

# Conf. 11.1

(Rev. CoP16)\*

## Establishment of Committees

RECALLING Resolution Conf. 9.1 (Rev.), adopted by the Conference of the Parties at its ninth meeting (Fort Lauderdale, 1994) and amended at its 10th meeting (Harare, 1997), relating to the establishment of committees;

RECOGNIZING that Rules of Procedure common to all committees are an essential requirement for formal meetings;

### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

#### ***Regarding the establishment of committees***

AGREES to formalize a system for the appointment of committees of the Conference of the Parties and to establish procedures to be followed when committees are created;

RESOLVES that:

- a) there shall be a permanent Standing Committee of the Conference of the Parties, which shall be the senior Committee, and shall report to the Conference of the Parties;
- b) there shall be an Animals Committee and a Plants Committee, which shall report to the Conference of the Parties at its meetings and, if so requested, to the Standing Committee between meetings of the Conference of the Parties;
- c) the Conference of the Parties may appoint additional committees as the need arises;
- d) the Conference of the Parties, the Standing Committee and the Animals and Plants Committees may appoint working groups with specific terms of reference as required to address specific problems. These working groups shall have a defined life span which shall not exceed the period until the next meeting of the Conference of the Parties, at which time they may be re-established if necessary. Working Groups established by the Conference of the Parties shall report to the Conference of the Parties and, if so requested, to the Standing Committee;
- e) the Standing Committee shall establish a permanent Finance and Budget Subcommittee and specify its terms of reference;
- f) the Standing Committee and the Animals and Plants Committees may appoint subcommittees with specific terms of reference to implement the tasks that are given to them. Unless otherwise agreed by through a Resolution or Decision of the Conference of the Parties, these subcommittees shall have a defined lifespan, which shall not exceed the period until the next meeting of the Conference of the Parties, at which time they may be re-established if necessary;
- g) the Standing Committee shall adopt its own Rules of Procedure;
- h) the Animals and Plants Committees shall adopt their own Rules of Procedure, which shall, however, be in accordance with the Rules of Procedure of the Standing Committee as far as is practicable;
- i) regional representatives shall be elected by the Conference of the Parties as members of the Standing Committee;
- j) the Secretariat shall make provision for the payment, if requested, of reasonable and justifiable travel expenses of members, including attendance at the relevant committee meetings, and other expenses of the Chairs of the Standing Committee, the Animals Committee and the Plants Committee, other than members from developed countries;
- k) all committees established by the Conference of the Parties shall be listed in annexes to this Resolution;
- l) the Secretariat shall, upon request by a committee chair, provide secretarial services when such services can be met within the approved budget of the Secretariat;

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\* Amended at the 12th, 13th, 14th and 16th meetings of the Conference of the Parties.

- m) when back-to-back meetings of the Animals and Plants Committees include a joint session, the duration of the separate committee meetings should be four days, but that when not back-to-back, the length of each meeting should be five days; and
- n) the Secretariat shall ensure that any vacancies in the Animals and Plants Committees are brought immediately to the attention of the Standing Committee, in order to fill the vacancies as soon as possible;

***Regarding regional representation in the Standing Committee***

RECOMMENDS that the following guidelines be implemented:

- a) Selection of regional members and alternate regional members
  - i) 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, a rotation in the selection is recommended; and
    - B. for regions with more than one member and one alternate member, the selection should try to achieve a balanced representation (geopolitical, cultural, ecological);
  - ii) The regional candidatures should be officially submitted by the interested Parties through a governmental channel, at least 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;
  - iii) 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 delegations duly accredited by the Conference should have the right to vote. The election should take place during the second week of the meeting; and
  - iv) The election of a member and of the 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; and
- b) Timing of replacement of members and alternate members
  - i) The terms of office of the regional members and their alternates 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;
  - ii) For regions with one member and one alternate member, the selection should occur at every second meeting; and
  - iii) For regions with more than one member and one alternate member, to guarantee some continuity, not all members and alternate members should be changed at the same meeting;

