

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



Seventy-seventh meeting of the Standing Committee
Geneva (Switzerland), 6–10 November 2023

Regulation of trade

LEGAL ACQUISITION FINDINGS

1. This document has been prepared by the Secretariat.
2. At its 19th meeting (CoP19; Panama City, 2022), the Conference of the Parties adopted Decisions 19.128, 19.129, 19.130, and 19.131 on *Legal acquisition findings* as follows:

Directed to Parties

19.128 *Parties are invited to test the 'Rapid guide for making legal acquisition findings' developed by the Secretariat and offer, upon request, peer assistance to other Parties for the improvement of their capacity to verify legal acquisition for different taxa.*

19.129 *Parties are requested to provide observations and feedback to the Secretariat following their tested use of the Rapid guide for the making of legal acquisition findings.*

Directed to the Secretariat

19.130 *The Secretariat shall:*

- a) *subject to external funding, and taking into consideration the information gathered under Decisions 19.128 and 19.129 on experiences with using the Rapid Guide, develop digital solutions to automate relevant parts of the 'Rapid guide for making legal acquisition findings', inviting Parties to provide input on the development of these digital solutions, and maintain a dedicated webpage regarding the verification of legal acquisition for different taxa and specimens on the CITES website and update it regularly;*
- b) *subject to external funding, organize workshops and other capacity-building activities related to the implementation of Resolution Conf. 18.7 (Rev. CoP19) on Legal acquisition findings and disseminate training material for the verification of the legal acquisition of CITES specimens; and*
- c) *report to the Standing Committee on the progress made in the implementation of Resolution Conf. 18.7 (Rev. CoP19) on the basis of information, experiences and examples submitted by the Parties.*

Directed to the Standing Committee

19.131 *The Standing Committee shall monitor progress in the implementation of Resolution Conf. 18.7 (Rev. CoP19), assess any reports submitted by the Secretariat as per Decision 19.130, paragraph c) and, where appropriate, make recommendations for improving the verification of legal acquisition by the Parties for submission to the 20th meeting of the Conference of the Parties.*

3. In Resolution Conf. 18.7 (Rev. CoP19) on *Legal acquisition findings*, the Conference of the Parties recommends general principles to be used by Parties for verifying the legal acquisition of specimens to be exported. The Conference of the Parties further recommends that Parties use the “Guidance for making legal acquisition findings” and the “Rapid guide for the making of legal acquisition findings” contained in Annexes 1 and 3 to the Resolution, when verifying the legal acquisition of CITES specimens traded under Article III, paragraph 2 (b), Article IV paragraph 2 (b) and Article V, paragraph 2 (a) and the legal acquisition of founder stock of specimens traded under Article VII paragraphs 4 and 5.

