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

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Seventy-eighth meeting of the Standing Committee Geneva (Switzerland), 3-8 February 2025

Strategic matters

CITES and people

LIVELIHOODS

- This document has been prepared by Peru and Zambia as Chairs of the Standing Committee working group on Livelihoods, in consultation with the Secretariat.\*
- 2. At its 19th meeting (CoP19; Panama, 2022), the Conference of the Parties adopted Decisions 18.33 (Rev. CoP19) to 18.35 (Rev. CoP19) on *Livelihoods* as follows:

## Directed to the Parties

18.33 (Rev. CoP19) Parties are invited to:

- a) collate or conduct new case studies, using the standard template, that demonstrate how sustainable use of CITES-listed species contributes to the wellbeing and livelihoods of the indigenous peoples and local communities\* involved in such use, including trade, and to the conservation of the species. Include examples of facilitating such involvement by wildlife-related authorities and other stakeholders and submit them to the Secretariat;
- b) engage indigenous peoples and local communities<sup>1</sup> in CITES decision-making and implementation processes at the national level to better achieve the objectives of the Convention; and
- c) where appropriate, incorporate issues related to CITES implementation and livelihoods into national wildlife conservation and socio-economic development plans, as well as in relevant projects being developed for external funding, including funding from the Global Environment Facility (GEF) through the Wildlife Conservation for Development Integrated Program.

# Directed to the Standing Committee

18.34 (Rev. CoP19) The Standing Committee shall:

 establish an intersessional working group on CITES and livelihoods, which will work in collaboration with the Secretariat to:

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> For the purpose of these Decisions, "indigenous peoples and local communities" is understood to include rural communities.

- i) review new case studies on CITES and livelihoods to draw best practices and lessons learned:
- ii) review the draft Guidance on maximising benefits to Indigenous peoples and local communities from trade in CITES-listed species and provide recommendations to the Secretariat and the Standing Committee:
- iii) review the report on Exploring the use of registered marks of certification and other traceability mechanisms for products of CITES-listed species produced by indigenous peoples and local communities to enhance conservation and livelihood outcomes, and provide recommendations to the Standing Committee, including possible next steps, as appropriate;
- b) review the report of the working group on livelihoods and the report of the Secretariat on the progress made under Decisions 18.35 (Rev. CoP19) and on the implementation of Resolution Conf. 16.6 (Rev. CoP18) on CITES and livelihoods; and make recommendations, as appropriate, to the 20th meeting of the Conference of the Parties.

#### Directed to the Secretariat

18.35 (Rev. CoP19) Subject to the availability of external financial resources, the Secretariat shall:

- a) support the collation of or conduct new case studies on CITES and livelihoods as described in Decision 18.33 (Rev. CoP19), paragraph a), and assist Parties to present the case studies in appropriate platforms, and in formats and manners that are most effective for targeted audiences, including on the CITES website;
- b) organize a joint meeting of the intersessional working group on engagement of indigenous peoples and local communities and the intersessional working group on CITES and livelihoods to support the implementation of Decisions 18.31 (Rev. CoP19) and 18.34 (Rev. CoP19);
- organize the production of outreach materials, including short videos based on the case studies, to raise awareness of and promote best practices in CITES implementation and livelihoods including its contribution to the United Nations Sustainable Development Goals (SDGs) and to share such materials on appropriate platforms, including the CITES website, social media channels, external media, and exhibitions; and d) report to the Standing Committee on progress made with regard to the implementation of paragraphs a) – c) and Resolution Conf. 16.6 (Rev. CoP18) on CITES and livelihoods.

