

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



Sixty-ninth meeting of the Standing Committee
Geneva (Switzerland), 27 November - 1 December 2017

Interpretation and implementation matters

Existing Resolutions and Decisions

TERMINOLOGY IN RELATION TO RURAL, INDIGENOUS AND LOCAL COMMUNITIES

1. This document has been prepared by the Secretariat.
2. At its 17th meeting (CoP17, Johannesburg, 2016), the Conference of the Parties adopted Decision 17.57 directed to the Standing Committee:

17.57 The Standing Committee shall:

- a) examine the terminology used in different Resolutions and Decisions when referring to "rural", "indigenous" or "local" communities, and*
- b) make recommendations to the 18th meeting of the Conference of the Parties on the need for harmonizing them across them.*

The Decision was adopted as part of a suite of Decisions on *CITES and livelihoods* and arose from "a general need for harmonized terminology in relation to communities throughout Convention documents, given inconsistent use of the terms "rural", "local" and indigenous." [See summary record CoP17 Com. II Rec. 5 (Rev. 1)].

3. The Secretariat reviewed the use of the terms "rural", "indigenous" and "local" communities in all valid Resolutions and Decisions. As illustrated below, the most commonly used term is rural communities (35 references in 7 Resolutions and 2 sets of Decisions), followed by local communities (31 references in 16 Resolutions and 2 Decisions and by indigenous communities (7 references in 4 Resolutions and 1 Decision). The result is however somewhat skewed towards rural communities because the term is used 22 times in Resolution Conf. 16.6 (Rev. CoP17) on *CITES and livelihoods*. The term "local communities" is more evenly used across CITES Resolutions and Decisions and has been increasingly used in recent Resolutions. The Secretariat notes that Parties discussed the issue of terminology during the negotiation of Resolution Conf. 16.6 (Rev. CoP17) on *CITES and livelihoods* and that, in the context of livelihoods, they chose to use "rural communities" with the following footnote: "For the purpose of this Resolution, rural communities include indigenous and local communities." In a very broad sense, the terms "rural", "indigenous" and "local" communities have been used in CITES Resolutions and Decisions to refer to communities that interact closely with wild fauna and flora.

Table 1 – Use of the term “rural communities” in valid CITES Resolutions and Decisions

35 instances, including 2 in conjunction with urban communities and 1 in conjunction in local communities

Resolution or Decision	Title of the Resolution or Decision	Term used	Frequency
11.3 (Rev. CoP17)	Compliance and enforcement	local and rural communities	1
11.20 (Rev. CoP17)	Definition of the term ‘appropriate and acceptable destinations’	rural communities	1
12.5 (Rev. CoP17)	Conservation of and trade in tigers and other Appendix-I Asian big cat species	urban and rural communities	1
13.11 (Rev. CoP17)	Bushmeat	rural communities	1
		urban and rural communities	1
16.6 (Rev. CoP17)	CITES and livelihoods	rural communities	22
17.1	World Wildlife Day	rural communities	1
17.9	Trade in hunting trophies of species listed in Appendix I or II	rural communities	2
CoP17 Decisions	Rural communities	rural communities	4
	Livelihoods	rural communities	1

Table 2 – Use of the term “indigenous communities” in valid CITES Resolutions and Decisions

7 instances, all in conjunction with local communities

Resolution or Decision	Title of the Resolution or Decision	Term used	Frequency
13.2 (Rev. CoP14)	Sustainable use of biodiversity: Addis Ababa Principles and Guidelines	indigenous and local communities	2
15.2	Wildlife trade policy reviews	indigenous people and other local communities	1
16.6 (Rev. CoP17)	CITES and livelihoods	indigenous and local communities	2
16.7 (Rev. CoP17)	Non-detriment findings	local and indigenous communities	1
CoP17 Decisions	Livelihoods	indigenous and local communities	1

Table 3 – Use of the term “local communities” in valid CITES Resolutions and Decisions

31 instances, including 4 references to local people, 7 in conjunction with indigenous communities and 1 in conjunction with rural communities.