***Regarding regional sessions at meetings of the Conference of the Parties***

AGREES that:

- a) the regional sessions have an official character and should have an agenda. Proceedings should be prepared concerning the proposals and agreements dealt with;
- b) the Chair of each regional session should be the representative of a regional member of the Standing Committee; and
- c) each region has specific tasks to fulfil, as follows:
  - i) selection, if appropriate, of members and alternate members of the Standing Committee, which are Parties;
  - ii) selection of the members and alternate members of the Animals and Plants Committees. In accordance with Annex 2 of this Resolution the members and alternate members of the Animals and Plants Committees are persons. The persons to be chosen should be experts

in animals or plants in general and with regard to the region they are representing in particular;

- iii) 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; and
- iv) 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 i) and ii) 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; and

### ***Regarding representation in the Animals and Plants Committees***

RECOMMENDS that the following guidelines be implemented:

#### a) Election of the candidates

- i) Parties proposing candidates as representatives should confirm, at the time of nomination, that the candidate will be supported and that they will obtain the necessary means to undertake their activities;
- ii) 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. Although not regional representatives the same process should apply to candidates seeking election as specialists on botanical and zoological nomenclature;
- iii) Ideally the candidates should be associated with a Scientific Authority, have adequate knowledge of CITES and receive sufficient institutional support to carry out their duties. This information should also be included in the *curricula vitae*; and
- iv) As long as the 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; and

#### b) Timing of replacement of regional members and alternate members

- i) The procedure should be the same as that described above for the Standing Committee;
- ii) As alternate members are alternates of specified members, they should be elected at the same time as the members;
- iii) If a region wishes to re-elect a member or alternate member, there is nothing to prevent it from doing so; and
- iv) in the event that no nominations be received before the deadline the incumbent shall remain, if so willing and able, as an representative until a replacement is elected; and

#### c) Conflict of interest

A “conflict of interest”<sup>1</sup> refers to any current financial interest which could significantly impair the individual’s impartiality, objectivity or independence in carrying out his or her duties as a member of the Committee. A candidate’s employment by itself does not automatically constitute a conflict of interest:

- i) Parties proposing candidates as members or alternate members are to request that, together with their names and *curriculae vitae*, each candidate provides a declaration of interest which should be circulated to the Parties of the region concerned at least 120 days before the meeting of the Conference by the Parties at which the representatives will be elected. In that declaration, the candidate should disclose any current financial interest that might call into question his or her impartiality, objectivity or independence in carrying out his or her duties as a member or alternate member of the Committee;

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<sup>1</sup> Conflict-of-interest policies in scientific assessment bodies typically make a distinction between “conflict of interest” and “bias”, which refers to a point of view or perspective that is strongly held regarding a particular issue or set of issues.



- b) provide guidance and advice to the Secretariat on the preparation of agendas and other requirements of meetings, and on any other matters brought to it by the Secretariat in the exercise of its function;
- c) oversee, on behalf of the Parties, the development and execution of the Secretariat's budget as derived from the Trust Fund and other sources, and also all aspects of fund raising undertaken by the Secretariat in order to carry out specific functions authorized by the Conference of the Parties, and to oversee expenditures of such fund-raising activities;
- d) provide coordination and advice as required to other committees and provide direction and coordination of working groups established by either itself or the Conference of the Parties;
- e) carry out, between one meeting of the Conference of the Parties and the next, such interim activities on behalf of the Conference as may be necessary;
- f) draft resolutions for consideration by the Conference of the Parties;
- g) report to the Conference of the Parties on the activities it has carried out between meetings of the Conference;
- h) act as the Bureau at meetings of the Conference of the Parties, until such time as the Rules of Procedure are adopted; and
- i) perform any other functions as may be entrusted to it by the Conference of the Parties;

DETERMINES:

- a) the following principles for the composition of the Standing Committee:
  - i) the membership of the Standing Committee shall consist of:
    - A. a Party or Parties elected from each of the six major geographic regions consisting of Africa, Asia, Central and South America and the Caribbean, Europe, North America and Oceania, according to the following criteria:
      - 1. one representative for regions with up to 15 Parties;
      - 2. two representatives for regions with 16 to 30 Parties;
      - 3. three representatives for regions with 31 to 45 Parties; or
      - 4. four representatives for regions with more than 45 Parties;
    - B. the Depositary Government; and
    - C. the previous host Party and the next host Party;
  - ii) each Party elected as an alternate member for a member described in subparagraph A, to be represented at meetings as a regional member only in the absence of a representative of the member for which it is the alternate; and
  - iii) the membership of the Committee shall be reviewed at every regular meeting of the Conference of the Parties. 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;
- b) that the Standing Committee shall adhere to the following procedures:
  - i) all Committee members may participate in Committee business but only the regional members or alternate regional members shall have the right to vote except in the case of a tie vote, when the Depositary Government shall have the right to vote to break the tie;
  - ii) the Chair, Vice-Chair and any other necessary executive officers shall be elected by and from the regional members;
  - iii) if an extraordinary meeting of the Conference of the Parties is held between two regular meetings, the host Party of that meeting shall participate in the work of the Committee on matters related to the organization of the meeting;

- iv) the Chairs of the technical committees shall be invited on a regular basis to the meetings of the Standing Committee;
  - v) Parties not members of the Committee shall be entitled to be represented at meetings of the Committee by an observer who shall have the right to participate but not to vote;
  - vi) the Chair may invite any person or a representative of any other country or organization to participate in meetings of the Committee as an observer without the right to vote; and
  - vii) the Secretariat shall inform all Parties of the time and venue of Standing Committee meetings; and
- c) the following principles for the payment of travel expenses to members of the Standing Committee:
- i) the Secretariat shall make provisions in its budget for the payment, if requested, of reasonable and justifiable travel expenses of one person representing each regional member, to attend each regular meeting of the Standing Committee (excluding those associated with a meeting of the Conference of the Parties) other than for representatives of developed countries;
  - ii) members should make every effort to pay their own travel expenses;
  - iii) the Chair of the Standing Committee may be refunded for all reasonable and justifiable travel expenses for travel undertaken on behalf of the Conference of the Parties, the Standing Committee, or the Secretariat; and
  - iv) travel arrangements for sponsored regional members will be made by the Secretariat in accordance with the Rules and Regulations of the United Nations and, where applicable, claims for refunds must be supported by receipts, and be submitted to the Secretariat within 30 days from the completion of the travel; and

RESOLVES that the duties of the regional representatives in the Standing Committee are as follows:

- a) regional representatives should maintain a fluid and permanent communication with the Parties of their region and the Secretariat;
- b) 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; and
- c) 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.

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## **Annex 2 Establishment of the Animals and Plants Committees of the Conference of the Parties**

REALIZING the many problems faced by the Conference of the Parties and individual Parties concerning the lack of biological data and expert knowledge of animal and plant trade and management;

RECOGNIZING that an effective method of evaluating whether a species is appropriately listed in the CITES Appendices requires a periodic review of its biological and trade status;

RECOGNIZING the need to identify those Appendix-II species that are subject to levels of significant international trade and for which scientific information on the capacity of the species to withstand

such levels of trade is insufficient to satisfy the requirements of Article IV, paragraph 3, of the Convention;

RECOGNIZING that the bulk of the world's biodiversity occurs in Africa, Asia, and Central and South America, and also that the majority of animal and plant species listed in the Appendices of the Convention are from these regions;

AWARE that there are only three Parties in the North American region, but more than 40 in Africa, more than 25 in South and Central America and the Caribbean, and more than 20 in Asia, which, in addition, stretches from Israel in the west to Japan in the east;

RECOGNIZING that the nomenclature used in the Appendices to the Convention will be most useful to the Parties if standardized;

