

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



Sixty-seventh meeting of the Standing Committee  
Johannesburg (South Africa), 23 September 2016

Interpretation and implementation matters

Compliance and enforcement

NATIONAL LAWS FOR IMPLEMENTATION OF THE CONVENTION  
REPORT OF THE SECRETARIAT

1. This document has been prepared by the Secretariat.
2. The Secretariat refers to document [CoP17 Doc. 22](#) on National laws for the implementation of the Convention containing status of the National Legislation Project (NLP) at 27 April 2016 and the draft decisions contained therein. The purpose of the present document is to provide an update on progress since then.

Compliance measures adopted at SC66

3. Pursuant to Decision 16.37, at its 66th meeting (SC66), the Standing Committee agreed to compliance measures for all Parties with legislation in Category 2 and 3, to set a public record of the compliance matter and invited the Parties concerned to accelerate the legislative process and increase efforts to ensure legal compliance with the Convention.

*Recommendations to suspend commercial trade*

4. The Standing Committee decided to recommend that Parties suspend trade with three Parties that required attention as a priority and that had not submitted legislation or an agreed timetable. This compliance measure concerned Guinea-Bissau, Liberia and the Bolivarian Republic of Venezuela and would take effect 60 days after the meeting of the Standing Committee. On 23 March 2016, the Secretariat issued Notification to the Parties [No. 2016/030](#), recommending that all Parties suspend commercial trade with Guinea-Bissau and Liberia. The recommendation did not apply to the Bolivarian Republic of Venezuela as it had submitted a legislative timetable to which the Secretariat had agreed. Since then, Venezuela has adopted adequate legislation which has been analysed and placed in Category 1. At the time of writing, Guinea-Bissau and Liberia have not made sufficient legislative progress to allow the Secretariat to recommend lifting of the trade suspension.

*Warning letters*

5. The Standing Committee further decided to send warning letters to the other Parties that required attention as a priority. This compliance measure concerned Belize, the Plurinational State of Bolivia, Kazakhstan, Mozambique, Pakistan and Paraguay to whom the Secretariat sent warning letters on 11 February 2016 on behalf of the Standing Committee. The Secretariat subsequently received enacted legislation from the Plurinational State of Bolivia and Paraguay, and agreed to place it in Category 1. Legislation has also been received from Kazakhstan, but only very recently, and agreement on the revised legislative analysis is still pending. With regard to Belize and Mozambique, the Secretariat has received final draft legislation and indication that these Parties are on track to adopt appropriate measures, possibly even before the 17th meeting of the Conference of the Parties (CoP17). With regard to the other Parties requiring attention as a priority, the Secretariat has received indications of legislative progress or of a commitment to make such progress from Algeria, Comoros, Kenya, Liberia, Pakistan and the United Republic of Tanzania. At the time of writing (early August), renewed commitment to make progress is still pending from Rwanda. Although

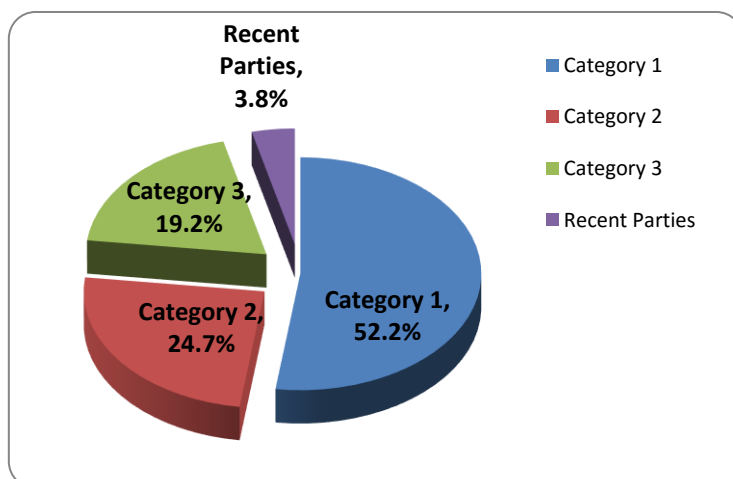
engagement and commitment from Mauritania and Somalia seem to be increasing, the progress reported by these two Parties does not allow the Secretariat to recommend lifting of the trade suspension at this stage. With regard to the third Party currently subject to a trade suspension (Djibouti), no progress was reported by the Party. Hence, the Secretariat recommends to maintain the trade suspension for these three Parties: Djibouti, Mauritania and Somalia.

