch, to implement the principles and practices elaborated in:
 - i) the *FAO Code of Conduct for Responsible Fisheries*;
 - ii) the *FAO Precautionary Approach to Fisheries, Part 1: Guidelines on the Precautionary Approach to Capture Fisheries and Species Introductions*; and
 - iii) the *FAO Code of Practice for the Full Utilization of Sharks*.

Directed to the Secretariat

Regarding the text of the Convention

- 10.94 Note shall be taken of the following proposals, which should be put on the agenda of the next extraordinary meeting of the Conference of the Parties, whenever this may be convened, as amendments to the Convention:
- (*ex-9.16*)
- a) the provisions of Article XVI, regarding the listing of Appendix-III parts and derivatives, should be brought into line with Convention procedures for Appendices I and II (Article XV);
 - b) paragraph 5 of Article XIV should read: "Notwithstanding the provisions of Article IV, any export of a specimen" etc.;
 - c) paragraphs 3(b) and 5(b) of Article III should include "either a Management Authority or a Scientific Authority of the State" etc.; and
 - d) correction of errors of an orthographical nature discovered in the text of the Convention.

Regarding improvement of the effectiveness of the Convention

- 10.95 The Secretariat shall try to improve its information materials in order to enhance the public understanding of the positive effect of listing of species in Appendix II for the sustainable use of all concerned species.
- 10.96 A model explanatory memorandum shall be developed in good time for the Parties to use when preparing draft resolutions for the next meeting of the Conference of the Parties.
- 10.97 In consultation with the Standing Committee, appropriate tools shall be developed to assist in the interpretation of existing Resolutions.
- 10.98 In co-operation with the Animals and Plants Committees, a proposal for agreement by the Standing Committee shall be prepared for a presentation of the appendices that could be incorporated into a training manual for Parties.
- 10.99 Further work to develop electronically accessible information shall be undertaken as part of the Information Management Strategy.
- 10.100 Where studies of CITES implementation are undertaken in relation to countries and taxa, the executants shall be encouraged to draw general lessons for CITES. The material obtained in these studies should be stored with bodies such as WCMC, as a depositary for Parties, and this could be done with external funding.
- 10.101 The ongoing Legislation Project (National Legislation for the Implementation of the Convention) shall be continued.
- 10.102 Action to encourage additional training and capacity building at a bilateral level shall be taken.
- 10.103 A survey of stricter domestic measures already adopted by the Parties shall be carried out and a report shall be submitted to the Standing Committee, which shall consider a second stage of review.
- 10.104 A twice-yearly desk-top-published newsletter shall be produced.
- 10.105 Within the work plan of the Information Management Strategy, a feasibility study shall be commissioned to identify specific requirements for improving electronic communications between the Parties.
- 10.106 Co-operation with the World Customs Organization and ICPO-Interpol shall continue.
- 10.107 Consideration shall be given to the structuring of the working programme at meetings of the Conference of the Parties to give ample time for regional meetings, with interpretation where needed.
- 10.108 Efforts shall continue, in co-operation with the Standing Committee, to develop a plan for the numbering of documents, in particular documents relating to the work of Committees I and II, for introduction for the 11th meeting of the Conference of the Parties.
- 10.109 Efforts shall continue to identify priorities for work and for funding and to pursue efficiency savings, subject to decisions of the Parties.
- 10.110 Continued co-operation between CITES and the Convention on Biological Diversity shall be fostered and this should be extended to include other relevant Conventions.
- 10.111 A report on the implementation of the Action Plan adopted shall be submitted for consideration by the Standing Committee and further transmission with any comments to the 11th meeting of the Conference of the Parties.

Regarding small island developing States (SIDS)

- 10.112 The Secretariat shall:
- a) continue its efforts to strengthen its presence in the Caribbean and Oceania and provide assistance to SIDS;
 - b) prepare and send a package of general information on CITES to non-party SIDS, providing information on obligations and responsibilities of Parties and non-Parties and advantages and benefits of acceding to CITES. The package should include the text of the Convention, Appendices I, II and III, a report on assistance provided to Parties during the last biennium, the Guidelines for Legislation to Implement CITES and any other material that may be relevant for non-Parties considering accession to CITES;

