

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

SUMMARY RECORD

Contents

Opening remarks of the Secretary-General <i>No document</i>	5
Opening remarks of the Chair <i>No document</i>	5
1. Adoption of the agenda SC69 Doc. 1 (Rev. 1)	5
2. Adoption of the working programme SC69 Doc. 2 (Rev. 1).....	5
3. Adoption of the Rules of Procedure SC69 Doc. 3.....	5
4. Credentials <i>No document</i>	6
5. Admission of observers SC69 Doc. 5 (Rev. 1)	6
6. Election of the Alternate Vice-Chair of the Standing Committee <i>No document</i>	6
7. Financial matters SC69 Doc. 7	6
8. Access to funding	8
8.1 Global Environment Facility: Report of the Secretariat SC69 Doc. 8.1	8
8.2 External Funding: Report of the Secretariat SC69 Doc. 8.2	8
9. Administration of the Secretariat.....	9
9.1 Administrative matters, including host country arrangements for the Secretariat SC69 Doc. 9.1	9
9.2 Administrative hosting models for the Secretariat <i>No document</i>	9
9.3 Report of UNEP on administrative matters SC69 Doc. 9.3.....	9
10. Revision and replacement of the <i>CITES Strategic Vision: 2008-2020</i> SC69 Doc. 10.....	9
11. Rules of Procedure	10
11.1 Review of the Rules of Procedure of the Conference of the Parties SC69 Doc. 11.1	10
11.2 Review of Resolution Conf. 11.1 (Rev. CoP17): Report of the Secretariat SC69 Doc. 11.2	10
11.3 Adoption by the Standing Committee of a Code of Responsibility for NGOs participating in CITES meetings SC69 Doc. 11.3.....	11
12. Potential conflicts of interest in the Animals and Plants Committees: Report of the Secretariat SC69 Doc. 12	11
13. Designation and roles of Management Authorities SC69 Doc. 13.....	11
14. Engagement of rural communities in the CITES processes SC69 Doc. 14	12
15. Demand reduction: Report of the Secretariat SC69 Doc. 15.....	13
16. Livelihoods and food security SC69 Doc. 16.....	13
17. Livelihoods	14

17.1	Report of the Secretariat SC69 Doc. 17.1	14
17.2	Report on the CITES and livelihoods workshop SC69 Doc. 17.2 (Rev. 1).....	14
18.	Community awareness on wildlife trafficking: Report of the Secretariat SC69 Doc. 18	14
19.	Cooperation with other biodiversity-related conventions SC69 Doc. 19	15
20.	Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES): Reports of the Secretariat and Chairs of the Animals and Plants Committees <i>No document</i>	15
21.	Capacity-building needs of developing countries and countries with economies in transition: Report of the Secretariat SC69 Doc. 21.....	16
22.	United Nations World Wildlife Day: Report of the Secretariat SC69 Doc. 22.....	16
23.	Follow-up of the Youth Forum for People and Wildlife and South Africa’s Youth Conservation Programme: Report of the Secretariat SC69 Doc. 23.....	16
24.	Arrangements for the 18th meeting of the Conference of the Parties <i>No document</i>	17
25.	Terminology in relation to rural, indigenous and local communities SC69 Doc. 25	17
26.	Review of Resolutions and Decisions: Report of the Secretariat SC69 Doc. 26	17
27.	National laws for implementation of the Convention: Report of the Secretariat SC69 Doc. 27 (Rev. 1)	18
28.	National reports	18
28.1	Submission of annual reports SC69 Doc. 28.1	18
28.2	Improving access to annual report data SC69 Doc. 28.2	19
28.3	Annual illegal trade reports: Report of the Secretariat SC69 Doc. 28.3.....	19
29.	Compliance matters.....	20
29.1	Compliance report SC69 Doc. 29.1 (Rev. 2)	20
29.2	Application of Article XIII.....	23
29.2.1	Application of Article XIII in the Lao People’s Democratic Republic SC69 Doc. 29.2.1.....	23
29.2.2	Application of Article XIII in the Democratic Republic of the Congo SC69 Doc. 29.2.2.....	23
29.2.3	Application of Article XIII in Guinea SC69 Doc. 29.2.3.....	27
29.3	National ivory action plans process: Report of the Secretariat SC69 Doc. 29.3.....	28
29.4	Illegal trade in species: Grey parrot (<i>Psittacus erithacus</i>) SC69 Doc. 29.4	33
30.	Review of Significant Trade in specimens of Appendix-II species SC69 Doc. 30.....	33
31.	Enforcement.....	34
31.1	Enforcement matters: Report of the Secretariat SC69 Doc. 31.1.....	34
31.2	International Consortium on Combating Wildlife Crime (ICWC): Report of the Secretariat SC69 Doc. 31.2	34
31.3	Combating wildlife cybercrime: Report of the Secretariat SC69 Doc. 31.3.....	35
32.	Implementation of the Convention relating to captive-bred and ranched specimens: Report of the Secretariat SC69 Doc. 32.....	36
33.	Asian big cats in captivity: Report of the Secretariat SC69 Doc. 33.....	36
34.	Disposal of confiscated specimens.....	37
34.1	Report of the Secretariat SC69 Doc. 34.1	37
34.2	Report of the co-leads SC69 Doc. 34.2	37
35.	Specimens produced from synthetic or cultured DNA: Report of the Secretariat SC69 Doc. 35	38
36.	Introduction from the sea: Report of the Secretariat SC69 Doc. 36	38
37.	Purpose codes on CITES permits and certificates SC69 Doc. 37	39

38.	Simplified procedure for permits and certificates: Report of the Secretariat <i>No document</i>	39
39.	Definition of the term 'appropriate and acceptable destinations': Report of the Secretariat SC69 Doc. 39	40
40.	Electronic systems and information technologies SC69 Doc. 40	41
41.	Transport.....	42
41.1	Transport of live specimens SC69 Doc. 41.1	42
41.2	Request for engagement of the CEOs of airlines and maritime shipping companies and executive bodies governing their activities SC69 Doc. 41.2.....	42
42.	Traceability: Report of the Secretariat SC69 Doc. 42	43
43.	Stocks and stockpiles of specimens of CITES-listed species SC69 Doc. 43	44
44.	Identification of specimens in trade.....	45
44.1	Tiger skins: Report of the Secretariat SC69 Doc. 44.1	45
44.2	Identification Manual: Report of the Secretariat SC69 Doc. 44.2	45
45.	Cheetahs (<i>Acinonyx jubatus</i>): Report of the Secretariat SC69 Doc. 45.....	45
46.	Sturgeons and paddlefish (<i>Acipenseriformes</i> spp.)	46
46.1	Definition of country of origin of caviar SC69 Doc. 46.1.....	46
46.2	Stocks shared by range States and the respective species: Report of the Animals Committee SC69 Doc. 46.2	46
47.	Eels (<i>Anguilla</i> spp.).....	47
47.1	Report of the Secretariat SC69 Doc. 47.1	47
47.2	Illegal trade in <i>Anguilla anguilla</i> SC69 Doc. 47.2	47
48.	Humphead wrasse (<i>Cheilinus undulatus</i>): Report of the Secretariat SC69 Doc. 48	47
49.	Malagasy ebonies (<i>Diospyros</i> spp.) and palisanders and rosewoods (<i>Dalbergia</i> spp.)	49
49.1	Report of Madagascar SC69 Doc. 49.1 (Rev. 1).....	49
49.2	Report of the Secretariat SC69 Doc. 49.2	49
50.	Sharks and rays (<i>Elasmobranchii</i> spp.): Report of the Secretariat SC69 Doc. 50	51
51.	Elephants (<i>Elephantidae</i> spp.)	51
51.1	Elephant conservation, illegal killing and ivory trade SC69 Doc. 51.1	51
51.2	Implementing aspects of Resolution Conf. 10.10 (Rev. CoP17) on the closure of domestic ivory markets SC69 Doc. 51.2	53
51.3	Implementing the CoP17 Decisions on ivory stocks and stockpiles SC69 Doc. 51.3.....	53
51.4	Update on the Elephant Protection Initiative SC69 Doc. 51.4	54
52.	Legal and illegal trade in Bread palms (<i>Encephalartos</i> spp.): Report of the Secretariat SC69 Doc. 52.....	54
53.	Hawksbill turtle (<i>Eretmochelys imbricata</i>) and other marine turtles (Cheloniidae and Dermochelyidae): Report of the Secretariat SC69 Doc. 53	54
54.	Asian big cats (<i>Felidae</i> spp.): Report of the Secretariat SC69 Doc. 54	55
55.	Great apes (<i>Hominidae</i> spp.): Report of the Secretariat <i>No document</i>	55
56.	Rosewood timber species [Leguminosae (<i>Fabaceae</i>)]: Implementation of Decision 17.234 - Follow up on PC23 outcomes SC69 Doc. 56.....	56
57.	Pangolins (<i>Manis</i> spp.): Report of the Secretariat SC69 Doc. 57	56
58.	African lion (<i>Panthera leo</i>) SC69 Doc. 58.....	59

