

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

Species specific matters

IDENTIFYING SPECIES AT RISK OF EXTINCTION FOR CITES PARTIES

1. This document has been submitted by The Gambia, Liberia, Niger, Nigeria and Senegal.\*

Overview

2. The aim of the Convention is to promote international cooperation for the protection of certain species of wild fauna and flora against over-exploitation through unsustainable international trade recognizing the importance of maintaining those species throughout their range at a level consistent with their role in the ecosystem.
3. Today, CITES regulates trade in more than 38 000 species of wild animals and plants and is widely regarded as one of the most important international conservation instruments. The Conference of the Parties recognized the important role CITES plays in halting biodiversity loss in Resolution Conf. 18.3, *CITES Strategic Vision: 2021-2030* which stipulates: "By 2030, all international trade in wild fauna and flora is legal and sustainable, consistent with the long-term conservation of species, *and thereby contributing to halting biodiversity loss*, to ensuring its sustainable use, and to achieving the 2030 Agenda for Sustainable Development."
4. In 2019, the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) published the first ever inter-governmental *Global Assessment Report on Biodiversity and Ecosystem Services*<sup>1</sup> prepared by 150 leading experts from over 50 countries. CITES Resolution Conf. 18.3, *CITES Strategic Vision: 2021-2030*, recognized "the importance of the [report's] findings (...) to the work of CITES." Conclusions from this report indicated that the world is currently facing an extinction crisis with up to one million species threatened with extinction, many within decades. The report also concluded that the second leading driver (first for marine species) of this unprecedented decline in biodiversity is the direct exploitation of wild plants and animals, which includes commercial trade.
5. The efficacy of the protection granted by CITES is directly related to its ability to regulate trade in species threatened with extinction in order to ensure that commercial trade will not have a detrimental impact on these species. Resolution Conf. 9.24 (Rev. CoP17) on *Criteria for amendment of Appendices I and II*, establishes criteria to ensure that decisions to amend the Convention's Appendices are founded on sound and relevant scientific information. To preserve the effectiveness of the protection offered by the Convention, the Conference of the Parties must ensure that all species threatened with extinction that meet the criteria are listed in Appendix I based on the best available biological and trade information.

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\* 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.

<sup>1</sup> IPBES (2019): *Global assessment report on biodiversity and ecosystem services of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services*. E. S. Brondizio, J. Settele, S. Díaz, and H. T. Ngo (editors). IPBES secretariat, Bonn, Germany. XXX pages.

6. A large number of species facing a high risk of extinction (i.e. species assessed by IUCN as Critically Endangered, Endangered, or Vulnerable) for which international trade is a potential threat are not yet protected under CITES or receive insufficient CITES protection relative to their conservation status. Under current mechanisms, CITES Parties do not have the tools they need to closely monitor changes indicating the risk of extinction for species that are or may be affected by international trade resulting in a regulation gap. To improve the efficiency of the CITES Appendices amendment process, a procedure should be developed to inform Parties of all species threatened with extinction and their CITES status, so Parties may assess whether the criteria in Resolution Conf. 9.24 (Rev. CoP17) are met. The present document therefore proposes a resolution setting up a procedure to resolve this regulation gap thereby preserving the important role CITES has to play in halting global biodiversity loss. The procedure proposed for consideration in this document would not alter the CITES listing criteria laid out in Resolution Conf. 9.24 (Rev. CoP17) but would ensure that all species potentially warranting CITES protection or enhanced protection are identified for Parties.
7. Resolution Conf. 3.4 on *Technical cooperation* reiterates the need to provide technical assistance to developing countries in matters relating to the Convention. The complexity of criteria for amendment of Appendices and their application should not deter the submission of listing proposals for species identified as Critically Endangered, Endangered, or Vulnerable in the IUCN Red List, which also are or may be affected by international trade. The present document therefore proposes a decision mandating the Animals and Plants Committees to recommend a process ensuring technical support will be provided to Parties to prepare listing proposals if requested.

#### Recommendations

8. The Conference of the Parties is invited to consider and adopt the draft resolution and the draft decision included in Annex I of this document.

