

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

REPORT OF THE WORKING GROUP ON PANGOLINS (MANIDAE SPP.)

*This document has been prepared by the in-session working group on pangolins, on the basis of document SC69 Doc.57 and submitted at the request of the Standing Committee at its xx session.*

The working group recommends that the Standing Committee adopt the recommendations outlined below.

**Recommendations**

- a) The Standing Committee encourages all Parties to:
- i) maintain an inventory of government-held stockpiles of pangolin scales and other specimens, including seized and confiscated specimens and, where possible, of significant privately held stockpiles of pangolin scales within their territory, and inform the Secretariat of the level of this stock and date of acquisition; the source of the stockpile; and the reasons for any significant changes in the stockpile before 28 February.
  - ii) provide, to the Secretariat, scanned copies of all permits and certificates that have been issued prior 2 January 2017, but not yet used, to authorize trade of stocks obtained prior to the transfer of all pangolin to Appendix I, as well as the Non-Detriment Findings as required in terms of Article IV 2. (a); and
  - iii) inform the Secretariat if presented with any fraudulent documents involving pangolin specimens;

**DRAFT DECISIONS:**

- 18.xx The Secretariat shall, subject to external funding, work with the Species Survival Commission Pangolin Specialist Group of the International Union for Conservation of Nature (IUCN) and other experts to develop guidelines on conducting pangolin population assessments.
- 18.C The Secretariat shall, subject to external funding, commission the development of:
- a) an identification manual for the different species of pangolins and their derivatives in legal and illegal trade, to assist front-line enforcement staff; and
  - b) a CITES pangolin trade resource kit that compiles relevant information and tools to assist in the implementation of Resolution Conf. 17.10, and addresses *inter alia*: i) identification materials for pangolins and their derivatives in the trade for front-line enforcement staff, ii) standardised protocols for sampling seizures of large volumes of pangolin scales; iii) best practice protocols for safe handling, care and rehabilitation; iv) guidance on the immediate and long-term placement of live animals, including release back to the wild of live confiscated pangolins; and v) a catalogue of

suitable housing facilities for both the short and long-term placement of live pangolins that cannot be released.

## INTERPRETATION CLARIFICATION

With regards to the clarification sought on the interpretation of Resolution Conf. 13.6 (Rev. CoP16) on *Implementation of Article VII, paragraph 2, concerning 'pre-Convention' specimens* as it applies to the transfer of species from Appendix II to Appendix I and implications for trade in specimens of the species it was acknowledged that the Conference of Parties should provide the clarification sought. In this regard, some Parties raised concerns about legal interpretation, including the general law principle of non-retroactivity and Article VII of the Convention on exemptions. In formulating its recommendation on this matter, the Working Group considered the differences in interpretation on this matter, the conservation status of the species and the increasing volumes of illegal trade in the species that are listed in Appendix I.

The working group recommends that the Standing Committee adopts the recommendation outlined below.

- xxx) Given the differing interpretation of Article VII paragraph 2 and Resolution Conf. 13.6 (Rev. CoP16) as they relate to the requirements for trade in specimens, including stockpiles, of Appendix I species that were obtained when the species was listed in Appendix II or Appendix III, the Standing Committee recommends that:
- a) the Secretariat prepare a document for consideration at CoP 18, including information relating to the implications associated with the different interpretations; and
  - b) in the interim and until a decision is made by CoP 18, Parties should treat specimens, including stockpiles, of Appendix I species of pangolin obtained when the species was listed in Appendix II, as Appendix I specimens and regulate trade in accordance with Article III of the Convention\*.

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\* *The People's Republic of China regards sub-paragraph b) as a voluntary stricter measure in accordance with Paragraph 1 of Article XIV of the Convention that is a right instead of an obligation of a Party.*