

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



Nineteenth meeting of the Conference of the Parties
Panama City (Panama), 14 – 25 November 2022

Committee II

Revisions to Resolution Conf. 11.21 (Rev. CoP18) on *Use of annotations in Appendices I and II*, Resolution Conf. 4.6 (Rev. CoP18) on *Submission of draft resolutions, draft decisions and other documents for meetings of the Conference of the Parties*, and Resolution 4.25 (Rev. CoP18) on *Reservations*

RESOLUTIONS OF THE CONFERENCE OF THE PARTIES

This document has been prepared by the Secretariat on the basis of document CoP19 Doc. 88 and information document CoP19 Inf. 17 (Rev.1), after discussion in the second session of Committee II, and further to the meeting of the drafting group established during that session.

Resolution Conf. 11.21 (Rev. CoP189) on *Use of annotations in Appendices I and II*

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. AGREES that:

...

- g) substantive annotations used in the context of transferring a species from Appendix I to Appendix II should be in compliance with the precautionary measures contained in Resolution Conf. 9.24 (Rev. CoP17) Annex 4; ~~and~~
- h) references to Decisions or Resolutions of the Conference of the Parties should not be included in annotations;
- i) if needed, definitions of key terms and expressions used in annotations should be specified in the Interpretation section of the Appendices; and
- h*j*) annotations that include time limits or other references that may with time cease to apply should, on a regular basis, be considered for deletion or revision by the Standing Committee and as appropriate, by the Animals Committee or Plants Committee.

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Resolution Conf. 4.6 (Rev. CoP189) on *Submission of draft resolutions, draft decisions and other documents for meetings of the Conference of the Parties*

RECALLING that references to Decisions or Resolutions should not be included in annotations;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

...

2. RECOMMENDS that:

...

- e) when drafting decisions, a Party clearly identify who should implement the decision and normally direct the decision to the Standing Committee, the Animals Committee, the Plants Committee, the Secretariat or Parties;
- f) prior to submitting a proposal to amend a resolution, a party identify whether the resolution in question is referred to in an annotation and submit an amendment proposal pursuant to Article XV to update the reference accordingly;
- gf) unless practical considerations dictate otherwise, draft resolutions not include:

...

4. DIRECTS the Secretariat further:

- a) when revising its publication of current Resolutions after each meeting of the Conference of the Parties, to correct the texts of already existing Resolutions to ensure that all references to other Resolutions are accurate, but not to update references to Decisions or Resolutions contained in annotations in the Appendices of the Convention unless the annotation was amended in accordance with Article XV;

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Resolution 4.25 (Rev. CoP189) on Reservations

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. RECOMMENDS that any Party having entered a reservation with regard to any species included in Appendix I treat that species as if it were included in Appendix II for all purposes, including documentation and control, except as provided by paragraph 2;
2. AGREES that the scope and effect of a reservation entered in accordance with Article XV, paragraph 3 is the same as the scope and effect of the amendment. For example, where an annotation to a species listed in Appendix I or II is amended, a Party may enter a reservation in accordance with Article XV, paragraph 3. The effect of such reservation is limited to excluding the amendment from applying to the reserving Party until the reservation is withdrawn. The reserving Party remains bound by the annotation in effect prior to the amendment;
3. DIRECTS the Secretariat to maintain on the CITES website, in the table on Reservations entered by Parties, reference to the requirements for international trade that apply to each Party having entered a reservation in accordance with Article XV, paragraph 3;
- ~~2.~~ 4. AGREES that, if a species is deleted from one Appendix of the Convention and simultaneously included in another, the deletion shall render invalid any reservation that was in effect in relation to the species and, consequently, any Party that wishes to maintain a reservation in relation to the species must enter a new reservation in accordance with Article XV, paragraph 3, or Article XVI, paragraph 2;
- ~~3.~~ 5. CALLS on the Parties having entered reservations to nevertheless maintain and communicate statistical records on trade in the species concerned, as part of their annual reports, so that international trade in specimens of these species may be properly monitored;
4. ~~6.~~ INSTRUCTS the Secretariat to remind affected Parties explicitly of the reservations that will be rendered invalid, in time for the Parties to renew their reservations if they so desire;
- ~~5.~~ 7. REMINDS Parties of the requirement to notify the Depositary Government in writing of a reservation it wishes to make with respect to an amendment to Appendix I or II within 90 days after the meeting, in accordance with Article XV, paragraph 3, of the Convention;
- ~~6.~~ 8. REQUESTS the Depositary Government not to consider valid any reservation with respect to an amendment to Appendix I or II entered after the 90-day deadline; and
- ~~7.~~ 9. AGREES that the withdrawal of a reservation becomes operational on the date of the Depositary's notification to the Parties unless a later date has been set by the Party withdrawing the reservation.