

Conf. 8.21 (Rev. CoP16)*

Consultation with range States on proposals to amend Appendices I and II

NOTING that the provisions of the Convention do not require the prior support of range States for proposals to amend Appendices I and II;

RECALLING that the format for proposals laid down in Resolution Conf. 9.24 (Rev. CoP16), adopted by the Conference of the Parties at its ninth meeting (Fort Lauderdale, 1994) and revised at its 12th, 13th, 14th, 15th and 16th meetings (Santiago, 2002; Bangkok, 2004; The Hague, 2007; Doha, 2010; Bangkok, 2013), provides for comments to be sought from the range States;

OBSERVING that many proposals have been submitted without such comments being sought;

RECOGNIZING, however, that such consultation may be difficult for certain taxa with extensive distributions;

CONSCIOUS that amendments to Appendices I and II may affect the interests of range States;

REMARKING that the successful implementation of international treaties relies upon cooperation and mutual respect;

MINDFUL that an additional period of time may be required to consult with range States;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS that, for any submission of a proposal to amend Appendix I or II of the Convention, one of the following two procedures be applied:

- a) where the proposing Party intends to consult the range States, it should:
 - i) advise the Management Authorities of the range States within which the species occurs of its intention to submit a proposal;
 - ii) consult with the Management and Scientific Authorities of these States on the substance of the proposal, including any proposed annotation; and
 - iii) include the opinions of these Authorities in section 10 of the proposal submitted in accordance with Resolution Conf. 9.24 (Rev. CoP16) except that, where no response has been received from a range State within a reasonable period of time, the proposing Party may instead simply document its attempts to obtain these opinions; or
- b) where prior consultation with range States will not take place:
 - i) the Party should submit the proposal at least 330 days in advance of the next scheduled meeting of the Conference of the Parties;
 - ii) the Secretariat should circulate the proposal as soon as possible to all Parties; and
 - iii) interested Parties should send their comments to the proposing Party in order to allow it to submit a revised proposal at least 150 days prior to the meeting. The revised proposal should incorporate the comments received, in compliance with Resolution Conf. 9.24 (Rev. CoP16), separating them into two categories, reflecting the opinions of range States and non-range States.

* Corrected by the Secretariat following the 13th and 14th meetings of the Conference of the Parties, and further amended by the Secretariat in compliance with Decision 14.19 and with the decisions adopted at the 58th meeting of the Standing Committee. Then corrected by the Secretariat following the 15th meeting. Further amended at the 16th meeting of the Conference of the Parties.