

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



Sixty-sixth meeting of the Standing Committee
Geneva (Switzerland), 11-15 January 2016

SUMMARY

AFTERNOON

20. Capacity-building

20.1 Proposal for consolidating resolutions and decisions on capacity-building..... SC66 Doc. 20.1 (Rev. 1)

The Standing Committee noted the recommendations of the Secretariat in paragraph 12 of document SC66 Doc. 20.1 (Rev. 1) related to the draft decisions and invited the Secretariat to submit its draft decisions to the Conference of the Parties at its 17th meeting, taking into account the comments and proposals made by Parties during the 66th meeting of the Standing Committee.

20.2 Needs assessment for strengthening the implementation of CITES: Report of the working group SC66 Doc. 20.2

The Standing Committee noted the Secretariat's summary of Parties' responses to the questionnaire on Needs assessment for strengthening the implementation of CITES in the Annex to document SC66 Doc. 20.2; and agreed that the implementation report be utilised as a mechanism by which the Secretariat regularly gather information about Parties' capacity and needs.

The Standing Committee requested the Secretariat to issue a Notification to the Parties inviting developing countries and countries in transition to provide to the Secretariat precise information on their capacity-building needs; and to report to the Standing Committee at its 69th meeting on the answers received.

17. Cooperation between Parties and promotion of multilateral measures: Report of the working group..... SC66 Doc. 17

The Standing Committee noted document SC66 Doc. 17 and the important issues that emanated from the review of the consultancy report that are contained in paragraph 7 of this document; and noted that no revised or new resolutions are proposed by the Working Group.

The Standing Committee agreed to consider the recommendation in paragraph 8 c) under agenda item 41.1 on *Implementation of the Convention relating to captive-bred and ranched specimens*.

9. Administration of the Secretariat

9.3 Report of the Working group on options for administrative hosting arrangements for the CITES Secretariat..... SC66 Doc. 9.3

The Standing Committee noted the report and the comments made by the United Nations Environment Programme and adopted the revised terms of reference of the working group as follows:

- Taking into account the Report of the UNEP Task Team on the Effectiveness of Administrative Arrangements and Programmatic Cooperation between UNEP and UNEP-administered Convention Secretariats, the forthcoming related report of the UNEP Executive Director, the information to be provided by the CITES Secretariat and UNEP respectively on the financial implications of alternative hosting models, and such other information as appropriate, including for example, the outcomes of UNEA2 (May 2016), consider the advantages and disadvantages of different hosting models for the CITES Secretariat, including retaining the status quo; and
- Present the Working Group findings to the Standing Committee at its 67th meeting.

The Standing Committee agreed to the participation of Colombia and Germany in the Working group.

21. Report of the Chair of the Plants Committee..... SC66 Doc. 21

The Standing Committee noted the report.

22. Review of Resolutions: Report of the Secretariat..... SC66 Doc. 22

The Standing Committee adopted the non-substantive errors corrected by the Secretariat and endorsed the Secretariat's proposal to number the operative paragraphs of all valid Resolutions after the 17th meeting of the Conference of the Parties.

23. Extinct or possibly extinct species SC66 Doc. 23

The Standing Committee agreed to submit the revisions to Resolution Conf. 9.24 (Rev. CoP16) in the Annex to document SC66 Doc. 23 for consideration by the Conference of the Parties at its 17th meeting with the following amendment. Annex 5 should read as follows:

Possibly Extinct

A species is considered to be 'possibly extinct' when: ~~exhaustive surveys in known or suspected habitat, and at appropriate times (diurnal, seasonal, annual), throughout its historical range have failed to record an individual. Before a species can be declared possibly extinct, surveys should take place over a time frame appropriate to the species' life cycle and life form.~~ it complies with the following definition, which reads: "A taxon is Extinct when there is no reasonable doubt that the last individual has died. A taxon is presumed Extinct when exhaustive surveys in known and/or expected habitat, at appropriate times (diurnal, seasonal, annual), throughout its historic range have failed to record an individual. Surveys should be over a time frame appropriate to the taxon's life cycle and life form."

24. Periodic review of the Appendices SC66 Doc. 24

The Standing Committee noted the progress of the Scientific Committees regarding the periodic review of species and further noted the outcomes of the Scientific Committee's review of Resolution Conf. 14.8 (Rev. CoP16) on *Periodic review of species included in Appendices I and II*, which will be submitted by the Animals and Plants Committees to the Conference of the Parties at its 17th meeting.

26. National laws for implementation of the Convention

26.1 Report of the Secretariat and decisions to be taken by the Standing Committee SC66 Doc. 26.1

The Standing Committee recommended that all Parties suspend commercial trade in specimens of CITES-listed species from those Parties that required attention as a priority and have failed to adopt appropriate measures for the effective implementation of the Convention or agree an appropriate legislative timetable as required under Decision 16.33. Parties affected by this compliance measure are: Guinea-Bissau, Liberia, and the Bolivarian Republic of Venezuela. This recommendation takes effect 60 days after the conclusion of SC66.

The Standing Committee agreed to issue a warning to other Parties that required attention as a priority that are making progress, but have not yet adopted the appropriate measures, advising these Parties that they are in non-compliance and reminding them of the need to accelerate their efforts to

enact adequate legislation by SC67. Parties affected by this compliance message are: Belize, Plurinational State of Bolivia, Kazakhstan, Mauritania, Mozambique, Pakistan and Paraguay.

The Standing Committee agreed to send a public notification through the Secretariat to all Parties advising that this matter has been brought to the attention of all Parties whose legislation is in Category 2 or 3 under the National Legislation Project and which have been party to the Convention for more than five years as of March 2013 and that, up to the present meeting, there has been no satisfactory response or action.