- c) relay the outcome of the discussion at the 10th meeting of the Conference of the Parties regarding SIDS to non-party States in the Caribbean and Oceania, and inform them of proposed follow-up;
- d) extend the planned assessment of training needs of Parties to non-party SIDS in the Caribbean and Oceania;
- e) organize a training seminar on CITES for all SIDS in the Caribbean and Oceania during the biennium 1998-1999 if external funding is available;
- f) continue providing strong support to SIDS during the next triennium;
- g) seek external funding to assist SIDS in the Caribbean and Oceania in their undertaking of the process of accession to CITES, according to the results of assessments of in-country needs;
- h) provide technical assistance to SIDS Parties to the Convention to strengthen their capabilities to fully implement the Convention, within available resources;
- i) designate a SIDS co-ordinator within the Secretariat to follow up the implementation of the Decisions taken by the Conference of the Parties at its 10th meeting;
- j) convey the following recommendations to SIDS that are not party to CITES:
 - i) to provide the Secretariat with the name and contact address of the authority competent to grant documents comparable to CITES permits and certificates, as well as original signatures of personnel authorized to sign them (in compliance with the requirements of Resolution Conf. 9.5);
 - ii) to notify the Secretariat as soon as any changes occur regarding the designated competent authority or the authorized signatures;
 - iii) to carry out an in-country assessment of strategic needs to clearly define the assistance required to enable compliance with CITES requirements for non-Parties, or obligations of Parties should they wish to accede to the Convention. The assessment should examine issues such as which CITES-listed species are currently in trade, what are the levels of trade and what are the existing legislative and administrative arrangements. Assistance for this assessment could be requested from the CITES Secretariat, UNEP, UNDP, World Bank, SPREP, TRAFFIC, Parties to the Convention and other international organizations and donors; and
 - iv) to explore measures such as education and public awareness, to assess, control and minimize any negative impact of growing international trade in tourist souvenirs and marine aquarium species; and
- k) inform the Parties to the Convention, UNEP, UNDP, World Bank, SPREP, TRAFFIC and other international organizations and donors that the Conference of the Parties encourages them to provide technical and financial assistance to SIDS in the Caribbean and Oceania, taking into account the results of the in-country needs assessment, to allow them to strengthen their national capabilities to comply with their obligations, as well as to allow non-Parties to take the necessary legal and administrative measures to accede to CITES.

Regarding decisions of the Conference of the Parties

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| 10.113
<i>(ex-9.27)</i> | When the Conference of the Parties adopts any draft resolution that is designed merely to add points to the recommendations (or other decisions) in existing Resolutions, or to make a minor amendment thereto, the existing Resolutions shall be replaced by revised versions with the agreed changes. | according to the body to which they are directed. Where this is not possible, they should be sorted by subject, using the subjects of the Resolutions for guidance. |
| 10.114
<i>(ex-9.28)</i> | A document containing all the current decisions that have been made by the Conference of the Parties and recorded in the Proceedings of the meetings of the Conference shall be compiled. As far as possible, the decisions should be sorted | This document shall be updated after each meeting of the Conference of the Parties, to contain all the recommendations (or other forms of decision) that are not recorded in Resolutions and that remain in effect. The Secretariat shall distribute to the Parties a copy of the updated document soon after each meeting of the Conference. |

Regarding implementation of Resolution Conf. 8.4

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| 10.115 | The Secretariat shall: <ul style="list-style-type: none"> a) before 9 June 1998, report to the Standing Committee on the progress on the adoption of national legislation that substantially improves implementation of CITES within any Party identified in paragraph 10 of Annex 1 to document Doc. 10.31 (Rev.). The report shall include the comments of that Party; | <ul style="list-style-type: none"> b) consider any new information on legislation for implementation of CITES received from the Parties indicated in Annexes 1 and 2 of document Doc. 10.31 (Rev.) and amend the analyses of legislation and the ratings accordingly; c) advise the Parties concerned of any amendments to the analyses of their legislation and to their ratings and, as a result, of any |
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- changes regarding actions that they should take concerning Decisions 10.19, 10.21 and 10.23;
- d) provide technical assistance to Parties requesting assistance in the development of their national legislation for CITES implementation, giving priority to those Parties identified in Annex 1 of document Doc. 10.31 (Rev.) as having national legislation that is believed generally not to meet the requirements for implementation of CITES (category 3);
 - e) initiate immediately Phase III of the analysis of national legislation by analysing the legislation of Parties not named in Annex 1 or 2 of document Doc. 10.31 (Rev.);
 - f) keep current the analyses of legislation, using the information from the biennial reports required under Article VIII, para graph 7(b), of the Convention and other relevant information that becomes available;