59.	Illegal trade in Tibetan antelope (<i>Pantholops hodgsonii</i>) SC69 Doc. 59	60
60.	Rhinoceroses (Rhinocerotidae spp.): Report of the Secretariat SC69 Doc. 60	61
61.	Illegal trade in the helmeted hornbill (<i>Rhinoplax vigil</i>): Report of the Secretariat SC69 Doc. 61 (Rev. 1)	63
62.	Snakes (Serpentes spp.): Report of the Secretariat SC69 Doc. 62	64
63.	Queen conch (<i>Strombus gigas</i>): Report of the Secretariat SC69 Doc. 63	64
64.	Tortoises and freshwater turtles (Testudines spp.): Report of the Secretariat SC69 Doc. 64	64
65.	Totoaba (<i>Totoaba macdonaldi</i>)	65
65.1	Report of the Secretariat SC69 Doc. 65.1	65
65.2	Implementation of Decisions 17.145 to 17.151 on totoaba (<i>Totoaba macdonaldi</i>) SC69 Doc. 65.2	65
66.	CITES Appendix III SC69 Doc. 66	65
67.	Procedure for entering reservations with respect to the amendments to Appendices I, II and III SC69 Doc. 67	66
68.	Periodic review of the Appendices: Report of the Animals and Plants Committees SC69 Doc. 68	66
69.	Annotations	67
69.1	Establishment of a working group on annotations SC69 Doc. 69.1	67
69.2	Annotations for Appendix II orchids: Report of the Plants Committee <i>No document</i>	68
69.3	Interpretation of annotation #15 SC69 Doc. 69.3	68
70.	Review of Resolution Conf. 10.9 on <i>Consideration of proposals for the transfer of African elephant populations from Appendix I to Appendix II</i> SC69 Doc. 70	70
71.	Listing of marine species	71
71.1	Cooperation under the FAO-CITES 2006 MoU, with special reference to the scientific and technical evaluation of commercially exploited aquatic species listing proposals SC69 Doc. 71.1	71
71.2	Analysis of the relevance of the advice provided by the FAO Panel of Experts for proposals on marine fish species and evaluation of the conservation benefits of marine fish species listed at CITES CoP16 and CoP17 SC69 Doc. 71.2	71
72.	Analysis of the relevance of the criteria of Resolution Conf. 9.24 (Rev. CoP17) SC69 Doc. 72	71
73.	Reports of regional representatives	72
73.1	Africa <i>No document</i>	72
73.2	Asia SC69 Doc. 73.2	72
73.3	Central and South America and the Caribbean SC69 Doc. 73.3 (Rev. 1)	72
73.4	Europe SC69 Doc. 73.4 (Rev. 1)	72
73.5	North America SC69 Doc. 73.5	72
73.6	Oceania SC69 Doc. 73.6	72
74.	Any other business <i>No document</i>	72
75.	Determination of the time and venue of the 70th meeting <i>No document</i>	72
76.	Closing remarks	72

Opening remarks of the Secretary-GeneralNo document

The Secretary-General welcomed the participants and gave an opening speech.

Opening remarks of the ChairNo document

The Chair also welcomed the participants and gave an opening address.

1. Adoption of the agendaSC69 Doc. 1 (Rev. 1)

The Secretariat introduced document SC69 Doc. 1 (Rev. 1).

The Standing Committee adopted the provisional agenda in document SC69 Doc. 1 (Rev. 1).

There were no interventions.

2. Adoption of the working programmeSC69 Doc. 2 (Rev. 1)

The Secretariat introduced document SC69 Doc. 2 (Rev. 1).

The Standing Committee adopted the draft working programme in document SC69 Doc. 2 (Rev. 1) and noted that Qatar had additional information on agenda item 29.3 on *National ivory action plans process* that will be brought to the attention of the Standing Committee later in the meeting.

During discussion of this agenda item, an intervention was made by Qatar.

3. Adoption of the Rules of ProcedureSC69 Doc. 3

The Secretariat introduced document SC69 Doc. 3, noting that a draft set of rules had been circulated among Members of the Standing Committee and that comments provided by Members and other Parties had been considered in the draft submitted for consideration and adoption by the Committee. The Secretariat suggested two simple amendments to the proposed Rules. Regarding Rule 12, paragraph 1, the Secretariat proposed to replace “the attention of the participants to the meeting” with “information purposes only”; and regarding Rule 18, to add “and non-Member Parties” after “Members of the Committee”.

Parties who spoke agreed with most of the proposed changes by the Secretariat, including the ones presented orally. In addition, some simple amendment suggestions to Rules 4, 14 and 19 were proposed by the Members and Parties. Some Parties expressed concerns with the proposed procedure for intersessional decision-making (Rule 20) and one Party proposed changes to the procedure for adding new members to intersessional working groups (Rule 17, paragraph 2).

The Standing Committee adopted the Rules of Procedure of the Standing Committee contained in Annex 2 of document SC69 Doc. 3 with the following amendments:

Under new Rule 4, paragraph 1: at the end of the last sentence, replace “one third of the Members present” with “the Standing Committee”;

Under new Rule 12, paragraph 1: replace “the attention of the participants to the meeting” with “information purposes only”;

Under new Rule 14, paragraph 4: add “or non-Member Parties” at the end of the first sentence, with the understanding that only a Member may call for a vote;

Under new Rule 18: add “and non-Member Parties” after “Members of the Committee”; and

Under new Rule 19, paragraph 1: maintain the wording from the previous Rules of Procedure as follows: “The decisions of the Committee shall come into effect upon endorsement of the Executive Summary in which they are contained.”

The Standing Committee noted that any pending issues on Rules 4.3, 14.4, 17.2, 19.1 and 20 of the Standing Committee’s new Rules of Procedure will be referred to the intersessional working group on Rules of Procedure that will be established under agenda item 11 on *Rules of Procedure*.

During discussion of this agenda item, interventions were made by the representatives of Asia (China), Central and South America and the Caribbean (Peru), Europe (Hungary and Israel) and Oceania (New Zealand), and by Japan and the United States of America.

4. Credentials No document

During the meeting, the Secretariat gave periodic updates on the number of credentials it received from Members of the Standing Committee and Parties.

The Standing Committee noted that, in the absence of the Republic of Congo, Chad would be acting as representative for Africa and that, until Ethiopia is able to join the meeting, their alternate, Kenya, will act as its representative, and that an update on the credentials received would be provided later in the meeting.

Ethiopia joined the meeting on Wednesday 29 December 2017.

On Friday 1 December, the Standing Committee noted a report from the Secretariat that, at that time, 55 out of the 84 Parties present had provided credentials including 14 of the 16 voting members of the Standing Committee.