Workshops and other capacity-building activities

4. Concerning capacity-building activities, Article XIII technical missions conducted in Bangladesh, Cameroun, China, Ecuador, Germany, Spain and Viet Nam, following the recommendations agreed at the 74th meeting of the Standing Committee, included practical exercises, on-site visits, and discussions on how to make a legal acquisition finding for CITES-listed species based on real examples.
5. As reported to CoP19, the Secretariat and the Food and Agriculture Organization of the United Nations (FAO) jointly organized a two-day online workshop on legal acquisition findings for timber and other wood products in international trade in the Lower Mekong Region on 18-19 May 2021. The Secretariat further organized the workshop on legal acquisition findings held in St Anne’s College (University of Oxford), United Kingdom, from 30 August to 1 September 2022. Finally, the Secretariat launched – jointly with FAO – a series of legal workshops on CITES and fisheries, which included capacity-building on legal acquisition findings. The first and second workshops were held at the subregional level, respectively for Pacific Island countries (November 2021) and English-speaking Caribbean countries (May-June 2022).
6. The third workshop of this series was organized during this reporting period for Latin American and Spanish-speaking Caribbean countries and was hosted by the CITES Management Authority of Ecuador, in Manta, Ecuador, from 8 to 11 May 2023. It brought together a total of 50 participants, from 13 countries of the region.¹ Representatives from the Central American and Dominican Republic Wildlife Enforcement Network, the Permanent Commission for the South Pacific, Defenders of Wildlife, World Wide Fund for Nature, fishing enterprises, the UN Office on Drugs and Crime (UNODC), and the UN Conference on Trade and Development (UNCTAD) also participated. The workshop aimed at raising awareness and strengthening the understanding of CITES requirements and their implementation in the fisheries sector; introducing and training participants on the use of the *FAO-CITES Legal Study and Guide*; training participants on the use of the “Rapid Guide for the Making of Legal Acquisition Findings”, available in Annex 3 to Resolution Conf. 18.7 (Rev. CoP19); and identifying countries’ needs and interests for a better implementation of CITES in the fisheries sector. In addition to discussing the implementation of CITES in the region² and other international and regional initiatives, participants engaged on the design and content of legal acquisition findings for aquatic species and exchanged on other related topics such as the FAO Agreement on Port State Measures; introduction from the sea; fisheries managements and conservation; traceability and legality; and inspection. Such exchanges may be of relevance to the discussions of the Standing Committee’s intersessional working group on sharks and rays and the discussions on introduction from the sea.
7. A Regional workshop on CITES implementation with participation of Belize, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras and Panama was organized by the U.S. Department of the Interior’s International Technical Assistance Program (DOI-ITAP) from 2 to 4 August 2023 in Santo Domingo, Dominican Republic. The Secretariat provided technical support to the workshop that was held back-to-back with the 12th ROAVIS³ meeting and its key objective was to build capacity on legal acquisition findings, permit issuance and implementation of the Convention for new authorities.
8. Parties, cooperation agencies, financial institutions and other potential donors are invited to provide financial support and/or work jointly with the Secretariat on legal acquisition findings capacity-building activities, whether stand-alone or under the Compliance Assistance Programme, and the implementation of Resolution Conf. 18.7 (Rev. CoP19).
9. Meanwhile, the Secretariat has also been engaging with various Parties, through meetings or via emails, providing guidance and detailed advice related to legal acquisition findings. Such engagements have

¹ *Argentina, Brazil, Chile, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Mexico, Panama, Peru, Venezuela (Bolivarian Republic of).*

² *Presentations were delivered by the representatives of the 13 countries represented in the meeting.*

³ *Red de Observancia y Aplicación de la Normativa de Vida Silvestre de Centroamérica y la República Dominicana.*

covered questions related to terrestrial fauna (Colombia) as well as timber, for instance in the context of the expedited application of Article XIII for West African rosewood *Pterocarpus erinaceus* for all range States.

Digital solutions

10. Pursuant to Decision 19.130, the Secretariat has engaged with FAO on the development of a legal database entitled "CITES-LEX" designed as a new online platform providing (i) a catalogue of instruments and resources aimed at facilitating Parties' access to legislations and related information relevant to CITES implementation, and (ii) materials and resources to support legal risk assessments on legal acquisition findings. This database will be available online and updated regularly to provide Parties with information and resources that are relevant for the implementation of the Convention. The Secretariat and FAO are currently engaged on designing the webpage and reviewing relevant content for the population of the database.
11. Finally, the Secretariat wishes to inform the Committee that it intends to issue a Notification to the Parties in the course of 2024, inviting Parties to provide observations and feedback to the Secretariat on their tested use of the "Rapid guide for the making of legal acquisition findings". In accordance with Decision 19.130, the Secretariat will report on the responses and its recommendations to the 78th meeting of the Committee for the Standing Committee to report and make its own recommendations to the 20th meeting of the Conference of the Parties in accordance with Decision 19.131.

Recommendations

12. The Standing Committee is invited to:
 - a) encourage Parties to implement Resolution Conf. 18.7 (Rev. CoP19) and use the "Rapid guide for making legal acquisition findings" when preparing their legal acquisition findings; and
 - b) invite Parties to, where possible, share their legal acquisition findings to build knowledge and share best practices regarding the implementation of Resolution Conf. 18.7 (Rev. CoP19) and request the Secretariat to make any shared legal acquisition findings available on the CITES webpage.