

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



Joint sessions of the 26th meeting of the Animals Committee and
20th meeting of the Plants Committee
Dublin (Ireland), 22-24 March 2012

EXECUTIVE SUMMARY

Adoption of executive summary AC26/PC20 Sum. 1(AC26/PC20 Sum. 1)

The Committees adopted executive summary AC26/PC20 Sum. 1 with the following amendments:

- Under item 6, paragraph 2, change text to read “The Committees welcomed an initiative led by UNEP-WCMC and partners, which is are ...”;
- Under items 8.2 and 8.4, change text to read “The Committees noted agreed to refer document AC26/PC20 Doc. 8.2 (/8.4) to a working group”; and

Under item 8.5, add “The Committees agreed to refer document AC26/PC20 Doc. 8.5 to a working group.” at the beginning.

9. Capacity-building programme for science-based establishment and implementation of voluntary national export quotas for Appendix-II species (Decision 12.91) – Report of the joint working group (AC26/PC20 Com. 1)

The Committees adopted document AC26/PC20 Com. 1 with the following amendment to paragraph 2, paragraph a): in the draft decision directed to the Secretariat, replace “request” by “invite”.

7. Evaluation of the Review of Significant Trade [Decision 13.67 (Rev. CoP14)] (AC26/PC20 WG2 Doc. 1)

The Committees agreed a number of amendments and additions to document AC26/PC20 WG2 Doc. 1, namely regarding the membership (names of the AC and PC representatives), Recommendation 2 (Draft agenda and Roadmap), and Recommendation 3 (include a chapeau statement). The Committees requested the Secretariat to produce a revised version of document AC26/PC20 WG2 Doc. 1 for their later consideration.

10. Revision of Resolution Conf. 14.8 on *Periodic Review of the Appendices* (AC26/PC20 Com. 2)

Further to discussions and comments received at the present joint session, the Secretariat introduced a “non-paper” outlining two options to revise Resolution Conf. 14.8 on *Periodic Review of the Appendices*: option 1 with amendments to the existing text of Resolution Conf. 14.8; and option 2 replacing the detailed instructions in the Resolution with a general mandate for the Animals and Plants Committees to develop and use any procedure they deemed appropriate.

The Committees decided that only option 1 should be discussed, as a proposal similar to option 2 had been rejected by the Conference of the Parties at its 15th meeting.

After hearing various suggestions to amend the text of Resolution Conf. 14.8 (specifically concerning paragraphs f), g) and h) under AGREES), the Committees concurred that it would not be feasible to revise in detail Resolution Conf. 14.8 during the present joint session. They requested the Secretariat to prepare

a document during the lunch recess that listed the recommendations and issues concerning the Periodic Review of the Appendices that had emanated from recent meetings of the Committees, including the present joint session. They also agreed to establish a process for the revision of Resolution Conf. 14.8 that would involve the Standing Committee and making proposals to the Conference of the Parties at its 16th meeting (CoP16).

Later in the meeting, the Secretariat introduced document AC26/PC20 Com. 2, outlining ways to improve the performance of the Periodic Review of the Appendices, as identified at AC25, AC26 and AC26/PC20, and that could be considered when amending Resolution Conf. 14.8.

The Committees agreed that the Plants Committee would prepare a document for submission to the Standing Committee at its 62nd meeting (SC62) concerning proposed amendments to improve the Periodic Review of the Appendices, incorporating the elements of document AC26/PC20 Com. 2 and a draft decision for submission at CoP16, instructing the Animals and Plants Committees to revise Resolution Conf. 14.8 in collaboration with the Secretariat. It was further decided by the Committees that the Plants Committee document would be circulated to the Animals and Plants Committees prior to the deadline for the submission of documents for SC62 (24 May 2012) to seek their concurrence.

8. Non-detriment findings (AC26/PC20 WG3 Doc. 1)

AC26/PC20 Working Group 3 on non-detriment findings had not been able to fulfil its mandate within the allocated time frame and discussions on its recommendations, as presented in document AC26/PC20 WG3 Doc. 1, continued in plenary.

The Committees adopted document AC26/PC20 WG3 Doc. 1 with the following amendments:

Recommendations:

1. The Working Group concludes that the point 1 is included in 3.
2. The Working Group concludes that the Annex to document Doc. AC26/PC20 Doc. 8.4 has to be submitted to the CoP16 as framework reference and flexible examples for the Parties to make NDF.
3. Regarding point 3: the Working Group recommends the following draft resolution be adopted by the Animals and Plants Committees:

DRAFT RESOLUTION Conf. 16.XX

Non-Detriment Findings

RECOGNIZING that according to Articles II, III, and IV of the Convention, Parties shall only allow trade in specimens of species included in Appendices I and II in accordance with their provisions, it is required that an export permit shall only be granted when a Scientific Authority of the State of export has advised that such export will not be detrimental to the survival of the species being traded (i.e. non-detriment finding or NDF), which shall be considered an essential requirement for CITES implementation;