Prior to the vote on agenda item 57 on Friday 1 December, the Standing Committee noted a report from the Secretariat that, at that time, all 16 voting members of the Standing Committee, except for Chad, had provided credentials.

There were no interventions.

5. Admission of observers SC69 Doc. 5 (Rev. 1)

The Secretariat introduced document SC69 Doc. 5 (Rev. 1).

The Standing Committee noted the list of organizations that had been invited to attend the meeting as contained in document SC69 Doc. 5 (Rev. 1) and noted its amendment as follows: "Kenya Wildlife Conservation" should be replaced by "Kenya Wildlife Conservancies Association".

There were no interventions.

6. Election of the Alternate Vice-Chair of the Standing Committee..... No document

The Standing Committee noted that, with the adoption of the new Rules of Procedure, the function of Alternate Vice-Chair had been abolished.

There were no interventions.

7. Financial matters SC69 Doc. 7

The Secretariat introduced document SC69 Doc. 7 on the financial performance of the Secretariat since the 17th meeting of the Conference of the Parties (CoP17).

Committee Members and Parties welcomed the report of the Secretariat and requested clarifications on the implications for security and diplomatic immunity if CITES meetings are not considered United Nations meetings, on the issue of longstanding unpaid assessed contributions and on the deficit of USD 443,043 in Annex 6.

The Standing Committee noted document SC69 Doc. 7.

The Standing Committee noted that the Terms of Reference for its Finance and Budget Subcommittee (FBSC) remained as decided by the 15th meeting of the Conference of the Parties (see information document SC69 Inf. 23) and agreed the membership for the present intersessional period as follows:

- | | |
|---------|--------------------------|
| Africa: | South Africa and vacant; |
| Asia: | Japan; |

Central and South America and the Caribbean:	Argentina;
Europe:	Norway (Chair), Israel and Germany;
North America:	United States of America;
Oceania:	New Zealand; and
Depositary Government:	Switzerland.

The Standing Committee further noted that Colombia had expressed an interest in becoming a member of the Finance and Budget Subcommittee and that the Subcommittee would report back later at the meeting.

Later in the meeting, Norway (FBSC Chair) introduced document SC69 Com. 3.

Report of the Finance and Budget Sub-Committee

The Standing Committee adopted the report of the Finance and Budget Sub-Committee (FBSC) in document SC69 Com. 3 as follows:

The Standing Committee agreed that the FBSC would undertake an intersessional review of its terms of reference and present it at the 70th meeting of the Standing Committee.

The Standing Committee agreed the membership for the present intersessional period as follows:

- Africa: South Africa and Kenya
- Asia: Japan
- Central and South America and the Caribbean: Argentina
- Europe: Norway with alternates from Germany and Israel
- North America: United States of America
- Oceania: New Zealand
- Depositary Government: Switzerland

The Standing Committee approved the reports on the costed programme of work for the full year of 2016 and for 2017 for the period up to 31 July 2017, and noted projected overspending in 2017 related to security costs at governing and scientific body meetings organized in Geneva. Whilst noting the Decision 17.13 of Parties on secondments, the Standing Committee approved the use of USD 70,000, on a one time exceptional basis, from expected 2017 savings under the personnel component and to carry-over this amount into 2018 for a 50 per cent co-funding of the 4th year extension of the Junior Professional Officer (JPO) Marine Species Officer.

The Standing Committee welcomed the proposal from the Government of Switzerland (see document SC69 Inf. 42) and on the basis of this proposal, recommended that further review of the host country arrangements in accordance with Resolution Conf. 17.2 paragraph 4 is not needed. The Standing Committee requested the Secretariat to continue its consultation with the Government of Switzerland on the enhanced support by Switzerland to the CITES Secretariat and the implementation of the Convention. The Standing Committee requested the Secretariat to ensure that additional funds are available to be used at the discretion of the Secretariat and to report on the establishment and implementation of the donor agreement with the Government of Switzerland at the 70th meeting of the Standing Committee. The Standing Committee further requested the Secretariat to work with United Nations Environment Programme (UNEP) to get further clarity on the programme support cost allocations and that the Secretariat ensure that the services provided by UNEP are fully consistent with the existing Memorandum of Understanding between CITES Standing Committee and the Executive Director of UNEP and further report back to the 70th meeting of the Standing Committee.

The Standing Committee requested the FBSC to continue the work on exploring the potential cost and benefits of alternative administrative hosting arrangements for the CITES Secretariat, on intersessional basis, with the following terms of reference:

Taking into consideration UNEA Resolution 2/18, the Report of the UNEP Task Team on the Effectiveness of Administrative Arrangements and Programmatic Cooperation between UNEP and UNEP-administered Convention Secretariats, the related report of the UNEP Executive Director and further information from the CITES Secretariat and UNEP respectively, consider the implications of UNEA Resolution 2/18, including the information to be provided on administrative and financial challenges to be brought to the attention of the Executive Director of UNEP under operative paragraph 3 of that Resolution, and consider the advantages and disadvantages of different administrative hosting models for the CITES Secretariat, including retaining the status quo; and present its finding to the Standing Committee at its 70th meeting.

The Standing Committee requested the Secretariat to continue its efforts to get costing details from UNEP for indirect and direct services to review and compare costs for services between different service providers which will form the basis for the costing analysis to be presented at the 70th meeting of the Standing Committee.

During discussion of this agenda item, interventions were made by the representative of Europe (Israel) and by Japan, Norway and South Africa.

8. Access to funding

8.1 Global Environment Facility: Report of the Secretariat SC69 Doc. 8.1

The Secretariat introduced document SC69. Doc. 8.1 and reported on the progress made for the implementation of Decisions 17.10-11 on *Access to the Global Environment Facility (GEF)*.

The World Bank Group (WBG), on behalf of GEF and the United Nations Development Programme (UNDP), provided an update on possible opportunities for Parties in the next replenishment (GEF-7, starting in 2018) to use their national allocations to help combat illegal wildlife trade.

While welcoming the multiple possible entry points available to access to GEF funding, Mexico encouraged Parties to strike a balance between pursuing financial opportunities for combating illegal wildlife trade and opportunities for managing sustainable trade.

The Standing Committee noted document SC69 Doc. 8.1.

During discussion on this item, intervention were made by Mexico and the World Bank.

8.2 External Funding: Report of the Secretariat SC69 Doc. 8.2

The Secretariat introduced document SC69 Doc.8.2 and provided an overview on the progress made with the implementation of Decisions 17.12 through 17.15 on *Access to funding*.

The Standing Committee noted document SC69 Doc. 8.2 and the suggestion from New Zealand that the Wildlife Donor Roundtable should take account of national and regional support provided for the implementation of the Convention. The Standing Committee welcomed the generous support of donors for the implementation of the Convention; and encouraged Parties to continue providing financial and in-kind support to ensure the effective implementation of the Decisions and Resolutions adopted by the Conference of the Parties; and to provide financial support for organizing a Wildlife Donor Roundtable with particular focus on the sustainable use of wild fauna and flora, in implementing Decision 17.14.

During discussion on this item an intervention was made by the representative of Oceania (New Zealand).

9. Administration of the Secretariat

9.1 Administrative matters, including host country arrangements for the Secretariat . SC69 Doc. 9.1

The Secretariat introduced document SC69 Doc. 9.1 and gave an update on staff changes.

Switzerland announced a contribution to the budget of the Secretariat of CHF 600,000 for 2018 and of CHF 1 million every year starting in 2019. Parties welcomed the contributions announced by Switzerland.

The Standing Committee noted document SC69 Doc. 9.1 and welcomed the announcement made by Switzerland of enhanced support provided to the CITES Secretariat. The Standing Committee agreed that further discussion on this matter would be referred to the FBSC.

During discussion of this agenda item, interventions were made by Switzerland and the United States of America.