# Report of the intersessional working group on the implementation of Decision 18.34 (Rev. CoP19)

- 3. The two main tasks of the working group are to review the *Guidance on maximizing benefits to Indigenous* peoples and local communities from trade in CITES-listed species and the report on Exploring the use of registered marks of certification and other traceability mechanisms for products of CITES-listed species produced by indigenous peoples and local communities to enhance conservation and livelihood outcomes. It is worth noting that both of the two tasks stem from Resolution Conf. 16.6 (Rev. CoP18) on CITES and livelihoods, namely operative paragraph 3. a) iv) "maximizing the benefits for rural communities ..." under Regarding empowerment of rural communities, and operative paragraph 5. "INVITES Parties to explore the use of registered marks of certification and origin consistent with CITES provisions" under Regarding enabling policies. The Guidance also represents best practices and lessons learned through the collection and analysis of, among other things, nearly 50 case studies on CITES and livelihoods over the past many years.
- 4. As reported by the working group in its report to SC77 (see document <u>SC77 Doc. 29</u>), the working group made some good progress in advancing the work on both tasks. During the face-to-face meeting held in Cusco, Peru in August 2023, the working group agreed in principle that the Guidance will be a valuable tool for maximizing the benefits of regulated trade in CITES-listed species to the livelihoods of Indigenous and local communities and the conservation and sustainable use of these species. With regards to the options for certification and labelling systems, the working group recognized the merits of the various options as well

as the different levels of complexity and the cost implications which will all affect their feasibility and eventual application. There was a general agreement that options 1 and 2, namely the community-driven approach and the government regulatory option, should be given priority as they empower Indigenous peoples and local communities in the process. It needs to be stressed that the exploration of the use of certification and labelling systems for products from indigenous peoples and local communities is by no means designed as a way to promote the trade in CITES-listed species. Rather, it aims to facilitate the recognition of products from such communities in international trade when all relevant provisions of the Convention, including non-detrimental findings and legal acquisition findings, are fully respected.

- 5. During the communications within the working group for the preparation of the present report, some additional changes were proposed to amend the six strategies that are contained in the Guidance. Efforts were thus made to accommodate these additional inputs in a revised version. As the discussions continued, divergent views were expressed with regards to the necessity to give recognition to the full Guidance or only the six strategies that are contained in the Guidance through Resolution Conf. 16.6 (Rev. CoP18). Some members preferred to give recognition to the full Guidance or to include the full text of the six strategies as part of the Resolution under a separate sub-heading, others were opposed to give any recognition of the Guidance or the six strategies in Resolution Conf. 16.6 (Rev.CoP18). Views concerning the proposed work in the next intersessional period on case studies on the certification and labelling systems from products from Indigenous peoples and local communities also varied, but it appears this is a slightly less controversial issue.
- 6. It has been a challenging task for the co-chairs to find middle ground and compromised solutions to ensure that some constructive work for the next intersessional period is brought to the table. Whilst a general agreement was reached on the value of the Guidance as well as the preferred options for the certification and labelling systems at the face-to-face meeting two years ago, a wide range of views were expressed by working group members on whether or how to give recognition to the Guidance or only the six strategies that are contained in the Guidance, and whether case studies on the certification and labelling systems should be conducted. Views on the latter seem less contentious, also noting the probable misconception among some members that the case studies on best practices might have been done and the species considered under the initiative are not included in CITES. The number of working group members that are supportive or against the various proposals are roughly equal.
- 7. Since the working group on livelihoods is mandated to review the Guidance and the report on the certification and labelling systems and report its findings and recommendations to the Standing Committee, the co-chairs made their best efforts to find compromised solutions and to propose for some constructive work for the next intersessional period after CoP20. In the spirit of compromise, consistency and constructiveness, the co-chairs wish to propose the following:
  - a) To only give recognition to the Six Strategies that are contained in the Guidance instead of the full Guidance, in Resolution Conf. 16.6 (Rev. CoP18), using the word "noting" instead of "recognizing" in the preambular paragraph and to remove the originally proposed operative paragraph that invites Parties to use the Six Strategies. The six strategies as amended can be found in Annex 1 of the present document which has taken into account the divergent views and inputs to the extent possible.
  - b) Since Resolution Conf. 16.6 (Rev. CoP18) on CITES and livelihoods clearly and very specifically "INVITES Parties to explore the use of registered marks of certification and origin consistent with CITES provisions" and the working group has identified the options that they consider should be given priority for the development for case studies, the work on the collection of case studies is therefore proposed for Parties, the Standing Committee working group on Livelihoods and the Secretariat, the outcomes of which are to be reviewed at a technical work due to the complex nature of certification and labelling systems.
- 8. Since the second and third preambular paragraphs of the Resolution Conf. 16.6 (Rev. CoP18) refer to an obsolete decision and information document, these are proposed for deletion.

