

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

Summary record of the seventh session for Committee II

17 November 2022: 14h00 - 17h00

Chair: R. Ollerenshaw (Australia)

Secretariat: I. Higuero  
T. Carroll  
K. Gaynor  
T. Mcgregor  
J. Stahl

Rapporteurs: F. Davis  
J. Gray  
L. Oliveira  
R. Mackenzie

**Adoption of summary records**

CoP19 Com. II. Rec. 1

The European Union and its Member States asked to be referred to in this way.

The United States of America requested the following edits to paragraph two of the record under item 7.6 on *Sponsored delegates project*:

“Colombia supported the draft decision and, echoed by Cuba, expressed disappointment at the lack of funding to allow more delegates from developing countries to participate. The European Union ~~and the United States of America both~~ expressed support for the Sponsored Delegates Project, the amendments to the Resolution and the draft decision. The United States also expressed support for the SDP, the draft decision, and the amendments with respect to gender balance, and suggested that UNEP should consider waiving administrative costs for the SDP. The European Union urged Parties that had been granted funding to attend with valid credentials and asked the Secretariat to track cases where this had not happened. The United States proposed the retention of Decision 18.12 and noted that it saw merit in incorporating paragraph a) of Decision 18.12 into Resolution Conf. 17.3 on *Sponsored delegates project*.”

**Species specific matters**

66. Elephants (Elephantidae spp.)

66.7 Review of the National Ivory Action Plan process

Malawi outlined the contents of a draft decision it wished to add to the draft decisions in document CoP19 Doc. 66.7. This was to be directed to the Standing Committee for the purpose of: setting up an intersessional working group at its 76th meeting to develop terms of reference for the review of the NIAP process; mandating review of these terms by the 77th meeting of the Standing Committee; and instructing the Secretariat to engage a consultant to carry out the review.

Mali and Togo supported document CoP19 Doc. 66.7 with the amendments proposed. Singapore supported a review of the NIAP process and the proposed amendments in 19.AA. The United Kingdom of Great Britain and Northern Ireland stated it favoured elaboration of the terms of reference for the NIAP review. Cambodia informed Parties of progress with its NIAP.

The European Union (EU) and its Member States supported an external review of the NIAP process that is focused on the issues specified in paragraph 7 of document CoP19 Doc. 66.7, but do not support a broader review or an extensive review of the guidelines in Annex 3 of Resolution Conf. 10.10 (Rev. CoP19). The EU and its Member States recommended that reference to the rationale for the review as contained in paragraph 7 should be included in the terms of reference and suggested an in-session working group could draft terms of reference.

The Environmental Investigation Agency (UK), speaking also on behalf of a number of other observer organizations, considered an independent review of the NIAP process was timely. TRAFFIC also supported such a review, particularly if it led to increased accountability, better definitions of NIAP country category descriptions and clearer criteria governing entry and exit to the NIAP process.

In the light of discussions, the Chair established a working group comprising Angola, Belgium (Chair), Cambodia, China, the Czech Republic, Ethiopia, the European Union, Germany, Japan, Kenya, Malawi, Malaysia, Senegal, Singapore, Thailand, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Viet Nam, Amboseli Ecosystem Trust, Environmental Investigation Agency (UK), International Union for Conservation of Nature, TRAFFIC, Wildlife Conservation Society and World Wide Fund for Nature (WWF). The mandate of this group was to consider first whether terms of reference for review of the NIAP process should be developed by the group itself during the current meeting and, if so, to draft these. If the group decided it should not draft terms of reference in this way, it should prepare a new set of draft decisions on the NIAP process based on document CoP19 Doc. 66.7 and the amendments outlined by Malawi.