9.2 Administrative hosting models for the SecretariatNo document****

The Chair of the Standing Committee gave an oral report on past work on the different administrative models for the Secretariat.

The Chair of the FBSC agreed to consider the issue during the meetings of the FBSC.

The Standing Committee noted the oral report by the Chair and agreed that further consideration of the administrative hosting models for the Secretariat would be referred to the FBSC.

During discussion of this agenda item, an intervention was made by Norway.

9.3 Report of UNEP on administrative matters **SC69 Doc. 9.3**

The United Nations Environment Programme (UNEP) introduced document SC69 Doc. 9.3.

Parties welcomed the report and asked for UNEP to process with greater expediency refund requests.

The Standing Committee noted document SC69 Doc. 9.3.

During discussion of this agenda item, interventions were made by Georgia and Norway.

10. Revision and replacement of the CITES Strategic Vision: 2008-2020..... **SC69 Doc. 10**

The Secretariat introduced document SC69 Doc. 10.

Committee Members and Parties supported the approach proposed in the document, and agreed that the outline of the next CITES Strategic Plan and related documents in the Annex should be used as guidance for the intersessional working group.

The Standing Committee established an intersessional Strategic Plan working group, with representation from all regions and from the Animals and Plants Committees with a mandate to:

- a) review progress in implementing the *CITES Strategic Vision: 2008-2020* against the adopted indicators, taking account of the 2030 Agenda for Sustainable Development, its Sustainable Development Goals and Targets, and of any emerging replacement for the Strategic Plan for Biodiversity 2011-2020 and the Aichi Targets; and
- b) on the basis of the annex of document SC69 Doc. 10, develop a proposal for a Strategic Plan for the period after 2020 and any associated action plan and indicators to measure progress and submit this to the 70th meeting of the Committee, together with any background material that the working group believes would be helpful to the Committee in its consideration of the working group's proposal.

The membership of the intersessional Strategic Plan working group was agreed as follows: Chair of the Standing Committee (Chair); Argentina, Austria, Botswana, Brazil, Cameroon, Canada, China, European

Union, Georgia, Japan, Mexico, Namibia, New Zealand, Norway, Peru, Republic of Korea, Uganda, United States of America, and Zimbabwe; and Food and Agriculture Organization, Humane Society International, International Fund for Animal Welfare, Species Survival Network, TRAFFIC, Association of Fish and Wildlife Agencies, Wildlife Conservation Society, and World Wildlife Fund; and the Chairs of the Animals and Plants Committees.

The Standing Committee agreed that the next CITES Strategic Plan should run from 2021 to 2030; and endorsed the outline of the next Strategic Plan and related documents, contained in the annex to document SC69 Doc. 10 as a guideline to be used by the working group.

During discussion of this agenda item, interventions were made by the representatives of Central and South America and the Caribbean (Peru), Europe (Hungary), North America (Canada), and Oceania (New Zealand), and by Argentina, Mexico, Norway and the United States of America.

11. Rules of Procedure

11.1 Review of the Rules of Procedure of the Conference of the Parties SC69 Doc. 11.1

and

11.2 Review of Resolution Conf. 11.1 (Rev. CoP17): Report of the Secretariat..... SC69 Doc. 11.2

The Secretariat introduced document SC69 Doc. 11.1. It recalled that the Conference of the Parties (CoP) had adopted new rules for the 17th meeting of the CoP (CoP17), but had decided to direct the Standing Committee to consider the issues on which no consensus could be found at CoP17.

The Secretariat introduced document SC69 Doc. 11.2, highlighting the need to identify overlaps and inconsistencies between the rules of procedure of the Committees and Resolution Conf. 11.1 (Rev. CoP17). The document identified some of these issues, recalled the discussions of the matter at the joint session of the two technical committees and suggested an approach for the work going forward.

Committee Members and Parties expressed their interest in joining the working group.

The Standing Committee endorsed the approach suggested in paragraphs 5 to 8 of document SC69 Doc. 11.2 and noted the approach endorsed by the Animals and Plants Committees.

The Standing Committee established an intersessional working group on the Rules of Procedure, with representation from all regions with a mandate to:

- a) for the Rules of Procedure of the Conference of the Parties, review Rules 4 (Observers), 5 (Credentials), 9 (Quorum), 25 (Procedure for deciding on proposals for amendment of Appendices I and II), 26 (Right to vote), 28 (Majority) and 32 (Amendment);
- b) for the Rules of Procedure of the Standing Committee, review Rules 4.3 (proposed deletion); 14.4 (clarification of the type of point of order that can be made); 17.2 (clarification of the process to join or withdraw from intersessional working groups); 19.1 (entry into effect of the decisions of the Standing Committee); 20 (procedure for intersessional decision-making);
- c) examine the issues described in paragraph 5 a) to k) of document SC69 Doc. 11.2 and consider the recommendations of the Animals and Plants Committees on the issue described in paragraph 5 l) of this document regarding potential revisions of Resolution Conf. 11.1 (Rev. CoP17);
- d) assess the functioning of the conflict of interest policy set out in paragraph 5 c) of Resolution Conf. 11.1 (Rev. CoP17), taking into account the report from the Animals and Plants Committees regarding this issue;
- e) make recommendations for refining the definition of conflict of interest, if appropriate, and for a mechanism to deal with such conflicts, referring to such mechanisms developed in other multilateral agreements or relevant international organizations and bodies; and

- f) submit its findings and recommendations for consideration at the 70th meeting of the Standing Committee for onwards submission to the Conference of the Parties.

The membership of the intersessional working group on the Rules of Procedure was agreed as follows: Chair of the Standing Committee (Chair); Antigua and Barbuda, Bolivia (Plurinational State of), Botswana, Brazil, Canada, China, Colombia, European Union, Israel, Japan, Kuwait, Norway, Peru, Switzerland, United States of America and Venezuela (Bolivarian Republic of); and Animal Welfare Institute, Humane Society International, IWMC – World Conservation Trust, Lewis & Clark – International Environmental Law Project, Pet Industry Joint Advisory Council, Safari Club International, and Species Survival Network; and the Chairs of the Animals and Plants Committees.

Later in the meeting, the Standing Committee agreed to include South Africa and Sri Lanka as members of the intersessional working group on Rules of Procedure.

During discussion of these agenda items, interventions were made by the representatives of Asia (China), Europe (Israel), and Central and South America and the Caribbean (Peru), and by the Chair of the Plants Committee, speaking also on behalf of the Chair of the Animals Committee.

11.3 Adoption by the Standing Committee of a Code of Responsibility for NGOs participating in CITES meetings..... SC69 Doc. 11.3

Antigua and Barbuda presented document SC69 Doc. 11.3 submitted by Saint Vincent and the Grenadines, containing a proposal for a Code of Responsibility for NGOs participating in CITES meetings, to be enacted by the CITES Standing Committee.

Numerous interventions questioned the necessity of adopting the proposed recommendations. Several speakers highlighted the absence of mandate for the Standing Committee to adopt such a Code of Responsibility for NGOs participating in CITES meetings. Some Parties pointed out that the system that was already in place was efficient.

The Standing Committee noted document SC69 Doc. 11.3 and invited Parties who have an interest in proposing a code of conduct for non-governmental organizations to have further discussion on this issue for possible submission to the Conference of the Parties.

During discussion of this agenda item, interventions were made by the representatives of Asia (China), Central and South America and the Caribbean (Peru), Europe (Hungary, Israel), North America (Canada) and Oceania (New Zealand), and by Antigua and Barbuda.

12. Potential conflicts of interest in the Animals and Plants Committees: Report of the Secretariat SC69 Doc. 12

The Secretariat introduced document SC69 Doc. 12, noting that the current CITES conflict of interest policy was being applied diligently and that there had been no conflict of interest reported or alleged.

