

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

DIALOGUE MEETING FOR AFRICAN ELEPHANT RANGE STATES
(*LOXODONTA AFRICANA*)

1. This document has been submitted by Botswana.*
2. At its 19th meeting (Panama City, November 2022) the Conference of the Parties adopted Decision 19.167-19.168 on *Trade in live African elephants* (*Loxodonta africana*) as follows:

Directed to the Standing Committee

19.167 *The Standing Committee shall call a CITES dialogue meeting as per Resolution Conf. 14.5 on Dialogue meetings for African elephant range States to consider a harmonization of the conditions to trade in live African elephants and propose relevant changes to Resolutions to CoP20 as well as relevant changes to annotation 2 (after CoP19, footnote annotation A10), including changes to streamline and simplify the annotation; and recommend other Parties, the CITES Secretariat and technical experts to participate in the meeting in accordance with the Annex to Resolution Conf. 14.5 on Dialogue meetings.*

Directed to Parties

19.168 *The Parties agree that, while the process for the dialogue meeting is under way, any export of live wild-caught African elephant will be limited to in situ conservation programmes or secure areas in the wild, within the species' natural and historical range in Africa, except in exceptional circumstances where, in consultation with the Animals Committee, through its Chair with the support of the Secretariat, and in consultation with the IUCN African elephant specialist group, it is considered that a transfer to ex situ locations will provide demonstrable in situ conservation benefits for African elephants, or in the case of temporary transfers in emergency situations.*

3. The African Union High-Level Conference on the Implementation of the outcomes of the 15th meeting of the Conference of the Parties to the Convention on biological Diversity (CBD COP15) and CITES CoP19 took place in Addis Ababa, from 31 May to 2 June 2023, in the presence of nearly 50 CITES Parties from Africa. Discussions on the prioritization of implementation of CITES CoP19 outcomes touched upon the convening of the CITES dialogue meeting for the African elephant range states called for in Decision 19.167.
4. During the discussion, Botswana offered to host the dialogue meeting in early 2024 to ensure that it takes place well in advance of the 20th meeting of the Conference of the Parties (CoP20), which was received with appreciation by the other African Parties. African Parties present at the meeting also expressed their wish to expand the agenda of the dialogue meeting beyond the issues identified in Decision 19.167, and include salient issues of elephant conservation. The Secretariat confirmed the financial contribution made

* *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.*

by the European Union and the United Kingdom of Great Britain and Northern Ireland towards the implementation of Decision 19.167, although additional funds are required to ensure the participation of two delegates per African elephant range State, as well as for other African State Parties.

5. Accordingly, a number of African elephant range State Parties worked together to review the *Rules of procedure for CITES dialogue meetings* (Resolution Conf. 14.5, Annex) and to develop the draft terms of reference for the dialogue meeting of African elephant range States pursuant to Dec. 19.167, contained in the present document.

Recommendations

6. The Standing Committee is invited to:
 - a) pursuant to Decision 19.167, call for the CITES dialogue meeting as per Resolution Conf. 14.5 on *Dialogue meetings* for African elephant range States;
 - b) welcome Botswana's offer to host the dialogue meeting, in consultation with the Chair of the Standing Committee;
 - c) review the draft terms of reference found in the Annex to the present document and provide inputs;
 - d) instruct the Secretariat, on the basis of the draft terms of reference, to support the organization of a dialogue meeting in the first half of 2024, in collaboration with Botswana, the Chair of the Standing Committee, and the African regional representatives of the Committee, in accordance with the Annex to Resolution Conf. 14.5 on *Dialogue meetings*;
 - e) request the Secretariat to ensure adequate funds are available to support 2 delegates per African elephant range State, as well as other African state Parties, as well as to assist Botswana on the overriding costs of hosting the dialogue meeting such as conference facility and provision of interpretation for the two languages of the Convention been English and French.

CITES Dialogue meeting on *Trade in live African elephants* (Dec. 19.167)
and other issues of African elephant conservation

DRAFT TERMS OF REFERENCE

Mandate

Decision 19.167 on *Trade in live African elephants (Loxodonta africana)*: *The Standing Committee shall call a CITES dialogue meeting as per Resolution Conf. 14.5 on Dialogue meetings for African elephant range States to consider a harmonization of the conditions to trade in live African elephants and propose relevant changes to Resolutions to CoP20 as well as relevant changes to annotation 2 (after CoP19, footnote annotation A10), including changes to streamline and simplify the annotation; and recommend other Parties, the CITES Secretariat and technical experts to participate in the meeting in accordance with the Annex to Resolution Conf. 14.5 on Dialogue meetings.*

Timing

The meeting is planned to be held in early 2024. The proposed duration of the meeting is 4 days.

Host country

The host country is Botswana, place of the meeting is Kasane and the venue for the meeting will be communicated in due course.

Participation

- African elephant range States: Paragraph 1 of the Rules of Procedure states, *“Each Party that is a range State of an extant population of the species (or group of species) to be discussed shall be entitled to be represented at a dialogue meeting by a representative and an alternate representative, who shall be government officials designated to attend by the Management Authority of the Party that they represent.”*
- Other African Parties: During the informal discussion among the African elephant range States, it was suggested that the dialogue include all African Parties.
- Other Parties, technical experts, observers: Paragraph 2 and 5 of the Rules of Procedure state, *“Other Parties and organizations (including donors) may be represented by observers only if their attendance is approved by a consensus of the representatives of the range States. ... Following the recommendations of the range States, the Secretariat may invite intergovernmental organizations and other technical experts to attend a meeting as resource persons.”*
- CITES Secretariat: Paragraph 3 of the Rules of Procedure states, *“The CITES Secretariat shall participate in dialogue meetings in order to advise the Parties and to serve as Secretary and organizer of the meeting.”*

Chair and vice-chairs

According to the Rules of procedure for CITES dialogue meetings (Resolution Conf. 14.5, Annex, paragraph 11), the Chair of the Standing Committee serves as the Chair of the dialogue meeting. Two vice-chairs shall be elected from among the participants during the meeting.

Objectives of the meeting

Implement Decision 19.167, i.e.,

- To consider a harmonization of the conditions to trade in live African elephants
- To propose amendment to Resolutions concerning live Africa elephants to CoP20

Address additional salient issues of elephant conservation to strive to reach consensus on some challenging matters: the specific topics would need to be identified and agreed among the African elephant range states before the dialogue.

Potential other pertinent topics

- Sustainable financing for Africa elephant conservation and management.
- Disposal of ivory stockpiles
- Trade of live elephants to “Appropriate and Acceptable Destination”
- Separation of African elephant to Savannah and Forest elephants in CITES processes
- African Elephant Action Plan implementation modalities
- National Ivory Action Plans
- IUCN African elephant status report 2024

Expected outcomes

- Consensus on the disposal of ivory stockpile by African elephant Range States
- Agreed mechanism for funding African Elephant Action Plan
- Consensus on trade with live African elephant to “Appropriate and Acceptable Destination”