- g) communicate on request, to Parties (free of charge) or to any international or national organization (against payment to cover costs), a copy of the analysis of the national legislation of any Party whose analysis is completed and which has formally agreed to this communication; and
- h) report to the 11th meeting of the Conference of the Parties:
 - i) the measures taken by the Parties concerned to implement Decisions 10.19, 10.21 and 10.23, and any recommendations relating to Parties that have not implemented them;
 - ii) any progress concerning technical assistance provided to the Parties in the development of their national legislation for implementation of CITES; and
 - iii) the conclusions of the analyses of legislation begun in 1997 for Parties not named in Annex 1 or 2 of document Doc. 10.31 (Rev.).

Regarding permits and certificates

10.116 Practical support in the printing of permits and certificates with adequate security guarantees shall be given to those Parties that request it.

10.117 When external funding is available, permit and certificate forms shall be printed on security paper for those Parties requesting it.

Regarding control and checking of shipments of CITES specimens

10.118 The Secretariat shall co-operate with the World Customs Organization, ICPO-Interpol and competent national authorities to:

- a) prepare and distribute appropriate training material; and
- b) facilitate the exchange of technical information between the authorities in charge of border controls.

10.119 The Secretariat shall, in consultation with the World Customs Organization, study the Customs problems relating to the implementation of CITES in general and particularly the issue of the CITES documents to be required in connection with Customs procedures to be applied.

Regarding the implementation of Resolutions

10.120 The Secretariat shall:

- a) prepare for the Parties, during the period up to the 11th meeting of the Conference of the Parties, a list of Resolutions in effect, in order to be able to assess their level of implementation in their countries and to determine the

difficulties encountered to implement them; and

- b) report at the 11th meeting of the Conference of the Parties on the results of these analyses.

Regarding reports on alleged infractions and other implementation problems

10.121 Separate reports on infractions shall be submitted to the Conference of the Parties for consideration at each regular meeting.

10.122 A clear distinction shall be made between alleged infractions of the provisions of the Convention

and non-compliance with the provisions laid down in Resolutions of the Conference of the Parties. The summaries of these two different categories of cases shall be presented in separate annexes to the reports.

Regarding competent authorities of non-party States

10.123 An updated list of competent authorities and
(ex-9.32) scientific institutions containing only those
authorities and institutions details of which were

communicated by the State concerned less than
two years previously shall be maintained and
communicated at regular intervals to the Parties.

Regarding trade in bears

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| 10.124 | External funding shall be sought to convene an international workshop on law enforcement and | forensic techniques essential to stopping illegal trade in bear parts and derivatives. |
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Regarding stocks of vicuña wool and cloth

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| 10.125 | A new Notification to the Parties shall be issued requesting information on the stocks of vicuña wool and cloth they have. |
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Regarding the biological and trade status of sharks

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| 10.126 | To achieve effective implementation of Resolution Conf. 9.17, the Secretariat shall: | c) together with the CITES Animals Committee, co-operate in the expert consultation organized by the FAO Committee of Fisheries to develop and propose guidelines leading to a plan of action for the conservation and effective management of sharks; and |
| | a) in an effort to improve statistics on trade in sharks and shark parts and derivatives and in collaboration with FAO, consult the World Customs Organization to establish more specific headings within the standard six-digit Customs tariff headings adopted under the Harmonized System tariff classification, to discriminate between shark meat, fins, leather, cartilage and other products; | d) communicate the relevant recommendations to FAO and other intergovernmental fisheries management and/or research organizations and establish liaison with them to monitor implementation of these recommendations. |
| | b) circulate to the Parties for comments the results transmitted to it of the consultancy mentioned in Decision 10.93, paragraph a) ii); | |