Speakers expressed support for the recommendations contained in the document and suggested that the existing mechanism needed to be completed. It should include an explanation on how the members can update the Committee on changing information regarding their situation and a mechanism to raise issues on conflict of interest. A Party pointed out that the preparation of a standard form was premature in their view.

The Standing Committee requested the Secretariat to develop and submit to its 70th meeting a standard disclosure form for declarations of interest as a means of promoting a standardized approach to such declarations.

During discussion of this agenda item, interventions were made by the representatives of Europe (Portugal), and by the United States of America as well as Chairs of the Animals and Plants Committees.

13. Designation and roles of Management Authorities SC69 Doc. 13

The Secretariat introduced document SC69 Doc 13, explaining that it believed that the vital role of Management Authorities needed better clarity and recognition.

Members of the Committee and Parties supported the idea and wished to assist the Secretariat in preparing a draft resolution on the subject. Several expressed the need for more guidance and support for Management Authorities and one noted that administrative practices may vary between ministries within Parties.

The Standing Committee established an intersessional working group on Management Authorities with a mandate to assist the Secretariat in the preparation of a draft resolution on Management Authorities for consideration at the 70th meeting of the Committee.

The membership of the intersessional working group on Management Authorities was agreed as follows: Norway (Chair), Cameroon, Canada, Chile, China, Colombia, Gabon, Georgia, Indonesia, Italy, Mexico, Nigeria, Peru, Russian Federation, South Africa, Spain, Sweden, Switzerland, Uganda, United States of America, and Zimbabwe, and Center for Biological Diversity, Center for International Environmental Law, and World Wildlife Fund.

During discussion of this agenda item, interventions were made by the representatives of Asia (China and Indonesia), Central and South America and the Caribbean (Bahamas), North America (Canada) and Oceania (New Zealand), by Botswana, Cameroon and the United States of America and by the International Council for Game and Wildlife Conservation (CIC).

14. Engagement of rural communities in the CITES processes SC69 Doc. 14

The Chair introduced the background to the subject of document SC69 Doc. 14 and Namibia, supported by Ethiopia, added that a face-to-face meeting of the envisaged working group would be desirable.

Committee Members who spoke expressed enthusiasm for the issue and wished to participate in the Standing Committee's work on the subject. Some speakers questioned how the rural communities' representatives would be selected. The United Nations Environment Programme (UNEP) highlighted the decisions of the UN Environment Assembly on this matter and offered to financially support a face-to-face meeting of the envisaged working group if it could be organized within an appropriate timeframe.

The Standing Committee established an intersessional working group on rural communities with a mandate to:

- a) consider how to effectively engage rural communities in the CITES processes;
- b) review the need to harmonize the terminology used in different Resolutions and Decisions when referring to "rural", "indigenous" or "local" communities; and
- c) present its findings and recommendations to the Standing Committee, for consideration at its 70th meeting.

The membership of the intersessional working group on rural communities was agreed as follows: Namibia (Chair), Antigua and Barbuda, Argentina, Bolivia (Plurinational State of), Botswana, Brazil, Cameroon, Canada, China, Democratic Republic of the Congo, Ecuador, Ethiopia, European Union, India, Indonesia, Japan, Kenya, New Zealand (or an alternate representative for Oceania), Nigeria, Peru, Republic of Korea, South Africa, Spain, Uganda, United States of America, and Zimbabwe.

The Standing Committee requested the chair of the intersessional working group on rural communities to take into account regional balance, the responses to Notification to the Parties 2017/057 and advice of Parties in identifying the representatives of rural communities to be invited to be members of the working group.

The Standing Committee noted the need for a face-face meeting of the working group, invited donors to provide funding, and noted the offer of the United Nations Environment Programme to support this meeting of the working group.

During discussion of this agenda item, interventions were made by the representatives of Africa (Ethiopia and Namibia), Asia (China and Indonesia), Central and South America and the Caribbean (Bahamas and Peru), Europe (Israel) and North America (Canada), by Antigua and Barbuda, Austria, Botswana, Brazil, India, Kenya, Senegal and South Africa and by the United Nations Environment Programme (UNEP).

15. Demand reduction: Report of the Secretariat SC69 Doc. 15

The Secretariat introduced document SC69 Doc. 15, highlighting *inter alia* the progress made in implementing Decision 17.48. The Secretariat withdrew its recommendation contained in paragraph 15 b) ii) of document SC69 Doc. 15.

Various interventions followed, most supporting the Secretariat's suggestion to make a clear distinction between legal and illegal wildlife products when undertaking demand reduction initiatives as called for in Resolution Conf. 17.4, and commending efforts by the countries in reducing demand for illegally sourced wildlife and their products as reported in the Secretariat's report. A Party suggested that the full name of the agenda item "Demand reduction strategies to combat illegal trade in CITES-listed species" be used to avoid confusion and misinformation about any campaign to reduce demand of wildlife *per se*.

The Standing Committee noted document SC69 Doc. 15; and encouraged Parties, in line with Resolution Conf. 17.4 on *Demand reduction strategies to combat illegal trade in CITES-listed species*, to make a clear distinction between legal and illegal wildlife products when undertaking demand reduction initiatives, especially when working with various campaign partners.

The Standing Committee agreed that a CITES guidance on demand-reduction strategies is needed; and invited the Secretariat, as part of its report under Decision 17.48, paragraphs c) and d), to report on progress made in the development of such a guidance at its 70th meeting with a view to the Committee submitting recommendations on this subject to the Conference of the Parties at its 18th meeting.

During discussion of this agenda item, interventions were made by the representatives of Africa (Niger), Asia (China), Central and South America and the Caribbean (Bahamas and Peru), Europe (Hungary and Israel), North America (Canada), and Oceania (New Zealand) and by Cameroon, Mexico and South Africa.

16. Livelihoods and food security SC69 Doc. 16

The Secretariat introduced document SC69 Doc. 16, on behalf of China, the lead on this agenda item. It summarized the discussion that took place at the 17th meeting of the Conference of the Parties (CoP17) on the proposed resolution on food security and livelihoods, and suggested some possible way forward.

While recognizing the importance of food security, Committee Members, Parties and some non-governmental organizations expressed their opposition towards any resolution on livelihoods and food security, noting that the draft resolution proposed at CoP17 contained elements that misstated or risked hindering the objectives of the Convention, and that no new elements had been presented for consideration at this meeting. As co-proponents of the proposal put to CoP17, Namibia consulted with Antigua and Barbuda, and requested that an intersessional working group be formed in order to assist the Committee's work to implement Decision 17.42.

The Standing Committee noted document SC69 Doc. 16 and established an intersessional working group on livelihoods and food security with a mandate to:

- a) take account of the options in paragraph 6 b) and c) of document SC69 Doc. 16; and
- b) make recommendations to the 70th meeting of the Standing Committee.

The membership of the intersessional working group on livelihood and food security was agreed as follows: Namibia (Chair), Antigua and Barbuda, Brazil, Canada, China, Indonesia, Japan, Kenya, South Africa, and the United States of America; and Animal Welfare Institute, Communal Rural Conservancy Communities & NASCO, David Shepherd Wildlife Foundation, Humane Society International, Ivory Education Institute, Parrots Breeders Association of Southern Africa, Species Survival Network, and TRAFFIC.

During discussion of this agenda item, interventions were made by the representatives of Africa (Namibia), Asia (China), Central and South America and the Caribbean (Bahamas and Peru), Europe (Israel and Portugal) and Oceania (New Zealand); by Brazil, Kenya, Nigeria, and United States of America; and by Humane Society International (speaking also on behalf of Animal Welfare Institute, Center for Biological Diversity, David Shepherd Wildlife Foundation and Species Survival Network), IWMC – World Conservation Trust, The True Green Alliance, and TRAFFIC (speaking also on behalf of the International Union for Conservation of Nature).

