



# **Procedure for Handling of Petitions against Current Listings on the *IUCN Red List of Threatened Species*<sup>TM</sup>**

This is Annex 4 of the “Rules of Procedure IUCN Red List Assessment Process 2013-2016” as approved by the IUCN SSC Steering Committee in September 2012 ([http://www.iucnredlist.org/documents/Rules\\_of\\_Procedure\\_for\\_Red\\_List\\_2013-2016.pdf](http://www.iucnredlist.org/documents/Rules_of_Procedure_for_Red_List_2013-2016.pdf))

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### **Introduction**

Status assessments presented in *The IUCN Red List of Threatened Species*<sup>TM</sup> are open to challenge. Petitions may be made against current listings of species, subspecies or geographic subpopulations (hereinafter referred to as species). Petitions against historical listings (i.e., those that have since been updated with a new listing for the taxon in question) are not considered. Petitions may only be made on the basis of the IUCN Red List Categories and Criteria (version 3.1 – [http://www.iucnredlist.org/info/categories\\_criteria2001.html](http://www.iucnredlist.org/info/categories_criteria2001.html)) and in reference to any supporting documentation accompanying the listing. It is not possible to change listings for political, emotional, economic, or other reasons not based on the Categories and Criteria.

### **Disagreements with Current Listings**

Any party may contact the IUCN Red List Unit (RLU) at any time to express disagreement with any current listing. If this disagreement is based on scientific or technical grounds, the RLU will put this party in contact with the relevant Red List Authority (RLA) or Assessor (in the absence of an RLA) with intention of resolving the disagreement without entering a formal petition process. In the event of a disagreement concerning the listing of a species that is in the process of being reassessed, the RLA will seek to involve the party expressing disagreement in the reassessment process, with the objective of reaching consensus on the new listing.

### **The Formal Petitions Process**

If the above process is not successful in resolving the disagreement, a formal petition may be submitted. The attached flow diagram presents a summary of the formal petitions process; the process is described in greater detail below.

A formal petition should be very brief, and just summarizing the points of disagreement, with explicit reference to the criteria under which the species is listed (2 pages maximum). The steps to follow for filing petitions are outlined below:

#### *Petition Submission and Validation*

1. Petitions can be submitted to the RLU at any time. The RLU will acknowledge receipt of the petition, and will inform the petitioner of the date on which the petition was received.
2. The RLU will consult with the IUCN SSC Standards and Petitions Sub-Committee (SPSC) to determine whether or not the petition has been filed on the basis of the IUCN Red List Categories and Criteria. If the petition has not been made on the basis of the IUCN Red List Categories and Criteria, it will be returned to the petitioner by the RLU with an explanation as to why the petition cannot be considered. This response will be sent to the petitioner within one month of the original receipt of the petition by the RLU.

#### *Discussion Between Parties*

3. If the petition is made on the basis of the IUCN Red List Categories and Criteria, it will be referred by the RLU to the RLA or particular Assessor/s (if there is no RLA) responsible for the taxon assessment in question (the RLA or Assessor/s are hereafter just termed the RLA). Within one month of the original receipt of the petition, the RLU will request the RLA and the petitioner to discuss the petition with the objective of reaching an agreement between them. The RLA and the petitioner will be given four months to reach agreement from the date that the RLU refers the petition to them. In seeking to reach agreement, the RLA and the petitioner should determine whether or

not they are using the same underlying data. They should clarify whether or not the disagreements are due to factual discrepancies, as opposed to differences of either interpretation or application of the IUCN Red List Categories and Criteria.

4. If the RLA agrees with the petition, or if the petitioner and the Red List Authority come to agreement, then any changes to the listing will be accepted. The change will appear in the following update of the IUCN Red List.
5. If the petitioner and the RLA are unable to agree within the time period set in no. 3 above, the petition will then enter the next stage in the process.

#### *Justification Preparation and Submission*

6. Within one week of the expiration of the time period set in no. 3 above, the RLU will notify both the petitioner and the RLA that each of them should submit justifications for their case to the SPSC via the RLU. The justifications should reach the RLU within four months from the date that the RLU issues this notification. These justifications should not be longer than 8 sides of A4 (excluding the list of references), 12-point print, and should provide the data to support their position. The justifications should include a synopsis of the failed negotiations, a brief statement of the reasons for the dispute, and a clarification of any factual discrepancies (e.g., different sources of data or information used). All data used in these justifications must either be referenced to publications that are available in the public domain, or else be made available to the SPSC. The data provided should be clearly linked to the use of the IUCN Red List Categories and Criteria. If the petitioner fails to submit a justification within the set time period and in the required format, the petition will be dropped, and the RLU will inform the SPSC of this. If the RLA fails to submit a justification within the set time period and in the required format, the petition will go forward. Requests for an extension to the deadline for submitting justifications will not normally be considered, unless there are exceptional circumstances. Any request for such an extension should be submitted to the RLU at least two weeks before the deadline, who will refer it to the Chair of the IUCN SSC Red List Committee. Generally, the maximum time limit to any requested delay is one month, with only one such request being considered from each party. However, in unusual circumstances, such as multiple petitions directed to the same RLA, a longer extension may be granted, at the discretion of the Chair.
7. The RLU will send the justifications of each party to the other within one week of the time period set in no. 6 above, or within one week of both justifications having been received. Both parties have three weeks in which to provide a 1-page addendum to their justifications, should they choose to do so. Any addendums received after the three-week period will not be considered. The parties may not make any changes to the original justifications.
8. At the end of this three-week period, whether or not an addendum is received, the RLU will send the justifications to all members of the SPSC for review and confidential comment. The SPSC may choose to circulate the justifications to other independent expert reviewers for confidential comments. The Chair of the SPSC should if at all possible receive these comments within two months of the date of receipt of the justifications. If needed, the SPSC may seek clarification of particular issues from the RLA and the petitioner. In instances in which the RLA failed to submit a justification, the SPSC will make every effort to obtain a balanced set of confidential comments from reviewers.

