

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA



Twenty-fourth meeting of the Animals Committee
Geneva, (Switzerland), 20-24 April 2009

INTERNATIONAL EXPERT WORKSHOP ON NON-DETRIMENT FINDINGS (AGENDA ITEM 9)

Membership (as decided by the Committee)

Chair: Representative of Africa (Mr Bagine) and the representative of Asia (Ms Prijono);

AC member: Alternate representative of Europe (Mr O'Cruidain);

Parties: Belgium, Canada, China, Czech Republic, France, Malaysia, Mexico, the Netherlands, South Africa, the United Kingdom and the United States; and

IGOs and NGOs: European Commission, UNEP-WCMC, Alliance of Marine Mammal Parks and Aquariums, FACE, Humane Society of the United States, International Environmental Resources, Safari Club International Foundation, TRAFFIC and VC International.

Mandate

Regarding agenda item 9: *International expert workshop on non-detriment findings*:

- a) Review the proceedings resulting from the International expert workshop on non-detriment findings (paragraph 43 of document AC24 Doc. 9); and
- b) Using the work already done by PC18 (AC24 Doc. 9 Addendum), complete a discussion paper and, if considered appropriate, a draft Resolution on the making of non-detriment findings, so that this may be agreed with the PC for presentation at CoP15.

Recommendations

1. Create an email working group of both Committees to identify ways and means to refine the outcomes and expand the results of the workshop and report to CoP16.
 - It was agreed that an email working group was not necessary. Other ways forward were explored that are set out under the second heading below.
2. Review full reports of the working groups and develop documentation that could assist Scientific Authorities in the making of Non-detriment Findings.
 - It was recommended that a Notification be issued to the Parties inviting comments on the proceedings. These comments would be reviewed by two nominated representatives of each Committee, as previously suggested by the Plants Committee, which nominated Mr Greg Leach (Representative for Oceania) and Mr Hesiquio Benitez (Mexico). The working group recommended that the Animals Committee nominate Mr Richard Kiome Bagine (Representative

for Africa) and Ms Zhou Zhihua (China). The draft operative text of the notification is attached to this report as Annex 1.

- It was also recommended that members of the Animals and Plants Committees should contact Parties (and non-Parties, if appropriate) in their respective regions to encourage them to respond to the notification in a timely manner.

3. Examine the issues of capacity building, especially with regard to further options for research, use of information generated by the Committees (e.g. the Review of significant trade and the Periodic Review of the Appendices). In common with the Plants Committee, the working group:

- a) Recognized that capacity building with regards to making non-detriment findings is an important issue;
- b) Noted that there are processes to assist with capacity building already established in the Convention (e.g., built into the costed programme of work and under the Strategic Vision, as well as under Resolution Conf. 12.2 on the procedure for approval of externally funded projects); and
- c) Recommends that the Secretariat specify to Parties that any non-detriment finding capacity issues should be identified when coordinating regional meetings.

The working group also:

- a) Noted that the Secretariat has already incorporated elements of the non-detriment finding workshop outcomes in its ongoing revisions of materials for capacity building with regard to non-detriment findings and is in the process of preparing a page for its website on the making of non-detriment findings in accordance with Decision 14.51(c); and
- b) Agreed that the results of the questionnaire set out in the above-mentioned notification would further inform deliberations on this issue.

4. Examine how to take the outcome of the workshop into account in the ongoing evaluation of the Review of significant trade.

- It was agreed that the working group overseeing the evaluation of the Review of significant trade in Appendix II species should be informed of the outcomes of the workshop.

5. Draft a Resolution which, while acknowledging that the making of non-detriment findings is primarily a matter for the Parties, could also draw attention to the outcomes of the workshop and the reference manual to encourage Parties to take these into account while making non-detriment findings.

6. In accordance with part B of the working group's mandate, the group considered the draft Resolution prepared by the Plants Committee included in AC 24 Doc. 9 Addendum. However, the group could not reach consensus on the merits of a Resolution at this stage and, instead, drafted a set of decisions to take the work forward after CoP15 (attached as Annex 2). The rationale for these decisions is as follows:

- a) To engage with the Parties and the Scientific Committees more fully in their consideration of the outcomes of the workshop;
- b) To elaborate on these outcomes, incorporating other work on the making of non-detriment findings; and
- c) To ensure that CoP16 considers the results of this work in more detail.

DRAFT NOTIFICATION ON NON-DETRIMENT FINDINGS

This notification is intended to address the concerns of Parties, as expressed at the 18th and 24th meetings of the Plants and Animals Committees, respectively, that there had not been sufficient time to assimilate the outcomes of the international workshop on the making of non-detriment findings hosted by Mexico in 2008. The outcomes of this workshop are presented in PC 18 Doc 14.1

(<http://www.cites.org/eng/com/PC/18/E-PC18-14-01.pdf>) and PC 18 Doc 14.2

(<http://www.cites.org/eng/com/PC/18/E-PC18-14-02.pdf>), and in AC 24 Doc. 9

(<http://www.cites.org/eng/com/AC/24/E24-09.pdf>) and AC 24 Doc. 9.1

(<http://www.cites.org/eng/com/AC/24/E24-09-01.pdf>). Full proceedings are available at:

http://www.conabio.gob.mx/institucion/cooperacion_internacional/TallerNDF/taller_ndf.html

Parties are asked to complete the attached questionnaire in consultation with their Scientific Authorities. Responses should be forwarded to the following address: ndf@conabio.gob.mx and copied to the Secretariat. Responses should be received by 30 September 2009.