17. Livelihoods

17.1 Report of the Secretariat..... SC69 Doc. 17.1

and

17.2 Report on the CITES and livelihoods workshop SC69 Doc. 17.2 (Rev. 1)

The Secretariat introduced document SC69 Doc. 17.1, noting that a CITES and livelihoods workshop had been jointly organized by the Secretariat and South Africa in George, South Africa in November 2016 and that the next CITES and livelihoods workshop will be held in China in 2018.

South Africa introduced document SC69 Doc .17.2 (Rev. 1), highlighting the key recommendations from the workshop mentioned above.

The Secretariat and South Africa were commended for organizing the workshop on CITES and livelihoods. Committee Members and Parties expressed concerns with regards to certain recommendations in the report of the workshop, including recommendations to take livelihoods issues into processes of CITES listing decisions, the issuance of CITES permits, the Review of Significant Trade and the Periodic Review of the Appendices.

The Standing Committee noted document SC69 Doc. 17.1.

The Standing Committee noted the recommendations of the CITES and livelihoods workshop and invited Parties to consider the recommendations of the CITES and livelihoods workshop and to consider bringing them forward to the Conference of the Parties at its 18th meeting.

The Standing Committee established an intersessional working group on livelihoods with a mandate to:

- a) provide advice to Parties on the implementation of Decision 17.36; and
- b) provide advice to and support the Secretariat in the implementation of Decision 17.40.

The membership of the intersessional working group on livelihoods was agreed as follows: China, Peru and South Africa (Co-Chairs); Antigua and Barbuda, Botswana, Brazil, Canada, Indonesia, Israel, Japan, Kenya, Namibia, Saudi Arabia, Uganda, United States of America, and Zimbabwe; and Conservation Alliance of Kenya, Conservation Force, Food and Agriculture Organization, International Union for Conservation of Nature, IWMC – World Conservation Trust, Livelihood International, Natural Resources Defense Council, Parrots Breeders Association of Southern Africa, Pet Industry Joint Advisory Council, Species Survival Network, The True Green Alliance, TRAFFIC, United Nations Environment Programme, Wildlife Conservation Society, and World Wildlife Fund.

During discussion of this agenda item, interventions were made by the representatives of Africa (Chad), Asia (China), Central and South America and the Caribbean (Peru), Europe (Hungary and Israel), North America (Canada), and Oceania (New Zealand), by Antigua and Barbuda, Kenya, South Africa, Sri Lanka, and the United States of America, and by the Food and Agriculture Organization, the International Union for Conservation of Nature and Species Survival Network.

18. Community awareness on wildlife trafficking: Report of the Secretariat..... SC69 Doc. 18

The Secretariat introduced document SC69 Doc. 18, confirming that necessary funds have been secured and a candidate identified through the International Union for Conservation of Nature to conduct the consultancy work. The Secretariat will provide further report on the progress made to the 70th meeting of the Standing Committee.

The Standing Committee noted the developments in the implementation of Decision 17.86 described in document SC69 Doc. 18.

There were no interventions.

19. Cooperation with other biodiversity-related conventions..... SC69 Doc. 19

The Secretariat introduced document SC69 Doc. 19, emphasizing the pragmatic and cordial relations between itself and the secretariats of other biodiversity-related conventions. The Secretary-General underlined the importance of the 2030 Agenda for Sustainable Development and its Sustainable Development Goals and of the Liaison Group of Biodiversity-related Conventions and highlighted the enhanced linkages to the Global Environment Facility that the latter can bring.

Speakers welcomed the cooperation between the biodiversity-related conventions, both at global and national levels and one expressed the need for support for Parties to achieve the latter. Several speakers sought information on the linkages between the various international processes underway at a global level. Speakers highlighted the Convention on the Conservation of Migratory Species of Wild Animals, the Convention Concerning the Protection of the World Cultural and Natural Heritage and the Global Strategy for Plant Conservation as three initiatives where enhanced cooperation would be desirable.

The Standing Committee noted document SC69 Doc. 19 and the observations provided at the 69th meeting on the importance of the cooperation with other biodiversity related Conventions.

The Standing Committee encouraged the Secretariat to provide advice to Parties, via a Notification as necessary, on ongoing cooperative processes and their relationships.

During discussion of this agenda item, interventions were made by the representatives of Europe (Hungary) and Oceania (New Zealand), by Cameroon, Georgia, India and Mexico and by the Convention on Migratory Species and the World Wildlife Fund (speaking also on behalf of International Union for Conservation of Nature, TRAFFIC and Wildlife Conservation Society).

20. Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES): Reports of the Secretariat and Chairs of the Animals and Plants Committees*No document*

The Secretariat gave an oral update. There had been few major developments since the 17th meeting of the Conference of the Parties and the Platform's planned thematic assessment on the sustainable use of biodiversity (see information document SC69 Inf. 28) had yet to commence. The Chairs of the Animals and Plants Committees had assisted with the scoping of the planned assessment's terms of reference. The Secretariat reported that it had participated at the 5th session of the Plenary of the IPBES in March 2017 to reinforce linkages between IPBES and CITES and, at that time, had signed a Memorandum of Cooperation with the IPBES Secretariat, the text of which could be found on the CITES website. Further, the Secretariat had provided factual corrections to CITES references in the first order draft of IPBES' Global Assessment on Biodiversity and Ecosystem Services.

The Standing Committee noted the information provided in the oral report of the Secretariat and established an intersessional working group on IPBES with a mandate to:

- a) ensure that there is an effective two-way relationship between CITES and IPBES in which CITES is a user or beneficiary of IPBES as well as a contributor to IPBES;
- b) press for the work of IPBES to take into account the needs of national scientific and management authorities to foster the use of applied science for the implementation of CITES, including the making of non-detriment and legal acquisition findings, and related trade decisions;
- c) draft inputs from CITES in response to requests for contributions from IPBES to its processes; and
- d) seek the approval of the Chair of the Standing Committee (consulting the Committee on matters of policy) before requesting the Secretariat to convey the responses on behalf of the Standing Committee.

The membership of the intersessional working group on IPBES was agreed as follows: Canada (Chair); the Chair of the Animals Committee; the Chair of the Plants Committee, Humane Society International and the Secretariat.

During discussion of this agenda item, interventions were made by the representative of Europe (Israel), by Norway and by Humane Society International.

21. Capacity-building needs of developing countries and countries with economies in transition: Report of the Secretariat SC69 Doc. 21

The Secretariat introduced document SC69 Doc. 21 and updated the Standing Committee on the progress made in implementing Decisions 17.34-35.

Some Committee Members highlighted the importance of balance, e.g. between general and specific capacity-building activities and between national and regional efforts involving regional partners. One Member also called for more transparency in how capacity-building funds are being allocated based on needs. Committee Members expressed the need to further investigate ways to consolidate and rationalize capacity-building activities, noting that the development of a typology for capacity-building efforts by outcome, target group, and methodology, may be useful. They also requested that this activity be linked to the work of the Standing Committee's working group on *CITES Strategic Vision*, as well as to the work of the working group on capacity building and identification materials of the Animals and Plants Committees.

The Standing Committee noted document SC69 Doc. 21 and expressed its general support for the approaches to capacity-building outlined in paragraph 12 of document SC69 Doc. 21. The Standing Committee requested the Secretariat to further consider approaches and provide further advice to the Standing Committee on ways to consolidate and rationalize capacity-building activities, taking into consideration interventions made at its 69th meeting.

During discussion of this agenda item, interventions were made by the representatives of Africa (Niger), Asia (China), Central and South America and the Caribbean (Bahamas), North America (Canada) and Oceania (New Zealand); and by Mozambique and the United States of America.

22. United Nations World Wildlife Day: Report of the Secretariat SC69 Doc. 22

The Secretariat introduced document SC69 Doc. 22, noting the significant growth in the recognition of World Wildlife Day (WWD) since last year and that the theme of World Wildlife Day 2017 – “Listen to the young voices”, echoed the call of Resolution Conf. 17.5 on *Youth engagement*.