*Public notification to all Parties of a compliance matter*

6. Finally, the Standing Committee requested the Secretariat to publish a Notification to the Parties, advising that this matter had been brought to the attention of Parties whose legislation was in Category 2 or 3 under the National Legislation Project and which had been party to the Convention more than five years. Accordingly, the Secretariat issued Notification to the Parties [No. 2016/025](#) on 21 March 2016, concerning the 68 Parties with legislation in Category 2 or 3 that had not been concerned by other compliance measures.
7. The following Parties in this group have subsequently submitted enacted CITES legislation to the Secretariat: Albania, Antigua and Barbuda, Armenia, Azerbaijan, Belarus, Burundi, Georgia, Mauritius, Sri Lanka, Suriname and the former Yugoslav Republic of Macedonia. Based on its analysis and in consultation with the Parties concerned, the legislation of Albania and Mauritius has been placed in Category 1. The legislation of Antigua and Barbuda and of Burundi has been moved from Category 3 to Category 2, as it is not meeting all of the minimum requirements. With regard to the remaining Parties (Armenia, Azerbaijan, Belarus, Georgia, Mauritius, Sri Lanka, Suriname and the former Yugoslav Republic of Macedonia), agreement on the revised legislative analysis is still pending. The legislation of a total of eight additional Parties has been placed in Category 1 since CoP16. This means that over 52% of the Parties now have legislation in Category 1 and less than 20% of the Parties have legislation placed in Category 3. The figure below indicates the current status (as of early August 2016).

## National Legislation Project Aug-16

Category	Parties	Percent
Category 1	95	52.2%
Category 2	45	24.7%
Category 3	35	19.2%
Recent Parties	7	3.8%
<b>Total</b>	<b>182</b>	<b>100.0%</b>



8. Reference is made to the table showing the status of legislative progress for implementing CITES, contained in Annex 3 of document CoP Doc. 22, which will be updated by September 2016.
9. Other Parties have made progress and submitted final or almost final drafts of their revised legislation: the Central African Republic, Guyana, Niger and Montenegro. Progress has also been reported for a number of territories of the United Kingdom of the Great Britain and Northern Ireland, including Bermuda, the British Virgin Islands, Cayman Islands, Montserrat, Saint Helena and Ascension Islands; legislation for some of these territories has been placed in Category 1 as will be shown in the legislative table.

Parties committed to progress according to agreed timetables

10. A number of Parties have demonstrated their commitment by submitting legislative timetables, signed by the Management Authority and a senior official in the competent ministry. This applies in particular to the Parties that took part in the joint CITES/United Nations Environment Programme (UNEP) workshop held in Nairobi in early April, including Algeria, Angola, the Central African Republic, Comoros, Côte d'Ivoire, Guinea, Mauritania, Niger, Sri Lanka and the United Republic of Tanzania. The plans will be made available for information in document SC67 Doc. Inf. 1.

11. Based on the signed legislative plans that demonstrate the commitment of the Parties to accelerate their legislative efforts, small-scale financing agreements (SSFAs) have been agreed with Niger and Mauritania with further draft SSFAs pending finalization. Some delays have unfortunately occurred with the transfer of funds under the SSFAs due to administrative issues related to Umoja. Under the joint CITES/UNEP legislative assistance project, UNEP will be supporting some of the Anglophone African Parties, including Angola, Somalia and the United Republic of Tanzania, and possibly, Rwanda.

#### Non-responding Parties

12. Since SC66, the Secretariat has continued to monitor progress and sent reminders to all Parties to provide the latest update in advance of SC67. Despite the compliance measures taken at SC66, as well as several individual reminders, at the time of writing (early August 2016), the Secretariat had not received any updated information on progress made on the submission of national legislation from the following Parties: Afghanistan, Eritrea, Gabon, India, Lesotho, Mongolia, Palau, Sierra Leone, Solomon Islands, Tunisia and Uzbekistan.

#### Identification of Parties requiring attention as a priority

13. To focus its attention and that of the Secretariat on certain specific Parties, the Secretariat suggests that the Standing Committee identifies additional Parties requiring attention as a priority. This could include Parties that have relatively high volumes of trade as source, transit or destination countries; that have been Parties to the Convention for a considerable number of years, i.e. over twenty years, and with which the Secretariat has worked closely to assist them in their efforts to adopt appropriate measures for the implementation of the Convention. The Secretariat suggests that the Standing Committee considers including Ecuador and possibly other Parties on this list.

#### Recommendations

14. The Secretariat recommends that the Standing Committee:
  - a) consider appropriate compliance measures, including recommendations to suspend trade, for Parties requiring attention as a priority that have not submitted revised draft or enacted legislation or an agreed legislative plan.
  - b) For Parties that have not responded to the reminder(s) of the Secretariat, the Committee may wish to refer to the draft decisions contained in document CoP17 Doc. 22, which will be considered by the Conference of the Parties, and hence postpone consideration of appropriate compliance measures in accordance with those decisions.
  - c) update the list of Parties requiring attention as a priority by deleting the Plurinational State of Bolivia, Paraguay and the Bolivarian Republic of Venezuela as legislation has been adopted and placed in Category 1, and by including Ecuador and possibly other Parties on the list.