

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



Nineteenth meeting of the Conference of the Parties
Panama City (Panama), 14 – 25 November 2022

Strategic matters

ENGAGEMENT OF INDIGENOUS PEOPLES AND LOCAL COMMUNITIES

1. This document has been submitted by the Standing Committee.*
2. At its 18th meeting (CoP18, Geneva, 2019), the Conference of the Parties adopted Decisions 17.57 (Rev. CoP18), 18.31 and 18.32 on *Engagement of indigenous peoples and local communities* as follows:

Directed to the Standing Committee

17.57 (Rev. CoP18)

The Standing Committee shall:

- a) *examine the terminology used in different Resolutions and Decisions when referring to "indigenous peoples", "local communities" or "rural communities"; and*
- b) *make recommendations to the 19th meeting of the Conference of the Parties on whether there is need for consistency of terminology across these Resolutions and Decisions.*

18.31 *The Standing Committee shall:*

- a) *establish an intersessional working group to consider how to effectively engage indigenous peoples and local communities* in the CITES processes, taking into account the discussions from the last intersessional period and any information provided pursuant to Decision 18.32 and present its findings and recommendations to the Standing Committee*
- b) *when establishing the intersessional working group, endeavour to achieve regional balance of Parties and observers, and give special consideration to participation of representatives of indigenous peoples and local communities*;*
- c) *develop non-binding guidance that proponent Parties may use, as appropriate, in consulting with indigenous peoples and local communities* as part of the consultations that may take place on proposals to amend the Appendices.*
- d) *make recommendations on the engagement of indigenous peoples and local communities* in CITES processes to the 19th meeting of the Conference of the Parties.*

* *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

Directed to the Secretariat

18.32 *The Secretariat shall:*

- a) *issue a Notification inviting Parties to provide information on their experiences and lessons learned in engaging indigenous peoples and local communities* in CITES processes;*
- b) *consult and collaborate with relevant organizations and experts to gather information on experiences and lessons learned to complement information received from Parties under paragraph a) above; and*
- c) *compile the information received from the Parties and other relevant organizations and provide a summary to the Standing Committee.*

* *For the purpose of these Decisions, "indigenous peoples and local communities" is understood to include rural communities.*

3. At the 74th meeting of the Standing Committee (SC74, Lyon, March 2022), Kenya, as chair of the Standing Committee intersessional working group on engagement of indigenous peoples and local communities (IPLCs), informed the Committee that the working group had not been able to meet physically or online due to the COVID-19 pandemic and also due to language barriers. Rather than engaging a consultant to advance the work as suggested by the Secretariat, the working group preferred addressing the mandates assigned to it directly and therefore proposed to the Standing Committee that its mandate be extended to the next intersessional period of the Conference of the Parties. The Standing Committee agreed that its Chair should work with the Secretariat to propose to CoP19 the renewal of the relevant decisions.
4. At SC74, the Secretariat reported on the implementation of Decision 18.32 in document [SC74 Doc. 20.2](#). Pursuant to paragraph a) of the Decision, the Secretariat sent out a questionnaire in Notification to the Parties [No. 2020/040](#) of 29 April 2020 inviting Parties to provide information on their experiences and lessons learned in engaging indigenous peoples and local communities in CITES processes. The Secretariat furthermore informed SC74 about the consultations it undertook with relevant Multilateral Environment Agreements (MEAs) and international organizations to learn from their experiences in engaging IPLCs.
5. In its document to the Standing Committee, the Secretariat outlined that good experiences of Parties in engaging IPLCs in the CITES processes do exist at all levels: such as the legal protection of the rights of IPLCs at national level; the participation of IPLCs in the production and value chain of legal and sustainable trade in CITES-listed species; the consultation with IPLCs on non-detriment findings; the preparation of national positions on issues on the CITES agenda and the attendance in CITES meetings at global level. The Secretariat noted the experiences of other MEAs and organizations in IPLC engagement are valuable for CITES' endeavours to further advance its inclusive and participatory approach in decision-making for IPLCs.
6. As instructed by the Standing Committee, the Chair of the Committee worked closely with the Secretariat on the renewal of Decisions concerning engagement of IPLCs. The revised decisions take into consideration the experiences of Parties and relevant MEAs and international organizations in IPLC engagement as compiled and summarized by the Secretariat in document SC74 Doc. 20.2.