Committee Members and Parties provided an update on the activities they had organized to celebrate WWD.

The Standing Committee established an intersessional working group on World Wildlife Day with a mandate to:

- a) contribute ideas on the celebration of World Wildlife Day; and
- b) in conjunction with the Secretariat, recommend a theme for World Wildlife Day 2019, for the Secretariat to report to the Standing Committee at its 70th meeting.

The membership of the intersessional working group on World Wildlife Day was agreed as follows: China (Chair), Botswana, India, Italy, Kenya, Kuwait, New Zealand, Norway, Peru, Saudi Arabia, United Arab Emirates, and the United States of America; and Alliance of Marine Mammal Parks and Aquariums, Association of Zoos and Aquariums, International Fund for Animal Welfare, INTERPOL, Ivory Education Institute, San Diego Zoo Global, Species Survival Network, TRAFFIC, Wildlife Conservation Society, World Association of Zoos and Aquariums, World Wildlife Fund, and Youth for Wildlife Conservation.

During discussion of this agenda item, interventions were made by the representative of Asia (China), by India and the United Arab Emirates.

23. Follow-up of the Youth Forum for People and Wildlife and South Africa's Youth Conservation Programme: Report of the Secretariat SC69 Doc. 23

The Secretariat introduced document SC69 Doc. 23, noting that it had responded to all the recommendations of the Youth Forum for People and Wildlife.

Committee Members, Parties and observer organizations welcomed the efforts made by South Africa and Youth for Wildlife Conservation in youth engagement, as well as the efforts made the Secretariat, including proposing youth engagement as the theme of World Wildlife Day 2017.

The Standing Committee noted document SC69 Doc. 23 and thanked South Africa and the Youth for Wildlife Conservation for the information they submitted.

The Standing Committee encouraged South Africa to integrate CITES in its Youth Conservation Programme and update the Secretariat on progress made in this regard, as well as on the implementation of the Programme; and requested the Secretariat to issue a Notification to the Parties to encourage other Parties to inform the Secretariat of progress made to implement Resolution Conf. 17.5 on *Youth engagement* so that the Standing Committee can report to the Conference of the Parties at its 18th meeting in accordance with Decision 17.27.

During discussion of this agenda item, interventions were made by the representatives of Europe (Portugal) and North America (Canada), by South Africa, and the United States of America, and by the International Fund for Animal Welfare and the Youth for Wildlife Conservation.

24. Arrangements for the 18th meeting of the Conference of the Parties **No document**

Sri Lanka announced the dates of the 18th meeting of the Conference of the Parties and gave an update on the planning for the organization of the meeting.

The Standing Committee noted the oral briefing provided by Sri Lanka and that the dates of the 18th meeting of the Conference of the Parties in Colombo, Sri Lanka would be from 23 May to 3 June 2019.

There were no interventions.

25. Terminology in relation to rural, indigenous and local communities **SC69 Doc. 25**

The Secretariat introduced document SC69 Doc. 25, presenting a review of the terminology in relation to rural, indigenous and local communities used in valid Decisions and Resolutions and proposing several criteria to move toward a common understanding of the term “community” in the context of CITES.

Parties noted that this issue should be considered in conjunction with agenda item 14 on rural communities and highlighted that agreeing on a definition of rural communities, already complex at the national level, would be even more so at the level of CITES. They noted that Decision 17.57 directed the Standing Committee to determine whether there was a need to harmonize the terminology.

The Standing Committee noted the terminology review in document SC69 Doc. 25 and noted the Secretariat’s proposed criteria to move toward a common understanding of the term “community” in the context of CITES in paragraph 7 of document SC69 Doc. 25.

The Standing Committee agreed recommendation 8 b) of document SC69 Doc. 25.

During discussion of this agenda item, interventions were made by the representatives of Asia (Indonesia), Central and South America and the Caribbean (Peru), Europe (Portugal), and North America (Canada), by Brazil and the United States of America, and by Humane Society International (speaking also on behalf of Animal Welfare Institute, Center for Biological Diversity, David Shepherd Wildlife Foundation and Species Survival Network).

26. Review of Resolutions and Decisions: Report of the Secretariat **SC69 Doc. 26**

The Secretariat introduced document SC69 Doc. 26, proposing the corrections of several non-substantive errors in Resolutions and Decisions and announcing the intention of the Secretariat to proposed revisions to several Resolutions.

Parties supported the proposed corrections and brought other spelling mistakes to the attention of the Secretariat. A Party noted that, based on the discussions that took place at CoP17, revisions to the ranching Resolutions were not necessary

The Standing Committee agreed to the proposed corrections of the non-substantive errors in Resolutions and Decisions outlined in paragraph 2 of document SC69 Doc. 26, with the amendment proposed by the United States of America to Decision 17.219 to keep “specimens of” and delete “specimens” and the additional correction of the misspelling of the word “subparagraph” proposed by Canada in paragraph 1 f) of Resolution Conf. 12.8 (Rev. CoP17). The Standing Committee noted the Secretariat’s intention to propose

revisions to certain Resolutions as indicated in paragraph 5 of the same document and agreed that revisions to Resolution Conf. 11.16 (Rev. CoP15) and Resolution Conf. 9.20 (Rev.) were not necessary.

During discussion of this agenda item, interventions were made by the representative of North America (Canada), and by the United States of America.

27. National laws for implementation of the Convention:

Report of the SecretariatSC69 Doc. 27 (Rev. 1)

The Secretariat introduced document SC69 Doc. 27 (Rev. 1) and, referring to information document SC69 Inf. 20, provided an oral update on Parties' legislative progress. The Secretariat noted that more guidance seemed to be needed on legislation required to effectively combat illegal trade.

Some speakers recommended that compliance measures be taken with respect to Parties with legislation 2 and 3 and proposed firmer recommendations. Several Parties described the legislative progress made and thanked the Secretariat for the support provided. The recommendation to organize a workshop in Francophone African countries was welcomed. Finally, one observer noted that some of the Parties with legislation in Category 1 did not regulate trade in non-native species.

The Standing Committee congratulated Chile, Guinea-Bissau, Guyana, Israel, Kuwait and Morocco with the results of their efforts leading to an agreement with the Secretariat on placing their legislation in Category 1.

The Standing Committee identified Botswana, Guinea, Congo, India, the Lao People's Democratic Republic, and Uzbekistan as additional Parties requiring its attention as a priority and requested the Secretariat to inform those Parties of this decision formally, drawing their attention to Decisions 17.62 and 17.63; and to update the legislative status table accordingly. The Committee further requested the Secretariat to send a formal warning letter to Kazakhstan.

The Standing Committee requested the Secretariat to issue a formal warning to Mongolia and Tunisia requesting them to report to SC70 and agreed that if no substantive progress is reported, they will be subject to a recommendation to suspend trade.

The Standing Committee agreed to consider further compliance measures at its 70th meeting with regard to concerned Parties, i.e. Parties whose legislation is in Category 2 or 3 under the National legislation project – Algeria, Belize, Comoros, Djibouti, Ecuador, Kenya, Liberia, Mauritania, Mozambique, Pakistan, Rwanda, Somalia and the United Republic of Tanzania, in accordance with Decision 17.62.

The Standing Committee noted the relevant recommendations of the Africa-Asia Pacific Symposium on Strengthening Legal Frameworks to Combat Wildlife Crime and invited the Secretariat, within available resources, to continue to explore the possibility of organizing a similar Symposium for Francophone African Parties and to undertake other follow-up activities with its partners.

During discussion of this agenda item, interventions were made by the representatives of Africa (Niger), Asia (China), Central and South America and the Caribbean (Peru), and Europe (Hungary), by Botswana, Chile, India, Kenya, Liberia, Malawi, Norway, Mozambique, Uganda and the United States of America, and by the World Wildlife Fund (WWF).