RECALLING that Recommendation Conf. S.S. 1.7, adopted at the special working session of the Conference of the Parties (Geneva, 1977), recognized the need for the standardization of the nomenclature used in the Appendices;

NOTING that such biological nomenclature is not static;

#### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RESOLVES to re-establish the Animals and Plants Committees of the Conference of the Parties, with the following terms of reference:

within the policy agreed to by the Conference of the Parties, the Animals and Plants Committees shall:

- a) provide scientific advice and guidance to the Conference of the Parties, the other committees, working groups and the Secretariat, on all matters relevant to international trade in animal and plant species included in the Appendices, which may include proposals to amend the Appendices;
- b) deal with nomenclatural issues by carrying on the following tasks:
  - i) cause standardized nomenclatural references for animal and plant taxa, to the level of subspecies or botanical variety and including synonyms, to be prepared, or propose for adoption existing nomenclatural references, as appropriate, for all species listed in the Appendices to the Convention;
  - ii) upon its acceptance of a new or updated reference (or part thereof) for a given taxon, after following the procedure described below, present this to the Conference of the Parties for adoption as the standard reference for that taxon;
  - iii) ensure that the highest priorities in developing the standard reference lists of animal and plant names and synonyms be:
    - A. species names of animals and plants listed at the species level in the Appendices;
    - B. generic names of animals and plants listed at the genus or family level in the Appendices; and
    - C. family names of animals and plants listed at the family level in the Appendices;
  - iv) review the existing Appendices with regard to the correct use of zoological and botanical nomenclature;
  - v) upon request, provide advice to Parties concerning nomenclature issues related to proposals to amend the Appendices;
  - vi) upon request from the Secretariat, review proposals to amend the Appendices to ensure that correct names for the species and other taxa in question are used;
  - vii) ensure that changes in nomenclature recommended by a Party do not alter the scope of protection of the taxon concerned; and
  - viii) make recommendations on nomenclature to the Conference of the Parties, other committees, working groups and the Secretariat;

- c) assist the Secretariat with the implementation of the Resolution on the Identification Manual and Decisions related to it and, upon request of the Secretariat, review proposals to amend the Appendices with regard to possible identification problems;
- d) cooperate with the Secretariat on the implementation of its programme of work to assist Scientific Authorities and provide scientific advice on training materials used in capacity building;
- e) develop regional directories that list the botanists and zoologists in each region who are experts in CITES-listed species;
- f) establish a list of those taxa included in Appendix II that are considered as being significantly affected by trade, and review and assess all available biological and trade information including comments by the range States on these taxa to:
  - i) exclude all species for which there is adequate information to conclude that trade is not having a significant detrimental effect on their populations;
  - ii) formulate recommendations for remedial measures for those species for which trade is believed to be having a detrimental effect; and
  - iii) establish priorities for projects to collect information for those species for which there is insufficient information available on which to base a judgement as to whether the level of trade is detrimental;
- g) assess information on those species for which there is evidence of a change in the volume of trade or for which specific information is available to indicate the necessity for review;
- h) undertake a periodic review of animal or plant species included in the CITES Appendices by:
  - i) establishing a schedule for reviewing the biological and trade status of these species;
  - ii) identifying problems or potential problems concerning the biological status of species being traded;
  - iii) consulting the Parties on the need to review specific species, working directly with the range States in the selection process, and seeking their assistance in such reviews; and
  - iv) preparing and submitting amendment proposals resulting from the review, through the Depository Government, for consideration at meetings of the Conference of the Parties;
- i) make available advice on management techniques and procedures for range States requesting such assistance;
- j) draft resolutions on scientific matters related to animals or plants, for consideration by the Conference of the Parties, with a budget for the work involved and an indication of the source of funding;
- k) perform any other functions that may be entrusted to them by the Conference of the Parties or the Standing Committee; and
- l) report to the Conference of the Parties and, if so requested, to the Standing Committee, on the activities they have carried out or supervised between meetings of the Conference;