#### COMMENTS OF THE SECRETARIAT

- A. The Secretariat does not recommend that the draft resolution or draft decisions in the present document be adopted for the following reasons:
  - a) The fundamental elements of the criteria for the amendment of the Appendices are set out in Resolution Conf. 9.24 (Rev. CoP17) on *Criteria for amendment of Appendices I and II* and were adopted by consensus at CoP13 (Bangkok, 2004) after several years of detailed and consultative preparatory work. The Secretariat is not aware of any significant concerns being raised by Parties about the basic suitability of their biological aspects. They are not the same as the criteria used by the International Union for Conservation of Nature and Natural Resources (IUCN) in its Red List of Threatened Species. IUCN is a membership union of government and civil society organizations and CITES is an international agreement between governments. The objectives and *modus operandi* of the two organizations are different. Whilst the Secretariat fully recognizes the expertise harnessed by IUCN, it believes that the Parties should consider which species should have their international trade regulated under the Convention's provisions, using its own procedures and not be unduly influenced by information collected by other bodies for other purposes.
  - b) Under Article XV, any Party may propose an amendment to Appendix I or II for consideration by other Parties, using any information it thinks fit, including information drawn from the IUCN Red List of Threatened Species. At recent meetings of the Conference of the Parties, between a quarter and a third of all Parties have made proposals to amend the Appendices (CoP17: sixty-four Parties, CoP18: sixty-five Parties and CoP19: forty-nine Parties) and the number of proposals made since Resolution Conf. 9.24 was adopted has remained fairly consistent and at the level which keeps meetings of the Conference of the Parties fully occupied. The Secretariat has not received complaints from Parties stating that they are inhibited in making proposals to amend the Appendices.
  - c) One of the functions of the Animals and Plants Committees is, upon request by a Party, to provide advice related to scientific, technical and nomenclatural aspects of proposals to amend the Appendices. Such requests are made during each intersessional period. However, the Secretariat does not recommend that this role be expanded to include the provision of technical support in the preparation of listing proposals emanating from a review of the Red List of Threatened Species. This would potentially require a considerable investment of time by the Committees in addition to their current duties

and may risk causing friction between the Committees and the Conference of the Parties whose responsibility it is to determine if the adopted criteria have been met or not with respect to any particular proposal.

- d) As part of its general duties to support Parties, the Secretariat always stands ready, on request, to provide technical assistance to Parties in matters relating to the application of the criteria for amendment of Appendices I and II, although such requests are rare. The Secretariat provides general advice to Parties on proposals made to amend the Appendices under Article XV but remains neutral when providing advice to individual Parties about such matters.

## DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

### Resolution Conf. 19.XX on *Identifying Species at Risk of Extinction for CITES Parties*

RECOGNIZING the fundamental principles of Article II of the Convention, which specify the species to be included in Appendices I;

ACKNOWLEDGING that Resolution Conf. 9.24 (Rev. CoP17) on *Criteria for amendment of Appendices I and II*, establishes criteria to ensure that decisions to amend the Convention's Appendices are founded on sound and relevant scientific information and that, to preserve the effectiveness of protection offered by the Convention, the Conference of the Parties must ensure that all species threatened with extinction that meet the criteria are listed in Appendix I based on best available biological and trade information;

REAFFIRMING that Resolution Conf. 18.2 on *Establishment of committees*, in Annex 2, paragraph 2 b) ii), directs the Animals and Plants Committees to undertake a periodic review of animal or plant species included in the CITES Appendices;

RECALLING that the international trade in all wild fauna and flora is under the purview of the Convention;

EMPHASIZING the importance of Resolution Conf. 3.4 on *Technical cooperation*, adopted by the Conference of the Parties at its third meeting (New Delhi, 1981), regarding the need to provide technical assistance to developing countries in matters relating to the Convention, and specifically in the application of the criteria for amendment of Appendices I and II;

NOTING the objective to ensure that decisions to amend the Convention's Appendices are founded on sound and relevant scientific information and meet agreed biological and trade criteria for such amendments;

RECOGNIZING the importance of the findings in the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services 2019 Global Assessment Report on Biodiversity and Ecosystem Services to the work of CITES;

REITERATING the aim of the Convention to promote international cooperation for the protection of certain species of wild fauna and flora against over-exploitation through international trade and recognizing the importance of maintaining those species throughout their range at a level consistent with their role in the ecosystem; and

RECOGNIZING the importance of the application of Rio Principle 15, the Precautionary Approach, in cases of uncertainty;

### THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. DIRECTS the Secretariat to:

- a) maintain a database indicating the CITES status of all species identified as Critically Endangered, Endangered, or Vulnerable in the IUCN Red List so that Parties may assess whether such species, are or may be affected by international trade;
- b) regularly update this database whenever IUCN updates its Red List, the CITES appendices are amended, or new information becomes available;
- c) provide to each regular meeting of the Animals and Plants Committees updated lists of species identified in the database that are either not listed on the CITES Appendices or are listed on Appendix II or III; and
- d) provide a draft report for review and finalization by Animals and Plants Committees on CITES progress in listing species threatened with extinction that are or may be affected by trade;