RECALLING also that Article IV, paragraph 3, requires a Scientific Authority of each Party to monitor exports of Appendix-II species and to advise the Management Authority of suitable measures to be taken to limit such exports in order to maintain such species throughout their range at a level consistent with their role in the ecosystem [and well above the level at which they would qualify for Appendix I];

NOTING that Resolution Conf. 14.7 (Rev. CoP15) recommends that, when Parties are establishing national voluntary export quotas, they should do so based on a non-detriment finding by the Scientific Authority of the State of export;

RECALLING furthermore that, in Resolution Conf. 10.3 (*Designation and role of the Scientific Authorities*), the Conference of the Parties recommends, amongst other things, that:

- c) Management Authorities not issue any export or import permit, or certificate of introduction from the sea, for species listed in the Appendices without first obtaining the appropriate Scientific Authority findings or advice;

and

- h) the findings and advice of the Scientific Authority of the country of export be based on the scientific review of available information on the population status, distribution, population trend, harvest and other biological and ecological factors, as appropriate, and trade information relating to the species concerned;

RECALLING that the effective implementation of Article IV, paragraphs 2 (a), 3 and 6 (a) will prevent the need to take appropriate actions according to Resolution Conf 12.8 (Rev. CoP13) on the *Review of Significant Trade in specimens of Appendix-II species*;

NOTING that the great variety of taxa, life forms and biological characteristics of species included in Appendices I and II supports the idea that there are various ways a Scientific Authority can make non-detriment findings;

AWARE of the challenges Parties face when making scientifically-based non-detriment findings, and that guiding principles and experience sharing for making non-detriment findings would improve implementation of Articles III and IV of the Convention;

RECOGNIZING the outputs of the national and international/regional workshops on CITES non-detriment findings (China, Dominican Republic, Indonesia, Kuwait, Mexico, Nepal, Peru, etc.), the guidance for CITES Scientific Authorities produced by the IUCN and, other capacity-building workshops;

Note: It was agreed to mention in the preamble the CITES Strategic Vision in its updated version as appropriate [REAFFIRMING Objective 1.5 of the CITES Strategic Vision: 2008-2013 (Resolution Conf. 14.2) adopted by the Conference of the Parties at its 14th meeting (The Hague, 2007), that the best available scientific information is the basis for non-detriment findings].

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS that:

- a) Scientific Authorities consider the following, non-binding, guiding principles in advising that trade will, or will not, be detrimental to the survival of a species:
- i) The non-detriment findings for Appendix-I and -II species is a science-based assessment that verifies that the proposed export is not detrimental to the survival of that species.
 - ii) The non-detriment finding considers whether the species is maintained throughout its range at a level consistent with its role in the ecosystems in which it occurs.
 - iii) The data requirements for a non-detriment finding depend on the level of risk and shall be influenced by, and be proportionate, to the vulnerability of the target species.
 - iv) The making of an effective non-detriment finding relies upon specimen verification and certainty of identification for all specimens.
 - v) The origin of the specimen will affect the type of non-detriment finding assessment that is appropriate, and may simplify assessment of risk.
 - vi) When making a non-detriment finding, the methodology used should employ flexibility that enables the specific and individual characteristics of different taxa to be considered.
 - iv) vii) The implementation of adaptive management, including monitoring, is an important consideration in the non-detriment finding making process.

- v) ~~viii)~~ viii) The non-detriment finding is based on resource assessment methodologies which may include consideration of, but not limited to:
 - a) A. species biology and life history characteristics;
 - b) B. species range – historic and current;
 - e) C. population structure, status and trends (nationally or in the harvested area); ~~threats;~~
 - D. ~~threats;~~
 - d) E. species-specific levels and patterns of harvest/mortality (e.g. age, sex) ~~from the export operation;~~ - historic and current;
 - e) F. estimates of species-specific levels of harvest/mortality from all sources combined;
 - f) G. management measures currently in place and proposed, including adaptive management strategies and consideration of ~~rates~~ levels of compliance; and
 - g) H. results of population monitoring.

~~When making an NDF the methodology used, should employ flexibility that enables the specific and individual characteristics of different taxa to be considered.~~

- vi) ix) The sources of information that may be considered by the Scientific Authorities, but not limited to, in making non-detriment finding includes:
 - a) A. relevant scientific literature concerning species biology, life history, distribution and population trends;
 - b) B. details of any ecological risk assessments conducted;
 - e) C. scientific surveys conducted at harvest locations and ~~related sites that the species could recruit from (i.e. demonstrated important habitat that has been~~ at sites protected from harvest and other impacts); and
 - d) D. relevant knowledge and expertise of local and indigenous communities.
 - vii) ~~The NDF employs appropriate broad scale assessment, including assessments of total off-take whether destined for international trade or not.~~
- b) Parties consider as ~~framework~~ reference for making non-detriment findings the information included in the Annex of AC26/PC20 Doc. 8.4 and any subsequent updates available on the CITES Website (<http://www.cites.org/eng/prog/ndf/index.php>).