Recommendations:

7. The Conference of the Parties is invited to adopt the revised decisions contained in Annex 1 to the present document.

COMMENTS OF THE SECRETARIAT

- A. The Secretariat recommends that the Conference of the Parties adopt the draft decisions in Annex 1 to the present document.
- B. The Secretariat draws the attention of the Conference of the Parties to the overlapping of the decisions on the *Engagement of indigenous peoples and local communities* and the decisions on *Livelihoods*, as noted in the report of the chair of the working group on livelihoods to the Standing Committee at its 74th meeting.

Since there are no draft decisions directed to the Parties in this document, the Secretariat recommends that paragraph b) of Decision 18.33 (Rev. CoP19), directed to the Parties, which is contained in Annex 1 of document CoP19 Doc. 14, be moved to the draft decisions in Annex 1 to the current document, and be amended as follows:

Proposed new text is underlined, proposed deletions are indicated in ~~strike~~through.

19.AA *Directed to the Parties*

Parties are invited to:

- a) ~~b)~~ engage indigenous peoples and local communities* in CITES decision-making and implementation processes at ~~the national and international levels~~ and international levels to better achieve the objectives of the Convention; and
- b) share their experiences and lessons learned in engaging indigenous peoples and local communities* in CITES processes with the Secretariat and other Parties.

REVISED DECISIONS ON
ENGAGEMENT OF INDIGENOUS PEOPLES AND LOCAL COMMUNITIES

Added text shown underlined and deleted text shown in ~~strike through~~.

Directed to the Standing Committee

17.57 (Rev. CoP18~~19~~)

The Standing Committee shall:

- a) examine the terminology used in different Resolutions and Decisions when referring to "indigenous peoples", "local communities" or "rural communities"; and
- b) make recommendations to the 20th ~~19th~~ meeting of the Conference of the Parties on whether there is need for consistency of terminology across these Resolutions and Decisions.

18.31(Rev. CoP19)

The Standing Committee shall:

- a) establish an intersessional working group to consider how to effectively engage indigenous peoples and local communities* in the CITES processes, taking into account the discussions from the previous last intersessional periods, including the information contained in document SC74 Doc.20.2 and SC70 Doc. 15, experiences shared by Parties and relevant Multilateral Environmental Agreements and international organizations, and any information provided pursuant to Decision 18.32 (Rev. CoP19); and present its findings and recommendations to the Standing Committee
- b) when establishing the intersessional working group, endeavour to achieve regional balance of Parties and observers, and give special consideration to participation of representatives of indigenous peoples and local communities*;
- c) develop non-binding guidance that proponent Parties may use, as appropriate, in consulting with indigenous peoples and local communities* as part of the consultations that may take place on proposals to amend the Appendices.
- d) make recommendations on the engagement of indigenous peoples and local communities* in CITES processes to the ~~19th~~ 20th meeting of the Conference of the Parties.

Directed to the Secretariat

18.32 (Rev. CoP19)

The Secretariat shall:

- a) issue a Notification inviting Parties to provide information on their experiences and lessons learned in engaging indigenous peoples and local communities* in CITES processes; and
- ~~b) consult and collaborate with relevant organizations and experts to gather information on experiences and lessons learned to complement information received from Parties under paragraph a) above; and~~
- c) compile the information received from the Parties ~~and other relevant organizations~~ and provide a summary to the Standing Committee.

* For the purpose of these Decisions, "indigenous peoples and local communities" is understood to include rural communities.

TENTATIVE BUDGET AND SOURCE OF FUNDING
FOR THE IMPLEMENTATION OF DRAFT RESOLUTIONS OR DECISIONS

According to Resolution Conf. 4.6 (Rev. CoP18) on *Submission of draft resolutions, draft decisions and other documents for meetings of the Conference of the Parties*, the Conference of the Parties decided that any draft resolutions or decisions submitted for consideration at a meeting of the Conference of the Parties that have budgetary and workload implications for the Secretariat or permanent committees must contain or be accompanied by a budget for the work involved and an indication of the source of funding. The Secretariat proposes the following tentative budget and source of funding.

This work is not expected to generate budgetary or workload implications that will require external funding.