## Report of the Secretariat on the implementation of Decision 18.35 (Rev. CoP19)

9. As mandated by Decision 18.35 (Rev. CoP19) and in close coordination with the Chair of the intersessional working group on the engagement of indigenous peoples and local communities (Canada) and the co-Chairs of the intersessional working group on Livelihoods (Peru and Zambia), the Secretariat organized an inperson joint meeting of the two intersessional working groups in Cusco, Peru from 29 August 29 to 1 September 2023. Experiences of Parties in the engagement of indigenous peoples and local communities in the CITES processes and new case studies on CITES and livelihoods were shared during the meeting.

During the breakout sessions, the two working groups had some in-depth discussions to advance their respective tasks. Nearly 60 participants from 25 Parties and 16 organizations participated in the meeting. The Secretariat would like to thank Peru for hosting the meeting. The joint meeting and its preparatory work were supported by the financial contribution of China and Wildlife Conservation Society (WCS). The Secretariat appreciates the support provided in this regard.

10. The Secretariat has continued to support Parties in the compilation of case studies on CITES and livelihoods which remains an ongoing work. Some of the new case studies were presented at the in-person meeting in Peru, covering a wide range of species, including *Vicugna vicugna* in the Plurinational State Bolivia, *Vanilla pompona*, *Podocnemis unifilis* in Peru, *Saussurea costus* in India, *Malayopython reticulatus* in Indonesia, *Crocodylus niloticus* in Zimbabwe, *Strombus gigas* in Saint Vincent and the Grenadines, *Phocoena sinus* and *Totoaba macdonaldi* in Mexico and a case study on wild meat by WCS Peru. Selected new case studies will be presented in the format of a factsheet. The Secretariat has also collected some footage which will be used in the production of short videos on the case studies on CITES and livelihoods.

# Recommendations

- 11. The Standing Committee is invited to:
  - a) note the Secretariat's ongoing work on the compilation of case studies on CITES and livelihoods in accordance with Decision 18.35 (Rev. CoP19);
  - b) review the draft amendments to Resolution Conf. 16.6 (Rev. CoP18) on *CITES and livelihoods* that are contained in Annex 2 to the present document and submit them for consideration by the Conference of the Parties at its 20th meeting;
  - c) review the draft decisions in Annex 3 to the present document and submit them for consideration by the Conference of the Parties at its 20th meeting; and
  - d) agree that Decisions 18.33 (Rev. CoP19) to 18.35 (Rev. CoP19) have been implemented and can be proposed for deletion.

