

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

SUMMARY

MONDAY 6 NOVEMBER
AFTERNOON

23. Capacity-building

23.3 Capacity-building framework..... SC77 Doc. 23.3

The Committee noted document SC77 Doc. 23.3 and the comments made on the floor.

24. Compliance Assistance Programme SC77 Doc. 24

The Committee:

- a) acknowledged Guinea, the Lao People's Democratic Republic, Nigeria, Solomon Islands, Suriname and Togo for their commitment to participate in the Compliance Assistance Programme in recognition of their own compliance needs, and their engagement towards addressing those needs;
- b) welcomes the progress made so far in the implementation of the Compliance Assistance Programme; and
- c) noted the comments made on the floor.

33. Compliance matters

33.1 Implementation of Article XIII and Resolution Conf. 14.3 (Rev. CoP19) on CITES compliance procedures SC77 Doc. 33.1

In accordance with Resolution Conf. 14.3 (Rev. CoP19) on *CITES compliance procedures*, the Committee agreed to:

Regarding timber trade from or to Viet Nam

- a) renew the mandate of the Secretariat to continue to keep close communication and strengthen the cooperation with Viet Nam to understand how the CITES authorities ensure that timber and other species are imported and re-exported in full compliance with CITES. The Secretariat shall seek an invitation from Viet Nam to provide in-country assistance, conduct a second technical assessment and a verification mission to further investigate allegations related to Viet Nam's possible engagement in trade in timber and other species that have been illegally harvested or traded, including timber that has been traded contrary to CITES provisions. Subject to the availability of external funds and human resources to conduct that work, the Secretariat shall present its findings and recommendations to the forthcoming Standing Committee meetings.

Regarding trade in live animals to India

- b) noted the Secretariat's report regarding trade in live animals to India and requested the Secretariat to engage with India, as appropriate, to identify specific compliance issues and to report back to the Standing Committee;

Regarding trade in live birds from Suriname

- c) noted the Secretariat's report regarding trade in live birds from Suriname and requested the Secretariat to engage with Suriname, as appropriate, to identify specific compliance issues and to report back to the Standing Committee;

Regarding guidance on the scope and application of recommendations to suspend trade

- d) requested the Secretariat to prepare a draft decision for submission to the 20th meeting of the Conference of the Parties directing the Standing Committee, in collaboration with the Secretariat, to prepare draft guidance on the scope and application of recommendations to suspend trade and to consider developing standardized language for recommendations to suspend trade;

Regarding the development and adoption of a compliance action plan template

- e) instructed the Secretariat to develop a standard template to assist the Parties in the preparation of compliance action plans requested in accordance with paragraph 29 h) of Resolution Conf. 14.3 (Rev. CoP19) on *CITES compliance procedures*, building upon the plan developed by Mexico with the assistance of the Secretariat. The Secretariat shall submit a draft template for consideration at SC78 for possible adoption by the Conference of the Parties as Annex 2 to Resolution Conf. 14.3 (Rev. CoP19).

33.11 Application of Article XIII in NigeriaSC77 Doc. 33.11

Regarding trade in specimens of Pterocarpus erinaceus

The Committee agreed to:

- a) maintain the recommendation to suspend commercial trade in specimens of the species *Pterocarpus erinaceus* from Nigeria under Article XIII until the following conditions are met:
- i) The Party concerned makes a scientifically based non-detriment finding for trade in the species to the satisfaction of the Secretariat and the Chair of the Plants Committee, having regard to Resolution Conf. 16.7 (Rev. CoP17) on *Non-detriment findings* and based on the outcomes of the Review of Significant Trade process for this species; and
 - ii) The Party provides evidence of adequate legal acquisition findings to the satisfaction of the Secretariat and the Chair of the Standing Committee, having regard to Resolution Conf. 18.7 (Rev. CoP19) on *Legal acquisition findings*.

Regarding legislation and law enforcement

- b) Nigeria should strengthen the regulatory framework in relation to forestry management, including forestry legislation at the State level, to avoid any loopholes that may be generated by the distribution of competences between Federal and State levels.
- c) Nigeria should continue implementing a strategy to counter corruption linked to illegal wildlife trade at all levels, including anti-bribery policies, and intensify efforts to ensure full implementation of Resolution Conf. 17.6 (Rev. CoP19) on *Prohibiting, preventing, detecting and countering corruption*. The strategy should protect officials responsible for the implementation and enforcement of CITES from undue pressure, obstruction and threats.
- d) Nigeria should establish a national platform for enforcement cooperation and coordination between relevant authorities to strengthen the control of trade in CITES-listed species and to

combat transnational organized wildlife crime, in line with relevant paragraphs of Resolution Conf. 11.3 (Rev. CoP19) on *Compliance and enforcement*.