## **Strategic matters**

### **21. Review of the ETIS programme**

Belgium introduced document CoP19 Doc. 21 on behalf of the Standing Committee on the review of the ETIS programme noting that the assessment had found that the overall performance of ETIS could be rated as 'satisfactory'. While it was noted that ETIS was initially not designed for this, it was determined that it provides Parties with analytical outputs to inform compliance processes as the NIAP process. Belgium reflected on the recommendations contained in the document and its Annexes. Parties were also requested to consider making available the data used in the ETIS analysis. Together with the code for the ETIS analysis, which is already made available, it would enhance the transparency of the entire process. Belgium also drew attention to information document CoP19 Inf. 40 which clarified the process of data collection and processing for inclusion in the ETIS analysis.

The European Union and its Member States and the United Kingdom of Great Britain and Northern Ireland welcomed the review; they and the United States of America supported the recommendations in the document, including those proposed by the Secretariat, with the exception of the proposed amendment to Resolution Conf. 10.10 (Rev. CoP18) on *Trade in elephant specimens* to change the deadline for the submission of data covering seizures in the preceding year to 31 October. Israel, Japan, Namibia, Singapore, TRAFFIC and WWF also opposed this change. Parties cited concerns that the time lag between data submission and analysis and reporting to the Standing Committee and the Conference of the Parties would impact the ETIS process and stressed that Parties should be encouraged to provide information on seizures and confiscations within 90 days of their occurrence as specified in Resolution Conf. 10.10 (Rev. CoP18).

Malaysia supported the Secretariat's comments in the document, Japan drew attention to information document CoP19 Inf. 56, which outlined further proposed amendments to both Resolution Conf. 10.10 (Rev. CoP18) and the draft decisions in Annex 4 to document CoP19 Doc. 21. China opposed two additions to Resolution Conf. 10.10 (Rev. CoP18): the requirement for submission of domestic seizure data; and the interpretation of data by ETIS. China supported the proposed amendments to Resolution Conf. 11.17 (Rev. CoP18) on *National reports* but opposed the development of a database for ivory stockpile data recommended in Annex 3.

Singapore, supported by Malaysia, outlined concerns with the ETIS methodology and emphasized the need for improved transparency and improved data collection and verification. Indonesia stressed the importance

of involving Parties in data validation. The European Union and its Member States advocated more transparency in the process and recommended that ETIS data be made available to ensure full transparency. They furthermore called upon donors to ensure the necessary financial resources were made available for ETIS to continue its work.

The amendments to Resolution Conf. 10.10 (Rev. CoP18) on *Trade in elephant specimens* and its annex in Annex 1 to document CoP19 Doc. 21, with the proposed amendments by the Secretariat were accepted with the exception of section 4 paragraph 2, which was amended to reflect the existing deadline of 31 March for the submission of data covering seizures in the preceding year. The Committee also accepted draft decisions 19.AA and 19.BB proposed in the comments of the Secretariat, the amendments to Resolution Conf. 11.17 (Rev. CoP18) on *National reports* in Annex 2, the prioritization of recommendations as contained in Annex 3, the draft decisions on the implementation of the prioritized recommendations contained in Annex 4, and the deletion of Decisions 18.18 to 18.20.

## **Strategic matters**

### 22. MIKE and ETIS programmes

Belgium introduced document CoP19 Doc. 22 on behalf of the Standing Committee which invited the Conference of the Parties to adopt draft decisions contained in Annex 1.

The European Union and its Member States, echoed by Guinea, Togo, the United States of America, and Zambia recognized the importance of MIKE and ETIS; noted concern about their long-term viability; and supported the development of a long-term funding mechanism. They expressed support for the draft decisions contained in the document and called for Parties and organizations to support range States and the MIKE and ETIS programmes. The United States of America supported the adoption of the draft decisions in Annex 1, with the Secretariat's proposed amendments to draft decision 19.BB. They did not agree with the Secretariat's recommendation not to adopt draft decision 19.AA.

The Committee accepted the draft decisions in Annex 1 to document CoP19 Doc. 22, with the Secretariat's amendments to draft decision 19.BB. It was also agreed to delete Decisions 18.21 and 18.22.