Regarding timber species

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| 10.127 | The potential for silvicultural techniques (e.g. enrichment plantings, assisted natural regeneration) to be dealt with in the general context of Resolutions on ranching and quotas, as well as in accordance with the definition of "artificially propagated" contained in Resolution Conf. 9.18 (Rev.), shall be investigated to determine whether these concepts provide useful bases for establishing trade regimes for timber species listed in the appendices. | 10.131 In concurrence with the Standing Committee, the "Guidelines for the Preparation and Submission of CITES Annual Reports" shall be amended to include: |
| 10.128 | With the assistance of members of the Timber Working Group, the existing timber identification materials shall be reviewed to determine their potential value for enforcement of the Convention. | a) appropriate reference to the definitions proposed in Resolution Conf. 10.13, paragraphs c) and d); and |
| 10.129 | External funding shall be sought for the production and publication of identification materials for the timber species included in the appendices and currently in international trade. | b) the following units of measurement to be used for reporting on trade in timber: |
| 10.130 | The Secretariat shall: | i) logs m³ |
| | a) investigate the reasons for non-reporting on timber trade, in particular by importing countries; | ii) sawn wood m³ |
| | b) investigate the extent to which Parties (in particular the main countries of export and import of CITES-listed species) have informed the traders in their countries of CITES procedures; and | iii) veneer sheets m³
– rotary veneer m²
– sliced veneer |
| | c) report back on these issues at the 11th meeting of the Conference of the Parties through the Timber Working Group or the Plants Committee, as appropriate. | iv) carvings kg |
| | | v) other finished wood products such as pieces of furniture, musical instruments, other handicrafts, etc. kg/m³ |
| | | vi) logs and sawn wood of special purpose timbers traded by weight rather than volume (for example <i>Lignum vitae</i> ; <i>Guaiacum</i> spp.) kg |
| | | 10.132 The Secretariat shall: |
| | | a) establish and maintain good working relationships or, where possible, formal relationships with the secretariats or relevant departments of the following organizations: |
| | | – International Tropical Timber Organization (ITTO) |

- Food and Agriculture Organization of the United Nations (FAO)
 - IUCN – The World Conservation Union
 - TRAFFIC (Trade Records Analysis of Flora and Fauna in Commerce)
 - World Conservation Monitoring Centre (WCMC); and
- b) inform the Secretariat of the Convention on Biological Diversity and the appropriate organization succeeding to the Intergovernmental Panel on Forests about the discussions in the Timber Working Group by sending these organizations the reports of the Group.
- 10.133 For the purpose of facilitating identification of the primary products in trade, permit issuance and annual reporting, trade in CITES timber species shall be examined on a taxon-specific basis.
- 10.134 At the 11th meeting of the Conference of the Parties a report shall be submitted on the implementation of the special procedures regarding time validity and change of destination for permits issued for timber species, and recommendations shall be provided on whether these special procedures should be maintained or not.

Regarding significant trade in Appendix-II species

- 10.135 (ex-9.33) IUCN shall be contracted to co-ordinate, in collaboration with the World Conservation Monitoring Centre, the conduct of the field studies required for Appendix-II species identified by the Animals Committee as being subject to significant levels of trade, and to raise the funds necessary for such studies.
- 10.136 The Secretariat, together with the Co-ordinator for Significant Trade Studies on Plants, shall:
- a) prepare a draft resolution for consideration by the Plants Committee and the Conference of the Parties; and
 - b) in co-operation with WCMC, make recommendations regarding the possible need to design a system to link the CITES trade database maintained by WCMC with the WCMC plants database, with a view to storing and processing data resulting from the Review of Significant Trade in Plants Included in Appendix II.

Regarding trade in plants

- 10.137 (ex-9.34) The attempts to effect a more constructive collaboration with the International Tropical Timber Organization shall be continued.
- 10.138 (ex-9.35) The Parties shall be notified when any Party confirms that it issues phytosanitary certificates for export of artificially propagated plants of Appendix-II species.
- 10.139 (ex-9.36) Information provided by the Parties on nurseries involved in the CITES export trade in the major source countries shall be compiled and a directory of this information shall be published.
- 10.140 (ex-9.37) A list of the form in which plants and their parts and derivatives are commonly in trade shall be maintained and communicated to the Parties to assist enforcement and this list shall be amended on the basis of information from reliable sources.
- 10.141 (ex-9.38) Arrangements shall be made for the following activities:
- a) a field survey of the conservation status of *Notocactus* (*Parodia* subgenus *Notocactus*);
 - b) a survey of the genus *Ferocactus* in trade, drawing together information from the range States, i.e. Mexico and the United States of America, and the major importing countries of Europe and Japan;
 - c) a survey of the trade in *Pleione*; nursery inspections in China (including Taiwan) and Japan would be desirable; at the same time other aspects of the trade in temperate orchids could be investigated;
 - d) a search of information on the impact of commercial collection on wild populations of *Cypripedium*; levels of propagation in Europe, the United States of America and Japan should be clarified;
 - e) a review of the levels of trade in Appendix-I cycads in the family *Zamiaceae*, i.e. the genera *Ceratozamia*, *Encephalartos* and *Microcycas*;
 - f) a review of the value of the current listings of *Cyatheaceae* and *Dicksoniaceae* in Appendix II of CITES, in order to establish whether the method in which trade is currently reported is useful; in particular the units used for reporting trade in tree-fern products should be considered with a view to standardization;
 - g) an investigation of the international trade in aloe products including an assessment of the impact on wild populations and methods of improving trade controls; and
 - h) an investigation of the international trade in salep.