AGREES that in giving instructions to the Animals and Plants Committees, the Conference of the Parties should pay due attention to whether the nature of the work is within their mandate and whether the committees have the time and personnel to undertake such work;

DETERMINES that:

- a) the membership of the Animals and Plants Committees shall consist of:
  - i) a person chosen by each of the major geographic regions consisting of North America and Oceania;
  - ii) two persons chosen by each of the major geographic regions consisting of Africa, Asia, Central and South America and the Caribbean, and Europe; and



- iii) a specialist on zoological nomenclature (Animals Committee) and a specialist on botanical nomenclature (Plants Committee) appointed by the Conference of the Parties who would be *ex-officio* and non-voting;
- b) each person chosen as an alternate member for a member described in paragraph a) i) or ii), shall be represented at meetings as a regional member only in the absence of the member for whom he/she is the alternate;
- c) the membership of the Committees shall be reviewed at every regular meeting of the Conference of the Parties. The terms of office of the 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;
- d) any Party shall be entitled to be represented at meetings of the Committees as an observer;
- e) a chair and a vice-chair shall be elected by the Committee. The Chair should be replaced in his/her role of regional member by his/her alternate. In the absence at a meeting of the alternate in question, the Chair shall serve also as regional member for his/her region on an *ad hoc* basis; and
- f) the Chair may invite any person or representative of any other country or organization to participate in meetings of the Committee as an observer;

RESOLVES that the duties of members elected by the regions of the Animals and Plants Committees and their alternates are as follows:

- a) each member should, to the best of their abilities, act as impartially as possible and endeavour to base their judgements and opinions upon an objective, scientific assessment of the available evidence;
- b) each member should collaborate with his/her alternate regarding the work to be done between the meetings of the Committee;
- c) each member should maintain regular communication with the Parties in his/her region;
- d) when a region has more than one representative, the representatives should also agree which Parties each represents. Contact persons should be identified in those countries. Contact should also be established with non-Parties in the region;
- e) each member should increase the awareness of the role and function of the Committee, its mandate and the issues of concern to his/her region through mechanisms such as participation in seminars or in related meetings organized by the Secretariat and by other organizations at regional or sub-regional level;
- f) before the meetings of the Committee, the members should inform and consult the Parties in their regions about the agenda and in particular on matters specifically relevant to the countries of the region;
- g) the members should submit a written report, covering the preceding period, to each meeting of the Committee;
- h) the members should inform the Parties in their regions of the results of each meeting of the Committee;
- i) the members must inform the alternates well in advance if they will not attend a forthcoming Committee meeting; and
- j) the members should provide to their successors all relevant information on the activities in the region;

FURTHER RESOLVES that the zoological and botanical nomenclature specialists of the Animals and Plants Committees shall coordinate, monitor and analyse the input needed from specialists in fulfilling the responsibilities assigned by the Parties;

DETERMINES further the following principles for the payment of travel expenses to members of the Plants or Animals Committee:

- a) the Secretariat shall make provisions in its budget for the payment, if requested, of reasonable and justifiable travel expenses of members, to attend no more than two meetings of the

Committee concerned between meetings of the Conference of the Parties, other than for members from developed countries;

- b) the Secretariat shall also make provision for the participation of the Committees' Chairs at meetings of the Standing Committee and at other meetings that the Chairs are instructed to attend by the Conference of the Parties;
- c) members should make every effort to pay their own travel expenses; and
- d) travel arrangements for sponsored members will be made by the Secretariat in accordance with the Rules and Regulations of the United Nations and, where applicable, claims for refunds must be supported by receipts, and be submitted to the Secretariat within 30 days from the completion of the travel;

URGES Parties and regions to utilize or develop long-term sustainable funding mechanisms to support their representatives in the Committees; and

DIRECTS the Secretariat, to the extent possible, to provide funding from outside sources for the production costs of publications prepared by the Committees.