2. DIRECTS the Animals and Plants Committees to:

- a) review all changes to the database reported by the Secretariat, including species newly classified as Critically Endangered, Endangered, or Vulnerable;
  - b) review and finalize the report on CITES progress in listing species threatened with extinction that are or may be affected by trade;
  - c) submit the report on CITES progress in listing species threatened with extinction that are or may be affected by trade to the Conference of the Parties for information.
3. DIRECTS the Chairs of the Animals and Plants Committees to keep the Standing Committee informed about the implementation of this Resolution;
  4. INVITES Parties, intergovernmental organizations, non-governmental organizations, and other interested stakeholders to support the work of the Secretariat and the Animals and Plants Committees.

DRAFT DECISIONS ON  
*IDENTIFYING SPECIES AT RISK OF EXTINCTION FOR CITES PARTIES*

***Directed to the Standing Committee***

- 19.AA** The Standing Committee shall, in collaboration with the Animals and Plants Committees:
- a) make recommendations on the development and adoption by the Conference of the Parties of a procedure ensuring that the Animals and Plants Committees provide Parties requesting it with technical support in the preparation of listing proposals emanating from the implementation of CITES Resolution Conf. 19.XX., *Identifying Species at Risk of Extinction*, working in coordination with the CITES Secretariat, CITES Parties, and relevant experts as appropriate.
  - b) establish a Working Group, with representation from all regions, the Animals and Plants Committees, and observers to review the recommendations developed by the Animals and Plants Committees under Decision 19.BB and make recommendations on the implementation of decision 19.AA a). The terms of reference for the Working Group shall be as provided in Annex A below.

***Directed to the Animals and Plants Committees***

- 19.BB** The Animals and Plants Committees shall develop draft recommendations for consideration by the Standing Committee to facilitate the implementation of CITES decision 19.AA.

***Directed to the Secretariat***

- 19. CC** The Secretariat shall support the Animals, Plants and Standing Committees in the implementation of Decisions 19.AA and 19.BB including through the provision of technical expertise, translation and interpretation as appropriate.

**Annex A. Terms of Reference for the Standing Committee Working Group**

**Mandate**

Review recommendations made by the Animals and Plants Committees under Decision 19.BB.

**Membership**

The working group will be Party led. It is proposed to have two co-chairs (and if necessary a vice-chair), with the co-chairs leading the work of the group. Membership will be open to Parties, Intergovernmental Organisations, and observers in line with the Standing Committee Rules of Procedure.

**Modus Operandi**

The group will operate by electronic correspondence to the extent possible. Support with translation and interpretation in the working languages of the Convention will be provided by the CITES Secretariat. Should a meeting be considered necessary, the group may meet virtually or in conjunction with intersessional meetings of the Standing Committee or any other CITES meetings should timings and resources permit.

**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.

Implementation of the draft resolution presented in Annex 1 would have workload implications for the Secretariat and for the Committees as follows.

Implementation of draft Resolution Conf.19.xx would require some time from the Secretariat but should be included as a core part of the Secretariat's work and accommodated within its regular work programme.

Implementation of draft Resolution Conf.19.xx would require work during meetings of the Committees. However, the work can be accommodated within the regular work programme of the Committees and without additional funding.

The tasks allocated to the Standing, Animals and Plants Committees in draft decisions 19.AA and 19.BB will require intersessional work by the Committees and time during their meetings. However, the work can be accommodated within the regular work programme of the Committees and without additional funding.

Implementation of draft decision 19. CC would require some time from the Secretariat but should be included as a core part of the Secretariat's work and accommodated within its regular work programme.

Secretariat's comments

The activities foreseen in the draft resolution in Annex 1 to the present document would present a significant area of new work for the Secretariat particularly during the establishment of the proposed database. The duties of the Animals and Plants Committees proposed in the draft resolution could involve significant work in reviewing the status of a substantial number of species and the preparation of an information document for meetings of the Conference of the Parties.

<b>Decision</b>	<b>Activity</b>	<b>Indicative costs (USD)</b> (excludes Programme Support Costs)	<b>Source of funding</b>
Resolution	Establish, maintain and regularly update, a database indicating the CITES status of all species identified as Critically Endangered, Endangered, or Vulnerable in the IUCN Red List. Such a database would currently need to include around 25,000 species.	USD 50,000 development costs with recurring maintenance cost of 5,000 USD per year	External funding