The responses to this notification will also be used to inform the Animals and Plants Committees of further capacity building needs with respect to the making of non-detriment findings.

The outcomes of the survey will be reported to the Animals and Plants Committees in summary form (i.e., no references will be made to individual Parties' responses).

QUESTIONNAIRE

(Please mark or circle the options as required)

Party Name		
Name and contact details of respondent		
1. What are the principal taxa that your country exports:		
a. Trees;		
b. Perennials;		
c. Succulents and Cycads;		
d. Geophytes and Epiphytes;		
e. Mammals;		
f. Birds;		
g. Reptiles and Amphibians;		
h. Fish;		
i. Aquatic invertebrates;		
j. Other.		
2. Do you currently use the IUCN guidelines when making non-detriment findings http://data.iucn.org/themes/ssc/our_work/wildlife_trade/cite_scop13/CITES/CITES-guidance-prelims.pdf	YES	NO
If so, please indicate to what extent and under what circumstances. If not, why?		
3. Apart from the IUCN guidelines, do you use other information or guidance in making non-detriment findings?	YES	NO
Please specify		
4. Do you find that the outcomes of the NDF Workshop (see citations and hyperlinks above) are a useful addition to the available guidance for making non-detriment findings?	YES	NO
Please comment.		
5. The summary report (http://www.cites.org/eng/com/AC/24/E24-09-01.pdf) of the workshop identified a number of common aspects in making non-detriment findings. Do you agree that the summary report has identified these concepts adequately? (Please respond Yes/ No for each of the above items a-h and please indicate if there are other significant matters not covered by the above list)	YES	NO
Geographical scope of the non-detriment finding;	YES	NO
Level of confidence in the non-detriment finding;	YES	NO
Risk analysis;	YES	NO
Regulation of the harvest;	YES	NO
Monitoring and adaptive management;	YES	NO
Identification of the specimen;	YES	NO
Origin of the specimen;	YES	NO
Capacity building and information sharing.	YES	NO
Please offer additional comments as necessary.		
6. Taking into account that the problems with making non-detriment findings may vary from taxon to taxon, which of the following challenges do you find overall to be the most problematic in making non-detriment findings?	("1" means "least problematic" and "4" means "most problematic").	

Determining that there is sufficient information available to support the non-detriment findings	
Assessing the level of risk associated with the non-detriment finding	
Assessing whether or not the level of regulation of harvest practices is sufficient or, if not, what additional regulation is required	
Evaluation of the effects of harvest and subsequent adaptation of the non-detriment finding	
Please elaborate.	
7. Which of the following components of the non-detriment finding Workshop outcomes did you find most useful	(“1” counts as “most important” and “3” as “least important”)
Summary report (http://www.cites.org/eng/com/AC/24/E24-09.pdf)	
Taxonomic Working Group reports (http://www.cites.org/eng/com/PC/18/E-PC18-14-02.pdf and http://www.cites.org/eng/com/AC/24/E24-09-01.pdf); and	
Case studies (see: (http://www.conabio.gob.mx/institucion/cooperacion_internacional/TallerNDF/taller_ndf.html))	
Please offer comments	
8. What additional guidance beyond the non-detriment finding Workshop outcomes (refs) and other previously existing material, such as the IUCN guidelines could be provided that you would consider useful making non-detriment findings?	
9. Do you have additional information to that provided in the workshop reports (such as case studies, national or regional guidelines, experience) that would assist other scientific authorities in making non-detriment findings?	

Thank you for your attention to this important matter.

Draft Decisions on Non Detriment Findings

Directed to Parties

- 15.XX Parties:
- a) are encouraged to consider the usefulness of the outputs of the international expert workshop on non-detriment findings hosted by Mexico to enhance CITES Scientific Authorities' capacities, particularly those related to the methodologies, tools, information, expertise and other resources needed to formulate non-detriment findings; and
 - b) are encouraged to organize and promote activities such as workshops on capacity building to better understand what non-detriment findings are and how to enhance the ways to formulate them.

Directed to the Animals and Plants Committees

- 15.XX The Animals and Plants Committees shall:
- a) review feedback received from Parties on the outputs from the international expert workshop on non-detriment findings), and advise on a path forward on how best to use the outputs to assist Scientific Authorities in the making of Non Detriment Findings;
 - b) prepare a discussion paper for consideration at the 16th meeting of the Conference of the Parties with options on how to use the workshop outputs including, if considered appropriate, a draft resolution on the making of non-detriment findings; and
 - c) review the non-detriment finding training materials used by the CITES Secretariat when conducting regional capacity building workshops and provide advice for their improvement.

Directed to the Secretariat

- 15.XX The Secretariat shall:
- a) Include non-detriment findings as component of their regional capacity building workshops where appropriate; and
 - b) assist in obtaining funds from interested Parties, intergovernmental and non-governmental organizations, and other funding sources to support activities for capacity building on non-detriment findings.