ENCOURAGE Parties:

- a) to explore more methods of making non-detriment findings;
- b) to share experiences and examples of making non-detriment findings, including through appropriate regional or subregional workshops, and communicate them to the Secretariat ~~in time;~~
- c) to maintain written records of the science-based rationale included in the Scientific Authorities non-detriment finding assessments; and
- d) to offer, on request, cooperative assistance to developing countries, for improvement of capacity regarding non-detriment finding based on nationally identified needs. Such cooperative assistance could take multiple forms, including financial and technical support.

DIRECTS the Secretariat:

- a) to maintain and update regularly with information from the Animals & ~~and~~ Plants Committees and Parties, a prominent section, with appropriate categorization of the information, on the CITES web site devoted to the making of non-detriment findings;
 - b) to implement a user-friendly mechanism on the CITES website that would allow Parties to easily submit relevant information to be considered for inclusion in the website;
 - c) to request that this information is accessible in the *Introduction to CITES and non-detriment findings* course in the CITES Virtual College; and
- b) d) to assist identifying possible funding sources to help Parties implementing capacity building activities to make non-detriment findings.

The Committees asked the Secretariat, in collaboration with the Chairs of the Committees, to finalize the editing and formatting of the agreed text of the draft resolution on *Non-Detriment Findings* in recommendation 3 of document AC26/PC20 WG3 Doc. 1.

The Committees requested the Secretariat to issue a Notification to the Parties, inviting the Parties to comment on the finalized draft resolution on *Non-Detriment Findings*.

The Committees agreed that the comments of the Parties, as received by the Secretariat, would be forwarded to the Chairs of the Animals and Plants Committees. Should the contributions or proposed amendments prove to be minor and non-controversial, the Committees would endeavour to consolidate these in a revised version of a draft resolution on non detriment findings for consideration at CoP16. Otherwise, the Committees would submit at CoP16 the existing draft resolution with a summary of the different responses that had been received.

22. Progress report on the Identification Manual.....(AC26 Doc. 22 and PC20 Doc. 21)

The Committees noted documents AC26 Doc. 22 and PC20 Doc. 21.

The Committees noted the intervention from Mexico, on behalf of the North American region, in support of the further development of the CITES Wiki Identification Manual. The Committees supported Mexico's call for the Committees, Parties and observers to become more engaged in this process, and to assist the Secretariat and UNEP-WCMC in their efforts to include links to relevant identification materials.

The Committees welcomed the offer from Belgium to collaborate with the Secretariat in updating the information in the Identification Manual concerning animal species held in captivity, and this with the assistance of the European Association of Zoos and Aquaria (EAZA). They encouraged Belgium to contact the Secretariat in this regard.

7. Evaluation of the Review of Significant Trade [Decision 13.67 (Rev. CoP14)] (AC26/PC20 WG2 Doc. 2)

The Committees adopted document AC26/PC20 WG2 Doc. 2.

5. Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) (Decision 15.12) (AC26/PC20 DG1 Doc. 1)

The Committees adopted document AC26/PC20 DG1 Doc. 1 with the following amendments to the membership of the drafting group:

- Co-Chairs: PC representative of North America (Mr Benítez Díaz) and AC representative of Europe (Mr Fleming); and
- Members: China, Republic of Korea, Chair of the Standing Committee, CMS and the Secretariat.

11. Transport of live specimens (Decision 15.59) – Report of the joint working group (AC26/PC20 WG1 Doc. 1)

The Committees adopted document AC26/PC20 WG1 Doc. 1 with the following amendments:

- a) In Recommendations: delete paragraph 5 and incorporate its text in Annex 2 of document AC26/PC20 WG1 Doc. 1, as shown in paragraph b) below; and
- b) In Annex 2, under RECOMMENDS, replace paragraph e) with “the Standing Committee and the Secretariat, in consultation with the Animals and Plants Committees and IATA, regularly review, revise and approve amendments to the CITES Guidelines for the Non-Air Transport of Live Wild Animals and Plants;”.

Closing remarks

The Chair of the Plants Committee, the Chair of the Animals Committee and the CITES Secretary-General, thanked Ireland for hosting the joint meeting and the United States for supporting it. They also thanked all the participants and in particular the interpreters. The Chairs of the Committees then closed the joint session of the 26th meeting of the Animals Committee and 20th meeting of the Plants Committee.