Regarding cross-border movements of live animals for exhibition

- 10.142 Recommendations shall be prepared on the basis of proposals submitted by interested Parties, for consideration by the Standing Committee in 1998, in order to establish:
- a) a single simplified procedure for cross-border movements of live animals for exhibition travelling to other States;
 - b) an effective and rational system of registration and identification of live animals for exhibition; and
 - c) principles and methods for certification of travelling owners supposed to travel to other States under the simplified procedure for cross-border movements of live animals for exhibition.

Regarding traditional medicine

- 10.143 The Secretariat shall:
- a) in implementing Resolution Conf. 8.4, conduct a review of measures included by Parties in their national legislation to control the import and export of medicinal products containing parts or derivatives of species listed in the appendices of the Convention; and
- subject to the availability of funds:
- b) review the need for measures to improve implementation of the Convention in relation to monitoring of trade in parts and derivatives of species listed in Appendices I and II which are traded in semi-processed form or manufactured form or as manufactured medicinal products;
 - c) collate information on proven identification techniques for parts and derivatives and the availability of substitutes for specimens of threatened wild species, and information on opportunities for further research;
 - d) review the role of captive breeding and artificial propagation in the supply of products for traditional medicine; and
 - e) report to the Standing Committee before the 11th meeting of the Conference of the Parties.

Regarding the standard reference of Orchidaceae

- 10.144 Each standard reference shall be made available to the Parties immediately after its completion.
- (*ex-9.39*)

**Numbering of Decisions adopted at the ninth meeting of the Conference of the Parties
that remain in effect**

New no.	Original no.	Ref. no.	Subject of Decision
Directed to the Parties, regarding:			
10.13	1	9.1	entry into force of Resolutions and Decisions of the Conference of the Parties
10.14	2	9.2	
10.15	3	9.3	the submission of amendment proposals, draft resolutions and other documents
10.16	4	9.4	the preparation of draft resolutions of the Conference of the Parties
10.17	5	9.5	
10.24	9	9.6	issuance of permits
10.25	10	9.7	
10.26	11	9.8	
10.27	12	9.9	
10.28	13	9.10	acceptance of permits
10.29	14	9.11	
10.31	15	9.12	illegal trade
10.32	16	9.13	
10.33	17	9.14	
10.34	18	9.15	violations of the Convention by diplomats and troops serving under the flag of the United Nations
10.35	19	9.16	annual reports
10.36	20	9.17	
10.37	21	9.18	
10.38	22	9.19	
10.39	23	9.20	biennial reports
10.49	24	9.21	trade in plants
10.50	25	9.22	
10.56	26	9.23	communication
Directed to the Chairmen of Committees I and II, regarding:			
10.58	1	9.24	the consideration of draft resolutions
Directed to the Animals Committee, regarding:			
10.79	1	9.25	implementation of Resolution Conf. 8.9
Directed to the Secretariat, regarding:			
10.94	3	9.26	the text of the Convention
10.113	5	9.27	decisions of the Conference of the Parties
10.114	6	9.28	
10.116	8	9.29	permits and certificates
10.117	9	9.30	
10.121	10	9.31	reports on alleged infractions and other implementation problems
10.123	13	9.32	competent authorities of non-party States
10.135	14	9.33	significant trade in Appendix-II species
10.137	17	9.34	trade in plants
10.138	18	9.35	
10.139	19	9.36	
10.140	20	9.37	
10.141	21	9.38	
10.144	25	9.39	the standard reference for Orchidaceae