

Gaborone amendment to the text of the Convention

The Conference of the Parties to CITES held its second extraordinary meeting in Gaborone, Botswana, on 30 April 1983 (the last day of its fourth regular meeting), to consider a proposed amendment to Article XXI of the Convention to permit accession by regional economic integration organizations.

The Conference adopted the proposal with several changes, and the agreed amendment consists of the addition of five paragraphs (numbered from 2 to 6 below) to Article XXI as follows:

1. The present Convention shall be open indefinitely for accession. Instruments of accession shall be deposited with the Depositary Government.

2. This Convention shall be open for accession by regional economic integration organizations constituted by sovereign States which have competence in respect of the negotiation, conclusion and implementation of international agreements in matters transferred to them by their Member States and covered by this Convention. 3. In their instruments of accession, such organization shall declare the extent of their competence with respect to the matters governed by the Convention. These organizations shall also inform the Depositary Government of any substantial modification in the extent of their competence. Notifications by regional economic integration organizations concerning their competence with respect to matters governed by this Convention and modifications thereto shall be distributed to the Parties by the Depositary Government.

4. In matters within their competence, such regional economic integration organizations shall exercise the rights and fulfil the obligations which this Convention attributes to their Member States, which are Parties to the Convention. In such cases the Member States of the organizations shall not be entitled to exercise such rights individually.

5. In the fields of their competence, regional economic integration organizations shall exercise their right to vote with a number of votes equal to the number of their Member States which are Parties to the Convention. Such organizations shall not

exercise their right to vote if their Member States exercise theirs, and vice versa.

6. Any reference to "Party" in the sense used in Article 1(h) of this Convention, to "State"/"States" or to "State Party"/"State Parties" to the Convention shall be construed as including a reference to any regional economic integration organization having competence in respect of the negotiation, conclusion and application of international agreements in matters covered by this Convention.

In accordance with Article XVII, paragraph 3, of the Convention, the Gaborone amendment shall enter into force 60 days after 54 of the 80 States that were party to CITES on 30 April 1983 (i.e. two-thirds of them) have deposited their instruments of acceptance. However, at that time it will enter into force only for those States that have accepted the amendment (no matter on what date they became party to the Convention.) The amended text of the Convention will apply automatically to any State that becomes a Party after the date of entry into force of the amendment. However, for States that became party to the Convention before that date and have not accepted the amendment, it will enter into force 60 days after they do accept it.