- e) Nigeria should scale up efforts to map out organized crime groups involved in illegal wildlife trade and operating in the country. Nigeria should convene multidisciplinary investigative teams involving all relevant authorities. These teams will work in close collaboration with local authorities in key identified areas, and initiate intelligence-driven operations and investigations, with a particular focus on pangolins and ivory.

Regarding issuance of export permits and information systems

- f) Nigeria should establish an efficient and secure information system, preferably an electronic system (resources permitting), to facilitate the issuance of permits and certificates, and the verification of all CITES provisions applicable to the specimens to be exported.
- g) Nigeria should facilitate liaison and integration with other permitting/certification systems relating to the harvest of and trade in CITES-listed resources, e.g., timber concession authorizations, phytosanitary/veterinary documentation, or customs declarations.

Handling and disposal of seized stockpiles CITES-listed species

- h) Nigeria should clearly define the competences of, and the division of labour between, relevant institutions to ensure that adequate control measures are put in place to secure storage facilities for seized stocks of CITES-listed species, including for pangolins and ivory.

Collaboration with Nigeria

- i) The Committee thanked Parties, partners of the International Consortium on Combating Wildlife Crime (ICWC), members of the civil society and cooperation agencies that are providing financial, technical and logistical support to Nigeria and invited them to coordinate further with the CITES Secretariat to avoid duplication and align activities to the extent possible with the implementation of the recommendations of the Standing Committee.

Monitoring progress

- j) The Secretariat should remain in close contact with Nigeria, monitor the Party's progress in the implementation of recommendations of the Standing Committee, and bring any matters of concern to the attention of the Committee.
- k) The Committee requested Nigeria to report on progress made in the implementation of recommendations d) to j) by the document deadline of its 78th meeting, in order for the Secretariat to convey this report and its comments, as well as recommended follow-up measures in case of continued non-compliance, to the 78th meeting of the Standing Committee.

33.2	<u>Expedited application of Article XIII for West African rosewood</u>	
	<u><i>Pterocarpus erinaceus</i> for all range States</u>	SC77 Doc. 33.2
33.2.3	<u>Report of the Secretariat</u>	SC77 Doc. 33.2.3 (Rev.1)
33.2.1	<u>Report by Senegal</u>	SC77 Doc. 33.2.1
33.2.2	<u>Updated Non-Detriment Finding (NDF) and Legal Acquisition Finding (LAF) report</u>	
	<u>for <i>Pterocarpus erinaceus</i> in Sierra Leone and a request</u>	
	<u>for special authorization to export the pre-zero export quota harvested stocks</u>	
	<u>of <i>Pterocarpus erinaceus</i></u>	SC77 Doc. 33.2.2

The Committee encouraged all potential transit and destination countries of shipments of illegal specimens of *Pterocarpus erinaceus* to take appropriate measures to ensure that such timber is not illegally transported or traded, including prohibiting entry, seizing such specimens upon arrival and applying appropriate sanctions against traffickers in accordance with the provisions of the Convention.

The Committee invited the importing Parties to share with the Secretariat the administrative, legislative and enforcement arrangements put in place to sanction illegal trade in specimens of *Pterocarpus erinaceus*, including any relevant due diligence measure to verify legality and ensure sustainability; and encouraged those Parties to consider inviting the Secretariat to conduct technical missions in order to strengthen cooperation between range States, transit and importing countries and identify further recommendations to ensure that timber trade is conducted in accordance with the Convention.

The Committee noted the request by China to delete the second part of the recommendation above starting with “encouraged those Parties...”.

The Committee noted that no further recommendations with regard to Côte d’Ivoire, Guinea, Niger and Senegal are required under the present agenda item.

The Committee agreed to the following recommendations:

Gambia (The)*

a) The Committee:

- i) agreed to maintain the recommendation to suspend commercial trade in specimens of the species *Pterocarpus erinaceus* from the Gambia under the expedited application of Article XIII until the conditions of paragraph 10 of Notification to the Parties No. 2022/045 are met;
- ii) noted that no progress has been made by the Gambia in the implementation of the RST recommendations contained in the Annex to document SC77 Doc. 33.2.3 (Rev. 1); and
- iii) agreed that the short-term and long-term recommendations a) through d) have not been implemented;

Guinea-Bissau*

b) The Committee:

- i) agreed to maintain the recommendation to suspend commercial trade in specimens of the species *Pterocarpus erinaceus* from Guinea-Bissau under the expedited application of Article XIII until the conditions of paragraph 10 of Notification to the Parties No. 2022/045 are met;
- ii) noted that no progress has been made by Guinea-Bissau in the implementation of the RST recommendations contained in the Annex to document SC77 Doc. 33.2.3 (Rev. 1); and
- iii) agreed that the short-term and long-term recommendations a) through d) have not been implemented;