Resolution or Decision	Title of the Resolution or Decision	Term used	Frequency
9.20 (Rev.)	Guidelines for Evaluating Marine Turtle Ranching Proposals Submitted Pursuant to Resolution Conf. 11.16 (Rev. CoP15)	local people	1
10.10 (Rev. CoP17)	Trade in elephants specimens	local communities	2
10.13 (Rev. CoP15)	Implementation of the Convention for timber species	local governments	1
10.15 (Rev. CoP14)	Establishment of quotas for markhor hunting trophies	local people	1
11.3 (Rev. CoP17)	Compliance and enforcement	local and rural communities	1
		local communities	1
13.2 (Rev. CoP14)	Sustainable use of biodiversity: Addis Ababa Principles and Guidelines	indigenous and local communities	2

		local users of biodiversity components	1
13.4 (Rev. CoP16)	Conservation of and trade in great apes	local communities	1
13.9	Encouraging cooperation between Parties with <i>ex situ</i> breeding operations and those with <i>in situ</i> conservation programmes	local communities	1
13.11 (Rev. CoP17)	Bushmeat	local people	1
		local communities	2
15.2	Wildlife trade policy reviews	indigenous people and other local communities	1
16.6 (Rev. CoP17)	CITES and livelihoods	local communities	2
		indigenous and local communities	2
16.7 (Rev CoP17)	Non-detriment findings	local and indigenous communities	1
17.9	Trade in hunting trophies of species listed in Appendix I or II	local communities	3
17.10	Conservation of and trade in pangolins	local communities	2
17.11	Conservation of and trade in helmeted hornbill	local communities	2
		local people	1
17.12	Conservation, sustainable use of and trade in snakes	local communities	1
CoP17 Decisions	Livelihoods	indigenous and local communities	1

4. As identified by Parties at CoP17, there is indeed a wide variety of terms used throughout CITES Resolutions and Decisions. The Secretariat notes that choosing one term and using it in all Resolutions and Decisions may be problematic on two counts: it may not accurately reflect the negotiations at the time if the inclusion of a specific reference to “rural” or “indigenous” was significant and may be important for the implementation of that Resolution or Decision; and the choice of one term over another for all Resolutions and Decisions may have political implications.
5. The Secretariat notes that agreeing on a definition of the terms “rural communities”, “local communities” and “indigenous communities” can be a long-winded and politically fraught process. Other international fora, intergovernmental organizations and Multilateral Environment Agreements (MEAs) have proposed various definitions of rural, indigenous and local communities that were developed in the specific context of that MEA or international body and thus may not necessarily be easily transposed to CITES.
6. The Secretariat further notes that the implementation of Decision 17.57 needs to take into account Decisions 17.28 to 17.30 on *Rural communities* since any harmonization of terminology used in CITES Resolutions and Decisions will influence the type of communities CITES wants to engage with in the future. It therefore proposes that, in the implementation of Decisions 17-28-17.30, the Standing Committee’s intersessional working group on rural communities include, as part of its terms of reference, the task of reviewing the need to harmonize the terminology used in different Resolutions and Decisions when referring to “rural”, “indigenous” or “local” communities.
7. In order to advance the working group’s deliberations, the Secretariat suggests to adopt the following key criteria to move towards a common understanding of the term “community” in the context of CITES. Any common understanding should:
 - Ensure that agricultural, coastal, fishers, forest, indigenous, local, nomadic, pastoral and rural human populations are included in the CITES utilisation of the word “community”;
 - Cover human populations living side-by-side or using both wild fauna and flora, including timber;

- Focus on the management, conservation, sustainable use of, and international trade in CITES-listed species, but also include any species that could be listed on the CITES Appendices in the future; and
- Highlight the need for communities to be organized so that they can act as partners in the management, conservation, sustainable use of, and international trade in wild fauna and flora.

Recommendation

8. The Secretariat invites the Standing Committee to:
 - a) note this review and endorse the Secretariat's proposed common understanding of the term "community" in the context of CITES as a starting point for the work of the Standing Committee's intersessional working group on rural communities; and
 - b) request the Standing Committee's intersessional working group on rural communities to review the need to harmonize the terminology used in different Resolutions and Decisions when referring to "rural", "indigenous" or "local" communities and to report back to the Standing Committee at its 70th meeting.