

# Conf. 10.3\*

## Designation and role of the Scientific Authorities

RECALLING Resolution Conf. 8.6 (Rev.), adopted by the Conference of the Parties at its eighth meeting (Kyoto, 1992) and amended at its ninth meeting (Fort Lauderdale, 1994);

ACKNOWLEDGING that each Party is required, in accordance with Article IX of the Convention, to designate one or more Scientific Authorities;

RECOGNIZING that the responsibilities of the Scientific Authority are described in Article III, paragraphs 2 (a), 3 (a) and (b) and 5 (a), and Article IV, paragraphs 2 (a), 3 and 6 (a), of the Convention and that responsibilities described in other Articles are not assigned to a specific office but require scientific considerations;

RECOGNIZING further that these responsibilities are elaborated upon in Resolution Conf. 8.21, adopted by the Conference of the Parties at its eighth meeting, and Resolution Conf. 10.7 (Rev. CoP15), adopted by the Conference of the Parties at its 10th meeting (Harare, 1997) and revised at its 15th meeting (Doha, 2010); in Resolution Conf. 2.11 (Rev.), adopted at its second meeting (San José, 1979) and amended at its ninth meeting; in Resolution Conf. 9.10 (Rev. CoP15), adopted at its ninth meeting and amended at its 10th, 13th (Bangkok, 2004), 14th (The Hague, 2007) and 15th meetings; in Resolutions Conf. 9.19 (Rev. CoP15) and Conf. 9.21 (Rev. CoP13), adopted at its ninth meeting and amended at its 15th and 13th meetings respectively; in Resolution Conf. 11.11 (Rev. CoP15), adopted at its 11th meeting (Gigiri, 2000) and amended at its 13th, 14th and 15th meetings; in Resolution Conf. 11.15 (Rev. CoP12), adopted at its 11th meeting and amended at its 12th meeting (Santiago, 2002); and in Resolutions Conf. 12.10 (Rev. CoP15) and Conf. 12.11 (Rev. CoP15), adopted at its 12th meeting and amended at its 13th, 14th and 15th meetings<sup>1</sup>;

NOTING the concerns of the Parties indicated in the responses to the Secretariat's questionnaire on the functioning of Scientific Authorities, as reported to the Animals Committee at its 13th meeting (Pruhonce, 1996);

RECALLING that Resolution Conf. 8.4 (Rev. CoP15)<sup>2</sup>, adopted by the Conference of the Parties at its eighth meeting and amended at its 14th and 15th meetings, directs the Secretariat to identify those Parties whose domestic measures do not provide them with the authority to designate at least one Scientific Authority;

NOTING that the Secretariat's reports on alleged infractions have identified several Parties that have not designated Scientific Authorities;

NOTING that issuance of permits by a Management Authority without appropriate Scientific Authority findings constitutes a lack of compliance with the provisions of the Convention and seriously undermines species conservation;

RECALLING that Resolution Conf. 9.5 (Rev. CoP15)<sup>3</sup>, adopted by the Conference of the Parties at its ninth meeting and amended at its 13th, 14th and 15th meetings, recommends that Parties accept documentation from States not party to the Convention only if details of the competent authorities and scientific institutions of such States are included in the most recent updated list of the Secretariat or after consultation with the Secretariat;

ACKNOWLEDGING the necessity for the Secretariat, members of the Animals and Plants Committees, and Scientific Authorities to be in contact with the appropriate Scientific Authorities of each Party;

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\* Corrected by the Secretariat following the 13th, 14th and 15th meetings of the Conference of the Parties.

<sup>1</sup> Updated by the Secretariat following the 13th, 14th and 15th meetings of the Conference of the Parties: this paragraph originally referred to Resolutions Conf. 1.4, Conf. 2.11 (Rev.), Conf. 2.14, Conf. 8.15, Conf. 8.21, Conf. 9.10 (Rev.), Conf. 9.18 (Rev.), Conf. 9.19, Conf. 9.21, Conf. 10.7 and Conf. 10.22.

<sup>2</sup> Corrected by the Secretariat following the 14th and 15th meetings of the Conference of the Parties: originally referred to Resolution Conf. 8.4, then to Resolution Conf. 8.4 (Rev. CoP14).