# STRATEGIES FOR MAXIMIZING THE BENEFITS TO INDIGENOUS PEOPLES AND LOCAL COMMUNITIES FROM TRADE IN CITES-LISTED SPECIES

- 1. Ensure a domestic policy and legal environment in range countries that recognize the rights of Indigenous peoples and local communities to either own or access and manage wildlife resources and to benefit equitably, for both men and women, from legal and sustainable management of CITES-listed species, taking advantage of their traditional knowledge as appropriate, and subject to national legislation.
- 2. Ensure an enabling environment in range countries that specifically supports the participation of Indigenous peoples and local communities in international commercial trade in CITES-listed species that are important to such communities, including through the following measures:
  - Build the capacity of Indigenous peoples and local communities in understanding how CITES
    operates, the importance of ensuring that trade is legal, sustainable and non-detrimental, and the
    implications of listing decisions on the conservation and management of associated species and how
    this might affect the communities concerned;
  - b. Ensure domestic wildlife trade policy includes opportunities for involvement of Indigenous peoples and local communities.
  - c. Ensure that CITES permitting and licensing and reporting processes are simple, affordable, equitable and facilitatory of the involvement of Indigenous peoples and local communities while fulfilling all relevant CITES and national requirements.
  - d. Build the capacity of Indigenous peoples and local communities in understanding regulatory requirements as well as markets and pricing structures of value chain.
- 3. Ensure the transparency in pricing in order to support the involvement of and fair benefits to Indigenous peoples and local communities in trade in CITES-listed species.
- 4. Identify culturally appropriate and ecologically sustainable business opportunities for Indigenous peoples and local communities and build their technical, business and financial capacity to benefit from such opportunities.
- 5. Strengthen the organization and governance of Indigenous peoples and local communities to facilitate their participation in sustainable management and trade in CITES-listed species and CITES decision-making and their integration along the value chain.
- 6. Build awareness amongst Indigenous peoples and local communities of legal and sustainable wildlife trade as a key contributor to resilient, nature-positive development.

# DRAFT AMENDMENTS TO RESOLUTION CONF. 16. 6 (REV. COP18) ON CITES AND LIVELIHOODS

New text is underlined and deleted text is in strikethrough.

RECALLING Resolution Conf. 8.3 (Rev. CoP13), adopted at the 13th meeting of the Conference of the Parties (Bangkok, 2004), where the Conference recognized that implementation of CITES-listing decisions should take into account potential impacts on the livelihoods of the poor;

RECALLING ALSO Decision 15.5 requesting the Standing Committee to continue the operation of its Working Group on CITES and Livelihoods and to finalize the toolkit for the rapid assessment at the national level of the positive and negative impacts of implementing CITES-listing decisions on the livelihoods of the poor, as well as voluntary guidelines for Parties to address the negative impacts;

NOTING that these two documents were prepared by the Working Group on CITES and Livelihoods (information document CoP16 Inf. 21):

RECOGNIZING that CITES-listing decisions are neither the sole cause of nor the sole solution to the livelihood problems of the rural communities<sup>2</sup>, but that the effective implementation of such decisions can form part of a strategy to provide sustainable livelihoods for rural communities, consistent with paragraph 203 of the outcome document of the Rio+20 Conference *The Future We Want*:

WELCOMING the adoption by the United Nations General Assembly of the resolution on *Tackling illicit trafficking in wildlife*, which, among other things, strongly encourages Member States to support the livelihoods of rural communities through "the full engagement of the communities in and adjacent to wildlife habitats as active partners in conservation and sustainable use, enhancing the rights and capacity of the members of such communities to manage and benefit from wildlife";

WELCOMING also the adoption of *Transforming our world: the 2030 Agenda for Sustainable Development, including the Sustainable Development Goals*, also known as the Sustainable Development Goals (SDGs) with target adopted at the United Nations Sustainable Development Summit (New York, September 2015). Many of the 17 Goals and 169 Targets in the SDGs are relevant to CITES, but in particular, 15.c aimed to "enhance global support for efforts to combat poaching and trafficking of protected species, including by increasing the capacity of local communities to pursue sustainable livelihood opportunities" and Target 15.7 to "take urgent action to end poaching and trafficking of protected species of flora and fauna, and address both demand and supply of illegal wildlife products", mindful of the integrated and indivisible nature of the 2030 Agenda for Sustainable Development and its Sustainable Development Goals;

WELCOMING further United Nations Environment Assembly resolutions 1/3 and 2/14 on illegal trade in wildlife;

RECOGNIZING that poor rural communities may attach economic, social, cultural and ceremonial importance to some CITES-listed species;

