

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

Species specific matters

Maintenance of the Appendices

REVIEW OF RESOLUTION CONF. 10.9 ON CONSIDERATION OF PROPOSALS
FOR THE TRANSFER OF AFRICAN ELEPHANT POPULATIONS
FROM APPENDIX I TO APPENDIX II

1. This document has been prepared by the Secretariat.
2. At its 17th meeting (CoP17, Johannesburg, 2016), the Conference of the Parties adopted the following decision:

16.160 (Rev. CoP17) Directed to the Standing Committee

The Standing Committee shall establish a working group to review Resolution Conf. 10.9 as appropriate. The working group could consider, inter alia, issues such as the scope of the Resolution; its relationship with Resolution Conf. 9.24 (Rev. CoP17); and whether or how a more efficient and cost-effective mechanism to review elephant listing proposals could be developed. The Standing Committee will report its proposals at the 18th meeting of the Conference of the Parties. The working group shall work in collaboration and consultation with all African elephant range States. To the extent possible, the working group will operate in English and French.

3. In view of the lack of progress with the implementation of Decision 16.160, as reported in document CoP17 Doc. 86, the Conference of the Parties agreed to its continuation until the 18th meeting of the Conference of the Parties.
4. In document CoP17 Doc. 86, the Secretariat noted that Resolution Conf. 10.9 has been in effect for 20 years. It commented that the African elephant was the only species for which the Conference of the Parties had decided that proposals to transfer populations from Appendix I to Appendix II should be subject to a review by a *Panel of Experts*. However, in the few instances where the procedures outlined in the Resolution had been applied, the Conference of the Parties had only made limited use of the reports of the Panel of Experts in its decision-making on relevant proposals.
5. In the opinion of the Secretariat, the Standing Committee's review could include:
 - a) an assessment of whether Resolution Conf. 10.9 is still necessary and should be retained;
 - b) whether its provisions, or some of them, could not be better incorporated into Resolution Conf. 9.24 (Rev. CoP17) on *Criteria for amendment of Appendices I and II*; and
 - c) if Resolution Conf. 10.9 were not to be repealed, what content and format would be appropriate.

6. In the latter case, the Standing Committee could examine the following questions:
 - a) should the Resolution address all proposed amendments to current African elephant listings in the Appendices, including modifications of annotations, and not only proposals concerning the transfer of a population from Appendix I to Appendix II?
 - b) should the Resolution refer to the criteria for the inclusion of species in Appendices I and II in Resolution Conf. 9.24 (Rev. CoP16)?
 - c) should the Panel be tasked to evaluate compliance with the criteria for the inclusion of species in Appendix I and II for African elephant listing proposals?
 - d) how can the Panels' outputs and results more effectively contribute to the decision-making by the Conference of the Parties? and
 - e) can the current review procedures be made less costly and resource-demanding?
7. In its comments in document CoP17 Doc. 86, the Secretariat also observed that, under the auspices of the Food and Agriculture Organization of the United Nations, an informal but highly informative Expert Panel reviews proposals to amend the CITES Appendices concerning marine species prior to their discussion at meetings of the Conference of the Parties. The Standing Committee may wish to consider whether such an approach could be applied to other taxa, including African elephants, and in what circumstances the establishment of *ad hoc* expert panels to evaluate certain proposals to amend the Appendices might be warranted or useful.

Recommendation

8. The Standing Committee is invited to establish an intersessional working group to review Resolution Conf. 10.9 and prepare proposals for consideration at the 18th meeting of the Conference of the Parties.