#### *Deliberation and Ruling*

9. The SPSC will consider the justifications and the confidential reviews. It will make a ruling on each petition within four months from the time that the petitions were circulated to the SPSC members by the RLU. In the case of multiple petitions, a longer period may

be granted, at the discretion of the Chair of the IUCN SSC Red List Committee. The SPSC will issue a notification that will include a full rationale and explanation of each ruling, but will not include a record of the deliberations that the SPSC made to reach its decision, and the names of any reviewers will be kept confidential. The SPSC will send this notification to the RLU.

#### *Notification and Publication of Final Ruling*

10. The RLU will send the SPSC's notification to the petitioner and to the RLA. Any changes will appear in the next update of *The IUCN Red List of Threatened Species*<sup>TM</sup>. The notification of the ruling on any petition, and any resulting change in listing, will be placed on the IUCN SSC website.

### **Petitions Against Listings Based on an Old Version of the IUCN Red List Categories and Criteria**

If a petition is made against a listing based on an old version of the IUCN Red List Categories and Criteria, and the petition is based on the Categories and Criteria, then the RLA in question will first be requested to update the listing so that it is based on the version of the Categories and Criteria currently in force. The RLA will be given six months to do this from the original receipt of the petition by the RLU. The RLA should consider the additional information provided by the petitioner. Once the RLA has updated the listing, the petitioner will be so informed and asked whether or not they wish to proceed with the petition against the new listing. If the RLA fails to meet this deadline for updating the listing, the petition will proceed according to the process outlined in paragraphs 5-9 above, and the final ruling of the SPSC will provide an updated listing for the taxon in question, using the version of the Categories and Criteria currently in force.

#### **General Principles**

*Acknowledging Communications.* During the formal petitions process, the petitioner, the RLA, the SPSC, and the RLU should acknowledge the receipt of all correspondence among them as soon as possible after arrival, so that any failure in delivery is detected as early as possible.

*Confidentiality.* While a petition is being considered, the associated documents (including justifications made by the petitioner and the RLA) are confidential documents that are not made available to third parties. The SPSC will circulate the justifications only to independent expert reviewers who agree to adhere to the confidentiality of the process and accept that their reviews will eventually be made public, but not attributed. Final rulings on petitions made by the SPSC will include both justifications, and the reviews (without the names of the reviewers), in the documentation placed on the IUCN SSC website.

*Repeated Petitions.* In order to prevent continuing petitions on the same species, the SPSC will not accept a petition, subsequent to the first petition, if it is not based on new information.

*Reassessment of Species Following a Petition.* The first time that a species is reassessed following a petition, the reassessment will be reviewed by the SPSC.

*Impartiality.* The IUCN SSC Red List Committee and the RLU are responsible for ensuring that the process for handling petitions is adhered to, and that evaluations of petitions are carried out professionally and impartially. Prior to publishing the ruling on a petition, the Chair of the SPSC will send a brief report to the Chair of the IUCN SSC Red List Committee confirming that the above process was followed to reach the decision, or outlining any

deviations from the process that had to be made. The IUCN SSC Red List Committee (excluding the SPSC), the SSC Steering Committee, the SSC Chair, and the IUCN Secretariat (including the staff of the IUCN Red List Unit), have no rights to intervene in the petitions process, or to involve themselves in the substance of any petition.

### **Special Cases**

*Deviations from the Process.* Every effort will be made to avoid deviations from the process as laid out, above. However, any petitions requiring such deviations should be approved in advance by the Chair of the IUCN SSC Red List Committee.

*Complaints about the Petitions Process.* If there is an assertion that the above procedure has been violated, then a formal and documented complaint may be submitted to the SSC Chair.

# Flow Diagram of Formal Red List Petitions Process

- All timelines noted in the diagram below are based on the deadlines outlined in the petitions process. The actual timeline for a petition will depend on response times and requests for deadline extensions. Please refer to the petitions process document for details.
- Figures noted within the diagram refer to the steps outlined in the petitions process document (see *The Formal Petitions Process*).