RECOGNIZING that the implementation of CITES is better achieved with the engagement of rural communities, especially those which are traditionally dependent on CITES-listed species for their livelihoods;

RECOGNIZING that the implementation of CITES listings may enhance livelihoods by delivering long-term species conservation and reducing unsustainable and illegal trade;

NOTING the six strategies highlighted in the *Guidance on maximizing benefits to Indigenous peoples and local communities from trade in CITES-listed species*;

RECOGNIZING ALSO that implementation of some listings (particularly Appendix-I listings) may impact livelihoods of rural communities by restricting access to income, employment and other resources, such as food,

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<sup>&</sup>lt;sup>2</sup> For the purpose of this Resolution, rural communities include indigenous and local communities.

materials and medicines, but that it need not always do so if appropriate implementation strategies are adopted; and

RECOGNIZING that livelihoods issues and the present Resolution do not pertain to the criteria for the amendment of the Appendices or the requirement to make non-detriment findings;

## THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. RECOMMENDS the following to be considered when Parties address livelihood issues:

## Regarding empowerment of rural communities

- 2. ENCOURAGES Parties to work with key stakeholder groups to design, implement and monitor effective strategies with regard to the implementation of CITES listings, recognizing that:
  - a) solutions are likely to be case- and situation-specific;
  - although amendments to the CITES Appendices must, unless indicated otherwise in an annotation, come into effect 90 days after their adoption by the Conference of the Parties, developing appropriate solutions to mitigate negative impacts on the livelihoods of rural communities may require more time to implement relevant policy changes;
  - developing guidelines is an ongoing process as more knowledge is gained about specific impacts, and successful as well as unsuccessful experiences, which means that the monitoring and evaluation of strategies will be priority aspects in the development of appropriate implementation strategies and policies; and
  - d) community and traditional knowledge should be considered, as appropriate and in accordance with the provisions of the Convention and national laws, regulations and policies; and

#### RECOGNIZES that:

- a) empowerment of rural communities should be encouraged through measures that may include, as appropriate:
  - i) engaging rural communities in territories under the Party's jurisdiction, in national processes when preparing and submitting proposals to amend the Appendices, draft resolutions, draft decisions, and other documents for consideration at meetings of the Conference of Parties and when reviewing such documents submitted by other Parties;
  - ii) considering including, as far as possible and as deemed necessary by the Party, representatives of rural communities in territories under the Party's jurisdiction in the official national delegations to meetings of the Conference of the Parties;
  - iii) promoting transparency and participation of rural communities in the development and implementation of national CITES-related policies;
  - iv) maximizing the benefits for rural communities of CITES implementation and trade concerned, in particular to support poverty eradication;
  - v) promoting associations of primary users of wildlife, however they are defined; and
  - vi) recognizing resource tenure and ownership, and traditional knowledge of or in rural communities associated with CITES-listed species, subject to any applicable national or international law;
- b) support for the implementation of CITES listings should be enhanced by public awareness and education, including programmes for rural communities, to ensure that:
  - i) the positive aspects of CITES and related legislation are understood;
  - ii) CITES-listed species are conserved, and potential benefits to rural communities realized; and

- iii) communities support policies and activities designed to reduce or eliminate illegal trade in specimens of CITES-listed species; and
- c) as implementation of some listings may have short-term negative impacts on rural communities, mitigation strategies should be adopted as appropriate. These strategies may include:
  - i) providing assistance, including short-term financial support, to rural communities most severely affected by the implementation of the CITES-listing decisions; and
  - promoting alternatives to rural communities to enhance the effective implementation of CITESlisting decisions, for instance:
    - A income-generation approaches, such as payment for ecosystem services, sustainable tourism, employment in eco-tourism or as game wardens; and
    - B licences or concessions for tourism, hunting, fishing and harvesting; and the development of alternative products;