Mali*

c) The Committee:

- i) acknowledged the significant progress made by Mali in implementing recommendations under the expedited application of Article XIII and long-term RST recommendations;
- ii) noted that the Plants Committee accepted that the NDF presented by Mali supports the quota of 55,384.8 m³ requested by Mali;
- iii) recommended that the Secretariat publish any potential future quota proposed by Mali in round wood equivalent;
- iv) noted the incremental progress made by Mali in the preparation of the legal acquisition findings for *Pterocarpus erinaceus*; and
- v) agreed to maintain the recommendation to suspend commercial trade in specimens of the species *Pterocarpus erinaceus* from Mali under the expedited application of Article XIII until Mali finishes providing the evidence of adequate legal acquisition findings to the satisfaction of the Secretariat

and the Chair of the Standing Committee, having regard to Resolution Conf. 18.7 (Rev. CoP18) as required in paragraph 10 (b) of Notification to the Parties No. 2022/045;

Nigeria*

- d) The Committee:
- i) agreed to maintain the recommendation to suspend commercial trade in specimens of the species *Pterocarpus erinaceus* from Nigeria under Article XIII until the following conditions are met:
 - A. The Party concerned makes a scientifically based non-detriment finding for trade in the species to the satisfaction of the Secretariat and the Chair of the Plants Committee, having regard to Resolution Conf. 16.7 (Rev. CoP17) on *Non-detriment findings* and based on the outcomes of the Review of Significant Trade process for this species; and
 - B. The Party provides evidence of adequate legal acquisition findings to the satisfaction of the Secretariat and the Chair of the Standing Committee, having regard to Resolution Conf. 18.7 (Rev. CoP19) on *Legal acquisition findings*.
 - ii) acknowledged the progress made by Nigeria in implementing the short-term RST recommendation (paragraph a); and
 - iii) recommended the retention of the short- and long-term recommendations a) through d);

Cameroon, the Central African Republic, Chad, and Togo

- e) The Committee agreed to maintain the recommendation to suspend commercial trade in specimens of the species *Pterocarpus erinaceus* from Cameroon, the Central African Republic, Chad, and Togo under the expedited application of Article XIII until the conditions of paragraph 10 of Notification to the Parties No. 2022/045 are fully met;

Benin*

- f) Provided that this Party maintains its voluntary zero export quota, the Committee:
- i) acknowledged the progress made by Benin in implementing the RST short-term recommendation (paragraph a);
 - ii) recommended that the remaining RST recommendations be addressed as a case study at the NDF workshop; and
 - iii) recommended the retention of the short- and long-term RST recommendations b) through d);

Burkina Faso*

- g) Provided that this Party maintains its voluntary zero export quota, the Committee:
- i) acknowledged the progress made by Burkina Faso in implementing the RST short-term recommendation (paragraph a); and
 - ii) recommended the retention of the short- and long-term RST recommendations b) through d);

Ghana*

- h) Provided that this Party maintains its voluntary zero export quota, the Committee:
- i) acknowledged the progress made by Ghana in implementing the short-term RST recommendation (paragraph a);
 - ii) recommended the retention of the short- and long-term RST recommendations b) through d); and

- iii) requested the Secretariat to initiate an intersessional consultation process with the Plants Committee through its Chair to review the NDF submitted by Ghana, and inform the Chair of the Standing Committee about the outcomes;

Sierra Leone*

- i) Provided that this Party maintains its voluntary zero export quota, the Committee:
 - i) acknowledged the progress made by Sierra Leone in implementing the short-term RST recommendation (paragraph a);
 - ii) recommended the retention of the short- and long-term RST recommendations b) through d);
 - iii) further acknowledged the significant progress made in delivering the long-term recommendations; and
 - iv) requested the Secretariat to initiate an intersessional consultation process with the Plants Committee through its Chair to review the NDF submitted by Sierra Leone, and inform the Chair of the Standing Committee about the outcomes;
- j) The Committee requested the Secretariat to organize a regional workshop on non-detriment findings (NDF) and legal acquisition findings (LAF) for *Pterocarpus erinaceus* range States, thus adopting an integrated range-State approach in addressing NDFs and LAFs recommendations under the expedited Article XIII procedure and the RST process.
- k) The Committee requested the Secretariat to take into consideration the discussions at the 77th meeting of the Standing Committee and to liaise with the Chairs of the Standing Committee and the Plants Committee on the preparations and the programme for the workshop.

The Committee did not agree to the additional recommendation proposed by Senegal.

The Committee agreed that, after agreement of the recommendations above, there was no need to further consider the recommendations in documents SC77 Doc. 33.2.1 and Doc. 33.2.2.