



"Working within CITES for the protection and conservation of species in international trade"

Periodic Review of the Appendices

CoP14 Doc. 66 (Animals and Plants Committees) The Plants Committee (PC16 Sum. 3 (06/07/2006)) and the Animals Committee (AC22 Sum. 3 (12/07/2006) [Rev. 1]) agreed to propose to the Standing Committee (SC) amendments to the recommendations of the 51st meeting of the Standing Committee regarding the conduct of the Periodic Review of the Appendices (SC51. Doc.16 Annex I). These amendments are proposed as a draft Resolution in CoP14 Doc. 66.

SSN VIEW: Approve the Amendments Proposed with Three Additional Revisions

SSN supports the recommended amendments except that we encourage Parties to **OPPOSE** the proposed replacement of the word "*species*" (defined in CITES Article I) by the words "*taxon*" or "*taxa*", which are not defined by CITES.

SSN also recommends that Parties adopt three additional revisions to the changes proposed by the Animals and Plants committees (Animals Committee and Plants Committee respectively). These revisions are intended to:

- 1) Ensure that the guidelines developed by the Standing Committee on Periodic Review will be followed by the Animals and Plants Committees;
- 2) Develop criteria to define which species can be selected for Periodic Review; and
- 3) Preserve the role of Standing Committee in the selection of species for Periodic Review

Recommended Revision 1: Make the guidelines developed by the Standing Committee on the conduct of the Periodic Review compulsory for the Animals and Plants Committees

The guidelines adopted by the Standing Committee (SC) in SC51 Doc.16 create a process for the conduct of Periodic Review which was thoroughly discussed by the Animals, Plants and Standing Committees (negotiations started in 2002 and involved several meetings of the Committees and the creation of a joint working group of the Animals and Plants Committees). Proposals to include species in the Review that were not selected in accordance with the recommendations adopted by the Standing Committee are not provided for in the Standing Committee guidelines. Including species selected outside of this formal process may redirect the focus of the Review away from its intended purpose, which is to examine species that were listed prior to the adoption of Resolution Conf. 9.24 on Criteria for Amending Appendices I and II, that are higher taxon listings, or for which the Significant Trade Review has indicated the listing status should be changed.

SSN recommends that the draft Resolution should provide a clearer mandate for the Animals and Plants Committees to abide by the Standing Committee guidelines by replacing "*are encouraged to*" with "*shall*" in proposed amended paragraph c) as follows:

"c) The Animals and Plants Committees ~~shall are encouraged to~~ follow the guidelines and rapid assessment technique in Annexes 1 and 2 of document SC51 Doc. 16 and their updates when selecting species and conducting the periodic review."

Recommended Revision 2: Introduce criteria defining which species can be selected for inclusion in the Periodic Review.

Following CoP13, the Animals and Plants Committees initiated the Review of species in accordance with the recommendations developed by the Standing Committee, including the standardized guidelines agreed by the Animals and Plants Committees. In support of this process, the Secretariat requested UNEP-WCMC to produce trade data for consideration by the Committees and, in accordance with the standardized guidelines, to exclude the following species (AC21 Doc. 11.1 (Rev. 1) and PC15 Doc. 11):

- “Species that were subject of proposals to amend the Appendices at the previous two CoPs, whether or not the specific proposals were adopted;
- Species that were effectively included in the Appendices after CoP10 because taxa to be considered for the reviews should have been listed prior to the adoption of Resolution Conf. 9.24 at the 9th meeting of the Conference of the Parties in 1994; and
- Species subject to other reviews such as those targeted by valid Decisions and Resolutions of the Parties (including African and Asian rhinoceros, elephants, leopards, markhor, Cetaceans, vicuna, Musk deer, Tibetan antelope, tortoises and freshwater turtles, Appendix-I Asian big cat species, sharks, sturgeons and paddlefish, great apes, Saiga antelope, marine turtles, medicinal plants included in Appendix II, bigleaf mahogany and agarwood producing taxa).”

To facilitate testing of the first-time implementation of the Standing Committee guidelines, the Animals Committee also decided at its 21st meeting (Geneva, May 2005) to limit inclusion in the Review to listed species of Amphibia and Galliformes.

Both of these limitations were disregarded by the Animals Committee’s approval of Iceland’s proposal to include the Central North Atlantic stock of fin whales in the Review. This decision indicates that, in their present form, the guidelines do not set binding limits on the types of species which can be selected for inclusion in the Review. The revised guidelines proposed by the Animals and Plants Committees do not introduce any additional selection criteria, implying that the Committees will continue to be empowered to select any species for Review (elephants, tigers, mahogany, etc.).

SSN recommends that the draft Resolution exclude species from the review in accordance with AC21 Doc. 11.1 (Rev. 1) and PC15 Doc. 11, in a new Paragraph d).

Recommended Revision 3: Secure the role of the Standing Committee in the selection of species for inclusion in the Periodic Review

Under the current guidelines adopted by the 51st meeting of the Standing Committee, members of the Standing Committee are given the chance to endorse, edit or reject the list of species selected for Review by the Animals or Plants Committees after two actions are taken by the CITES Secretariat :

- 1) the Secretariat must first issue a Notification to the Parties of the species selected for review by the Animals and Plants Committees and request range States comments on the selection;
- 2) the Secretariat must then report to the Standing, Plants and Animals Committees about the responses received from Parties.

The revisions proposed by the Animals and Plants Committees replace the provision granting a role to the Standing Committee in the finalization of the list of species selected: (“c)Taking these comments into account, the Animals and Plants Committees should in consultation with the Standing Committee finalize the selection of the species to be reviewed”) with a provision giving the Standing Committee an oversight role in the conduct of periodic reviews: (“e) Taking these comments into account, the Animals and Plants Committees will inform the Standing Committee about the finalized selection of species to be reviewed. f) The Chairmen of the Plants and Animals Committees should keep the Standing Committee informed about the conduct of periodic reviews of species included in the Appendices.” The revised guidelines eliminate the collaborative role of the Standing Committee in finalizing the selection of species to be removed.

The Standing Committee should maintain a role in the selection of species for the Review. SSN recommends the creation of a consultation process whereby the Standing Committee can oppose the inclusion of some species in the Review without systematically delaying the review of species selected by the Animals and Plants Committees for which there is consensus among the Standing Committee members. SSN proposes the inclusion of a revised Paragraph e) (new paragraph f) in the proposed resolution to preserve the role of SC in the selection of species drafted as follows:

“f) Taking these comments into account, the Animals and Plant Committees will ~~inform~~ provide a written report to the Standing Committee about listing the finalized selection of species proposed for review. The Standing Committee will then have 45 days to make comments on the list of species selected proposed by the Animal and Plant Committees, carrying out its consultations via postal procedure if necessary. For species deemed suitable for review by a consensus of Standing Committee members, the reviews will proceed after 45 days. For species for which there is no consensus among Standing Committee members, reviews will not proceed until they are further considered and approved by the Standing Committee at its next meeting.”