# Regarding enabling policies

- 4. INVITES Parties to initiate or strengthen collaborative partnerships among local, regional, national and international development and conservation agencies to enhance:
  - a) financial support for wildlife conservation and rural communities; and
  - b) the complementarity of their work and CITES implementation;
- 5. INVITES Parties to explore the use of registered marks of certification and origin consistent with CITES provisions; and
- INVITES international financial institutions and cooperation agencies to assist Parties in the development of supportive policies and institutions at the regional, national and local levels to address impacts of the implementation of listings on rural communities;

# Regarding engagement of rural communities in combating illegal trade in wildlife

# 7. URGES Parties to:

- a) in line with the internationally adopted 2030 Agenda for Sustainable Development and with specific reference to Goal 15, enhance global support for efforts to combat poaching and trafficking of protected species, including by increasing the capacity of local communities to pursue sustainable livelihood opportunities;
- b) enable the rights of indigenous and local communities and support livelihood options contributing to the conservation of wildlife as an integral part of the response to address illegal trade in wildlife:
- c) strengthen community voices, actively supporting them to be involved in decision-making surrounding action to combat international illegal trade in wildlife and to derive benefits from conserving wildlife;
- d) support a mechanism for communities affected by international illegal trade in wildlife to learn from each other and to have their voices heard in international policy fora;
- e) build and enhance partnerships to combat international illegal trade in wildlife through encouraging the development of partnerships between communities, conservation non-governmental organizations and law enforcement agencies in tackling international illegal trade in wildlife; and
- f) strengthen the evidence base for community engagement through building knowledge and understanding about the motivations for, drivers of, dynamics of, and responses to illegal international trade in wildlife;

# Regarding the potential shift from in situ to ex situ production

- 8. RECOGNIZES that:
  - a) ex situ production may lead to loss of revenues for rural communities;
  - b) positive incentives to promote *in situ* production systems may encourage benefits for these communities; and
  - c) cooperation between exporting and importing countries may include:
    - i) working with in situ and ex situ producers and trade associations; and
    - ii) conservation and development projects;
- 9. RECOMMENDS that Parties adopt mitigation strategies for human-wildlife conflict with respect to CITES-listed species; and
- 10. RECOMMENDS ALSO that mitigation activities take into account not only CITES-listed species but also the whole ecosystem that contains them.

## DRAFT DECISIONS ON LIVELIHOODS

#### **Directed to Parties**

#### 20.AA Parties are invited to:

- a) initiate or strengthen participatory policy at national level, recognizing the rights of Indigenous and local communities to either own or access and manage wildlife resources, and benefit equitably, for both men and women, from legal and sustainable management and trade in CITES-listed species, taking advantage of their traditional knowledge as appropriate, and subject to national legislation; and
- b) share experiences, best practices and lessons learned in the use of certification and labelling systems for products of CITES-listed species from indigenous peoples and local communities, document best practices as case studies, and share such experiences with other Parties and the Secretariat.

## Directed to the Secretariat

**20.BB** Subject to the availability of extrabudgetary resources, the Secretariat shall:

- a) compile and analyse information received from Parties under Decision 20.AA, paragraph b).
- b) support the development of case studies on the use of certification and labelling systems for products from Indigenous peoples and local communities in international trade to explore feasibility and identify best practices;
- c) organize a technical workshop to review case studies on the use of the certification and labelling systems for products from Indigenous peoples and local communities; and
- d) report to the Standing Committee on progress made with regard to the implementation of paragraphs a), b) and c) and make recommendations on possible next steps, as appropriate.

# Directed to the Standing Committee

# 20.CC The Standing Committee shall:

- a) establish an intersessional working group on livelihoods to:
  - review case studies on the use of certification and labelling systems for products from Indigenous peoples and local communities and make recommendations to the Standing Committee:
  - ii) review new case studies on CITES and livelihoods, if available and
- b) review the report of the working group on livelihoods and the report of the Secretariat on progress made under Decision 20.BB and make recommendations, as appropriate, to the 21st meeting of the Conference of the Parties.