

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

Strategic matters

CITES and people

Engagement of indigenous peoples and local communities

REPORT OF THE WORKING GROUP

1. This document has been submitted by Canada as Chair of the Standing Committee Working Group on engagement of Indigenous Peoples and local communities.\*

Background

2. Pursuant to Decision 18.31 (Rev. CoP19), the Standing Committee established an intersessional working group on the engagement of indigenous peoples and local communities\*\* with membership as found in the [list](#) of intersessional working groups established at SC76.

The mandate of the working group is as follows:

- a) consider how to effectively engage indigenous peoples and local communities in the CITES processes, taking into account the discussions from the previous intersessional periods, including the information contained in document SC74 Doc. 20.2 and SC70 Doc. 15, experiences shared by Parties and relevant Multilateral Environmental Agreements and international organizations, and any information provided pursuant to Decision 18.32 (Rev. CoP19); and present its findings and recommendations to the Standing Committee;
  - b) consider matters in document CoP19 Doc. 15 should the proponents of that document bring those matters to the attention of the working group;
  - c) develop non-binding guidance that proponent Parties may use, as appropriate, in consulting with indigenous peoples and local communities as part of the consultations that may take place on proposals to amend the Appendices; and
  - d) make recommendations on the engagement of indigenous peoples and local communities in CITES processes to the Standing Committee for its consideration.
3. Further, CoP Decision 18.35 (Rev. CoP19) directed to the Secretariat, subject to the availability of external financial resources, to 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). With the generous

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\* *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.*

\*\* *For the purpose of this document, "indigenous peoples and local communities" is understood to include rural communities.*

hospitality of the government of Peru and financial support from China, the working group on engagement of indigenous peoples and local communities met in Cusco, Peru from August 29 to September 1, 2023.

#### Progress update

4. The working group initiated its work in April of 2023 through email exchanges. The Chair characterized the functions of the Group as two tasks: to develop non-binding guidance that proponent Parties may use, as appropriate, in consulting with indigenous peoples and local communities (IPLCs) as part of the consultations that may take place on proposals to amend the Appendices; and to make recommendations on the engagement of indigenous peoples and local communities in CITES processes to the Standing Committee for its consideration. The Chair drew attention to the past work undertaken by the Standing Committee, and associated relevant documents. Working group members were invited to review the past documents, consider the Chair's reflections on the past work and provide their views on characteristics of successful consultation, and reflections on successful practices, challenges and lessons learned in engaging indigenous peoples and local communities in CITES processes.
5. Members of the working group provided detailed information on their existing engagement with indigenous peoples and local communities and reflected on challenges and opportunities to enhance meaningful engagement in CITES proposals and processes. This initial email based dialogue provided a good basis for deliberations at the in-person joint meeting of the of the intersessional working group on engagement of indigenous peoples and local communities and the intersessional working group on CITES and livelihoods, which took place in Peru in August 2023. The full membership of the working group on engagement in indigenous peoples and local communities was unable to attend the meeting. However, working group members were provided with email updates of the discussions.
6. During the meeting, the working group had open and frank discussions which led to rich and fruitful exchanges to significantly advance its tasks. The working group firstly exchanged ideas on what they felt constitute meaningful consultations with IPLCs in the development of proposals to amend the CITES Appendices. Recurrent themes emerged from the discussions and the working group's deliberations led to the creation of a general framework outlining key elements of a potential non-binding guidance. Based on this framework, members of the working group mandated the chair to prepare a first draft of the non-binding guidance called for in section c) of the working group mandate. The Chair will provide the first draft to the working group for their consideration and comments with a view to preparing a final agreed draft for presentation at the 78<sup>th</sup> meeting of the Standing Committee.
7. As part of the discussion of non-binding guidance that proponent Parties may use, as appropriate, in consulting with indigenous peoples and local communities as part of the consultations that may take place on proposals to amend the Appendices, it was noted that there should be opportunities to review and modify any agreed non-binding guidance based on experience. As such, with the development of non-binding guidance, the working group will also recommend to the Standing Committee that a decision be agreed to review Parties' experience in applying the guidance, and make adjustments as appropriate based on those experiences.
8. The working group addressed section d) of its mandate by reviewing a list of ideas for engagement at the national and international level. The initial list was prepared by the Chair based on the working group's reflections during the email based discussion. Additionally, proponents of CoP19 Doc. 15 requested that matters within this document be considered by the working group. These were incorporated into the list of engagement ideas. The working group, at its meeting, was firstly asked to identify any missing or new ideas, as well as ask questions of clarification on the ideas listed. Subsequently, the working group shared views on the ideas, starting with ideas for engagement of IPLCs in international CITES processes. Short summary notes of the discussion were shared with the working group. However, the group did not have the opportunity to evaluate the full suite of ideas and will continue its evaluation via email or other means. The Chair would intend for the working group to present a short list of the key ideas as recommendations to the 78<sup>th</sup> meeting of the Standing Committee for its consideration.

#### Linkages with other intersessional processes

9. During its deliberations, the working group drew attention to other CITES intersessional processes. In particular, the working group noted the pertinence of inviting IPLC representation at the upcoming international expert workshop on non-detriment findings, to explore the role of traditional knowledge in the development of NDFs.

10. Additionally, the working group noted there may be pertinent linkages between the mandate of this working group and the work to prepare a CITES Gender Action Plan as directed to the CITES Secretariat and Standing Committee Chair (Decision 19.51). There may be value in requesting the IPLC working group to review and provide comments on the draft Gender Action Plan once prepared.
11. Finally, members of the working group noted the linkages with the work of the intersessional working group on livelihood, recognizing, for example, that actions to engage indigenous peoples and local communities in streamlining CITES permitting or developing relevant simplified procedures can also demonstrate how sustainable use of CITES-listed species contributes to the wellbeing and livelihoods of the indigenous peoples and local communities as well as the conservation of the species. It was recognized that the draft [\*Guidance on maximising benefits to Indigenous peoples and local communities from trade in CITES-listed species\*](#) identified this linkage, and others.

#### Other matters

12. It should be noted that some participants in attendance at the in-person meeting raised concerns that the mandate of the working group did not include exploring ways to enhance the participation of IPLCs in CITES processes at the international level, given the decision at COP19 to scope Decision 19.54 nationally. The Secretariat clarified that, while Parties may have felt it premature to invite immediate engagement of indigenous peoples and local communities in CITES process at the international level, Decision 18.31 directing the Standing Committee to consider how to effectively engage IPLCs is not limited to national processes.

#### Next Steps

13. As outlined in the progress report above, the working group will continue its work through electronic means with the aim to provide its recommendations to the Standing Committee at its 78<sup>th</sup> meeting. The working group may explore the possibility of organizing a virtual meeting, as needed, to finalize its mandate.

#### Recommendations

14. The Standing Committee is invited to take note of the progress and next steps for the working group on engagement on indigenous peoples and local communities.