The Standing Committee agreed to postpone the review of the legislative progress of all other Parties and dependent territories concerned by Decision 16.33 that have not adopted appropriate measures for the effective implementation of the Convention to its 67th meeting.

Subject to the availability of external funding, the Standing Committee invited the Secretariat, in collaboration with the United Nations Office on Drugs and Crime (UNODC), the United Nations Environment Programme (UNEP), the United Nations Development Programme (UNDP), the Food and Agriculture Organization of the United Nations (FAO) and other relevant institutions, to organize a Legal Round Table Discussion to discuss:

- a) a possible revision of Resolution Conf. 8.4 (Rev. CoP15) and new CoP17 NLP decisions;
- b) explore efficient approaches to further assist Parties in strengthening their national legal frameworks for the effective implementation of CITES and combating illegal wildlife trade; and
- c) identify ways to raise awareness and provide support to the judiciary in a timely manner.

Outcomes of this discussion will be reflected in the report of the Secretariat to the Conference of the Parties at its 17th meeting.

The Standing Committee invited Parties and donors organizations to second staff to the CITES Secretariat to support the implementation of the National Legislation Project. The Standing Committee encouraged them to direct any technical or financial assistance they might be able to provide to Parties that have an identified or possible need for drafting assistance, and that a preference be given to enabling the relevant CITES Management Authority to contract a local legal expert for such work.

27. Exports and imports of CITES specimens subject to national decisions SC66 Doc. 27

The Standing Committee agreed to submit to the Conference of the Parties at its 17th meeting the following new section to be added to Resolution Conf. 12.3 (Rev. CoP16) as follows:

XVI. Regarding permits and certificates issued under court orders

RECOMMENDS that:

- i) Exporting Parties should not proceed with any export of specimens of any CITES-listed species without evidence of legal origin of specimens of the species, and for species listed in Appendix I or II, without evidence of a non-detriment finding.
- ii) Upon receiving credible information or intelligence, importing countries should reject shipments of specimens of species accompanied by export permits issued under court order without the required CITES findings. The importing Party should contact the exporting Party to seek confirmation that a non-detriment finding by the Scientific Authority and a legal acquisition finding by the Management Authority were made.
- iii) Upon receiving credible information or intelligence, the Secretariat should contact the importing and exporting Parties involved in the potential trade of specimens accompanied by court ordered permits and inform them of the relevant provisions of the Convention.

The Standing Committee recommended that:

Regarding quota management and issuance of export permits

- a) Subject to the availability of external funds, the DRC establish an efficient information system to:
 - i) verify the legal origin of specimens in trade;
 - ii) control and monitor quotas to ensure they are not exceeded;
 - iii) issue CITES electronic permits and annual reports;
 - iv) ensure that export permits and re-export certificates be endorsed, with quantity, signature and stamp, by an inspecting official, such as customs, in the export endorsement block of the document; and
 - v) prepare annual reports that contain information on trade that have effectively occurred.
- b) DRC amend CITES implementing legislation to prevent specimens that have been obtained in contravention of national law to be legalized. Notably, the options provided in Articles 27 and 29 of the 'Arrêté ministériel No. 056 CAB/AFF-ECNPF/01/00 of 28 March 2000' that legalize the practice of modifying and renewing the CITES permits should be abolished.
- b) DRC be strongly encouraged to only issue export permits shortly before the time of intended export.
- d) Export permits and re-export certificates only be endorsed, with quantity, signature and stamp, by an inspecting official, such as customs, in the export endorsement block of the document.
- e) Notifications to the Parties No. 2013/051 and No. 2014/017 be considered as no longer valid.

*Regarding management of exports of *Psittacus erithacus**

- a) All Parties suspend commercial trade in specimens of the species *Psittacus erithacus* from the Democratic Republic of Congo forthwith, except for an export in 2016 of 1,600 specimens already collected and ready for export, but subject to confirmation of authenticity of export permits by the Secretariat, until it:
 - i) develops a scientifically-based field survey to establish the population status of the species in the country;
 - ii) develops a National Management Plan for the species and commences implementation of the Plan; and
 - iii) provides a copy of the survey and Management Plan to the Secretariat.
- b) A quota be established by DRC, in consultation with the CITES Secretariat, provided the steps referred to above are first completed.

Regarding illegal trade:

- a) DRC provide information to the Secretariat on any theft of CITES permits, certificates or security stamps, and, in doing so, provide full details of the permits certificates or stamps stolen.
- b) DRC be encouraged to provide to the Secretariat the results of any investigations conducted by the competent national authorities to determine the origin of the fraudulent documents, the identities of individuals involved in detected smuggling, and the results of any legal proceedings against those people.

Regarding collaboration amongst national CITES authorities

- a) DRC be encouraged to establish a national CITES committee to strengthen collaboration between Management and Scientific Authorities as well as with customs and other enforcement authorities in DRC in managing and regulating the trade in CITES specimens and in controlling and investigating information regarding illegal trade.
- b) The Government of DRC be encouraged to consider relocating the CITES Management Authority to more secure premises.

The Secretariat is encouraged to conduct a technical mission to the Lao People's Democratic Republic under Article XIII to determine whether the provisions of the Convention are not being effectively implemented.

Subject to available resources, the Secretariat is encouraged to provide technical assistance to address compliance matters in both DRC and the Lao People's Democratic Republic in order to assist both countries come into compliance with CITES requirements. In doing so, the Secretariat is encouraged to reach out to UN and other entities to provide such assistance. Donors are encouraged to provide financial assistance for the mission to the Lao People's Democratic Republic, for capacity-building and technical support.

The Secretariat is encouraged to continue to monitor progress made by DRC and the Lao People's Democratic Republic in implementing the Convention and their national legislation, and any recommendations adopted at the present meeting, and to report at its 67th meeting.