<sup>3</sup> Corrected by the Secretariat following the 13th, 14th and 15th meetings of the Conference of the Parties: originally referred to Resolution Conf. 9.5, later corrected to Resolution Conf. 9.5 (Rev. CoP13), then to Resolution Conf. 9.5 (Rev. CoP14).

WHEREAS Article XIV, paragraph 1, permits any Party to adopt stricter domestic measures;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

DIRECTS the Secretariat:

- a) to continue its efforts to identify the Scientific Authorities in each country;
- b) to continue to identify in its reports on alleged infractions those countries that have not informed the Secretariat of their Scientific Authorities; and
- c) to continue to provide to all Parties information on the Scientific Authorities or comparable entities of States not party;

RECOMMENDS that:

- a) all Parties designate Scientific Authorities independent from Management Authorities;
- b) Parties not accept export permits from countries that have not informed the Secretariat of their Scientific Authorities for more than one interval between regular meetings of the Conference of the Parties;
- c) Management Authorities not issue any export or import permit, or certificate of introduction from the sea, for species listed in the Appendices without first obtaining the appropriate Scientific Authority findings or advice;
- d) Parties enlist the assistance of Scientific Authorities of other Parties, as appropriate;
- e) neighbouring Parties consider sharing their resources by supporting common scientific institutions to provide the scientific findings required under the Convention;
- f) the Parties consult with the Secretariat when there is reason for concern as to whether the proper Scientific Authority findings are being made;
- g) the appropriate Scientific Authority advise on the issuance of export permits or of certificates for introduction from the sea for Appendix-I or -II species, stating whether or not the proposed trade would be detrimental to the survival of the species in question, and that every export permit or certificate of introduction from the sea be covered by Scientific Authority advice;
- h) the findings and advice of the Scientific Authority of the country of export be based on the scientific review of available information on the population status, distribution, population trend, harvest and other biological and ecological factors, as appropriate, and trade information relating to the species concerned;
- i) the appropriate Scientific Authority of the importing country advise on the issuance of permits for the import of specimens of Appendix-I species, stating whether the import will be for purposes not detrimental to the survival of the species;
- j) the appropriate Scientific Authority monitor the status of native Appendix-II species and export data, and recommend, if necessary, suitable remedial measures to limit the export of specimens in order to maintain each species throughout its range at a level consistent with its role in the ecosystem and well above the level at which the species might become eligible for inclusion in Appendix I;
- k) the appropriate Scientific Authority either make the findings required on the suitability of the recipient to house and care for live specimens of Appendix-I species being imported or introduced from the sea, or make its recommendations to the Management Authority prior to the latter making such findings and the issuance of permits or certificates;
- l) the appropriate Scientific Authority provide advice to its Management Authority as to whether or not scientific institutions seeking registration for the purpose of being issued labels for scientific exchange meet the criteria established in Resolution Conf. 11.15 (Rev. CoP12)<sup>4</sup>, and other standards or any stricter national requirements;

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<sup>4</sup> Corrected by the Secretariat following the 11th and 12th meetings of the Conference of the Parties: originally referred to Resolution Conf. 2.14, later corrected to Resolution Conf. 11.15, which repealed and replaced it.

- m) the appropriate Scientific Authority review all applications submitted for consideration under Article VII, paragraph 4 or 5, and advise its Management Authority as to whether the facility concerned meets the criteria for producing specimens considered to be bred in captivity or artificially propagated in accordance with the Convention and relevant Resolutions;
- n) the appropriate Scientific Authority gather and analyse information on the biological status of species affected by trade to assist in the preparation of proposals necessary to amend the Appendices; and
- o) the appropriate Scientific Authority review proposals to amend the Appendices submitted by other Parties and make recommendations as to how the delegation of its own country should address each proposal;

ENCOURAGES the Parties, the Secretariat and interested non-governmental organizations to develop and support workshops/seminars designed specifically to improve the implementation of CITES by Scientific Authorities; and

REPEALS Resolution Conf. 8.6 (Rev.) (Kyoto, 1992, as amended at Fort Lauderdale, 1994) – *Role of the Scientific Authority*.