## **Species specific matters**

### 48. Definition of the term 'appropriate and acceptable destinations'

The Chair of the Standing Committee introduced document CoP19 Doc. 48, highlighting the consultative process with African elephant range States to acquire information on the export of wild caught African elephants from range-States to non-range States, and on their implementation of Resolution Conf. 11.20 on *Definition of the term 'appropriate and acceptable destinations'*.

Eswatini, the European Union and its Member States, and Zimbabwe expressed their support for the adoption of the non-binding guidance documents in Annexes 1 and 2 and the draft decisions in Annex 3 of the document, on the basis that these would help Parties in implementing the Convention and assessing any *in situ* conservation benefits that could accrue from trade in wildlife specimens. The United States of America also supported the adoption of the guidance documents but suggested the following amendment to draft decision 19.AA a) to simplify the text and allow more time for Parties to implement and provide feedback on the guidance documents:

#### ***Directed to the Secretariat***

**19.AA** The Secretariat shall:

- a) issue a Notification to the Parties within one year 90 days of the close of the 19th meeting of the Conference of the Parties, inviting feedback on experiences with using the guidance documents and other ~~contained in Notification to the Parties No. 2019/070 on Non-binding guidance for determining whether a proposed recipient of a living specimen is suitably equipped to house and care for it, as well as the information provided on the CITES webpage "Appropriate and acceptable destinations", and~~

The European Association of Zoos and Aquariums, also speaking on behalf of a number of other observer organizations, supported adoption of the non-binding guidance documents and draft decisions.

Senegal, supported by Burkina Faso, Ethiopia, Niger, and Togo, voiced their opposition to the non-binding guidance documents and the draft decisions proposed in document CoP19 Doc. 48, stating that the proposal in this document involved ethical issues regarding animal welfare and that *in situ* conservation was the best way to contribute to socio-economic initiatives that lead to conservation of endangered species.

The Animal Welfare Institute, also speaking on behalf of a number of other observer organizations, noted that the working group that developed the guidance documents did not achieve consensus on this matter.

The Committee accepted the two non-binding guidance documents in Annexes 1 and 2 to document CoP19 Doc. 48 and the draft decisions in Annex 3 with the amendment to paragraph a) in Decision 19.AA by the United States of America. The deletion of Decisions 18.152 to 18.156 was accepted.

## 66. Elephants (Elephantidae spp.)

### 66.4 Trade in live African elephants

66.4.1 International trade in live African elephant specimens: Proposed revision to Resolution Conf. 10.10 (Rev. CoP18) on *Trade in elephant specimens*

and

66.4.2 Clarifying the framework: Proposal of the European Union

The Chair indicated that these sub-items would be considered together. Burkina Faso introduced document CoP19 Doc. 66.4.1, speaking also on behalf of the co-proponents, and the European Union introduced document CoP19 Doc. 66.4.2 also on behalf of its Member States.

Benin, Guinea, Kenya, Liberia, Mali, Niger, Senegal and Togo supported the proposals in document CoP Doc. 66.4.1. The United Kingdom of Great Britain and Northern Ireland stressed the importance of addressing this complex issue as a matter of urgency, and suggested that further dialogue was needed both at CoP19 and in the intersessional period.

Botswana, Eswatini, the European Union and its Member States, Japan, Namibia, the United Republic of Tanzania, Zambia and Zimbabwe expressed support for document CoP19 Doc. 66.4.2 and the opportunity that it offered for further dialogue. The United States of America expressed general support for paragraph c) of draft decision 19.AA in document CoP19 Doc. 66.4.2, noting the need for further discussion, and also that issues related to this proposal were also being discussed under agenda item 88. They acknowledged the possibility of moving elements of Resolution Conf. 11.20 (Rev. CoP18) to a dedicated section on trade in live elephants in Resolution Conf. 10.10 (Rev. CoP18), but raised concerns about some of the existing language in document CoP19 Doc. 66.4.2.

Eswatini, Namibia and the United Arab Emirates provided information to clarify the circumstances of certain transfers of live specimens of wild caught elephants, indicating that these had been conducted in compliance with the text of the Convention.

The meeting adjourned at 17h00.