28. National reports

28.1 Submission of annual reports.....SC69 Doc. 28.1

The Secretariat introduced document SC69 Doc. 28.1.

Several speakers supported the recommendations. Several Parties stressed the importance of the annual reports as a way to gather trade data. A Committee member suggested that it would be useful to know why Parties fail to submit their annual report for three consecutive years.

The Standing Committee determined that Brunei Darussalam, Djibouti, Dominica, Equatorial Guinea, and Saint Vincent and the Grenadines had failed to provide annual reports for three consecutive years, without having provided adequate justification and, should they not have complied in the meantime, requested the Secretariat to issue a Notification 60 days after the end of the present Standing

Committee meeting, recommending that Parties not authorize any trade in specimens of CITES-listed species with those Parties until they have provided the missing reports.

During discussion of this agenda item, interventions were made by the representatives of Africa (Niger), Central and South America and the Caribbean (Bahamas), Europe (Portugal), and North America (Canada).

28.2 Improving access to annual report data.....SC69 Doc. 28.2

The Secretariat introduced document SC69 Doc. 28.2 on improving access to annual report data by providing an option to download the annual reports in addition to the existing search function at trade.cites.org. This download would contain the reports on a per-shipment basis and include the permit number.

Committee Members and Parties noted the increased interest in statistical analysis of annual report information and the importance of per-shipment information for improved decisions on sustainability and welcomed improved transparency in the access to annual report information by establishing a download. They also raised concerns about public access to permit numbers in these reports and requested the Secretariat to consider this topic in a report to the 70th meeting of the Standing Committee.

The Standing Committee welcomed the Secretariat's initiative to improve access to annual report data and requested the Secretariat to work with the United Nations Environment Programme – World Conservation Monitoring Centre, before the deployment of this initiative, to take into account the concerns expressed by Parties on making permit numbers publicly available. The Standing Committee requested the Secretariat to report back on this initiative at its 70th meeting.

During discussion of this agenda item, interventions were made by the representatives of Asia (China), Central and South America and the Caribbean (Peru), Europe (Portugal), North America (Canada), and Oceania (New Zealand), by Australia, Botswana and the United States of America and by the United Nations Environment Programme – World Conservation Monitoring Centre (UNEP-WCMC).

28.3 Annual illegal trade reports: Report of the Secretariat.....SC69 Doc. 28.3

The Secretariat introduced document SC69 Doc. 28.3 and provided an update on annual illegal trade reports received from Parties for 2016. Thirty-nine reports had been received by the deadline of 30 October 2017, and a total of 48 reports had been received by 24 November 2017. The Secretariat proposed to withdraw recommendation b) ii) and iii), in paragraph 20 of document SC69 Doc. 28.3, and suggested that it will again table recommendation b) ii) and iii) at SC70 for consideration by the Committee, once a detailed proposal for the development of a database to store and manage illegal trade data collected through CITES annual illegal trade reports is available.

Members of the Standing Committee and Parties supported the recommendations of the Secretariat, including the proposal of the Secretariat to withdraw recommendation b) ii) and iii). A number of speakers expressed concern over the proposal of United Nations Office on Drugs and Crime (UNODC), in particular the costs for the establishment of a database to store and manage illegal trade data collected through the Parties' annual illegal trade reports. Speakers also stressed that the illegal trade data should be made available for enforcement personnel to support law enforcement needs. One Party suggested that other partners of the International Consortium on Combating Wildlife Crime, such as INTERPOL, should be engaged, as appropriate, regarding the storage and management of the annual illegal trade data.

Referring to the non-binding aspect of the proposed *Guidelines for the preparation and submission of the CITES annual illegal trade report* contained in Annex 1 of document SC69 doc. 28.3, the United States of America proposed several edits.

- a) The Standing Committee acknowledged the non-binding nature of the proposed *Guidelines for the preparation and submission of the CITES annual illegal trade report*, contained in Annex 1 of document SC69 Doc. 28.3 and requested the United States of America to submit its proposed edits to the *Guidelines* in writing for later adoption in the meeting.

- b) The Standing Committee noted the information and the preliminary proposal by the United Nations Office on Drugs and Crime (UNODC) for the development of a database to store and manage illegal trade data collected through the annual illegal trade reports, in Annex 2 of document SC69 Doc. 28.3.
- c) The Standing Committee endorsed the requirements to be met concerning the storage and management of illegal trade data collected through the annual illegal trade reports, as prepared by the Secretariat and presented in Annex 3 of document SC69 Doc. 28.3, and taking into account the advice provided by the Standing Committee at its 69th meeting to incorporate input from Parties in further developing these requirements, to ensure that the data are made available to support law enforcement needs, and to ensure that data are ultimately available as non-aggregated individual records.
- d) The Standing Committee requested the Secretariat to work with UNODC to prepare a detailed proposal for the development of a database to store and manage illegal trade data collected through CITES annual illegal trade reports, engaging with partners of the International Consortium on Combating Wildlife Crime (ICWC) as appropriate, incorporating the requirements referred to in recommendation c) above and including the budget breakdown, for consideration by the Committee at its 70th meeting, and subsequent submission to the 18th meeting of the Conference of the Parties for consideration.

Later in the meeting, the Standing Committee adopted the *Guidelines for the preparation and submission of the CITES annual illegal trade report*, including a sample reporting format, in document SC69 Com. 1

During discussion of this agenda item, interventions were made by the representatives of Europe (Israel and Portugal), North America (Canada), and Oceania (New Zealand), by Japan, the United States of America and by the International Fund for Animal Welfare (IFAW) (speaking also on behalf of Species Survival Network, Wildlife Conservation Society and Zoological Society of London).

29. Compliance matters

29.1 Compliance reportSC69 Doc. 29.1 (Rev. 2)

The Secretariat introduced document SC69 Doc. 29.1 (Rev. 2) and recalled the three general principles that guide CITES compliance procedures as reflected in Resolution Conf. 14.3, namely: 1. A supportive and non-adversarial approach is taken towards compliance matters, with the aim of ensuring long-term compliance; 2. Compliance matters are handled as quickly as possible. Such matters are considered and ensuing compliance measures are applied in a fair, consistent and transparent manner, and 3. Generally, findings, reports and communications in compliance matters are not treated confidentially. However, communications between the Secretariat and individual Parties on specific compliance matters are generally confidential.

The first case under Article XIII concerned the introduction from the sea of specimens from the North Pacific population of sei whale (*Balaenoptera borealis*) by Japan. Japan drew the attention of the Committee to the fact that it had always responded on time to the requests sent by the Secretariat and provided additional information on the substance of this particular issue. Japan also mentioned the relevant provisions of the International Convention for the Regulation of Whaling (ICRW), notably Article VIII, concerning their scientific program of research on cetaceans under special permit in the Western North Pacific, and clarified that the catch of sei whales was for scientific purposes and that the subsequent trade thereof (introduction from the sea) was not for commercial purposes. Several Parties and observer organizations expressed concern that the introduction from the sea of these specimens may be for commercial purposes and supported the proposal to seek additional information and conduct a technical mission to Japan.

Other interventions requested stronger recommendations, stressing that due process had been adequately provided and that the Committee had enough information to already take a decision, and requesting the Secretariat to issue a written warning, a deadline to submit additional information, and for some, a suspension of trade regarding the species of *Balaenoptera borealis*, while Japan pointed out the fact that the process was still at the preliminary stage and communications were going on between Japan and the Secretariat, and that thus the Committee was yet to have information for further

discussion. A Party pointed out the need to reconcile the obligations between the CITES and ICRW Conventions and conduct a study on the potential conflict of these two international agreements.

The second case referred to trade in specimens of *Pterocarpus erinaceus* between Nigeria and China. China provided detailed responses on this issue and drew the attention of the Committee to a communication exchange mechanism that it had put in place to check permits immediately with their trade partners. China, supported by Nigeria, declared that this mechanism was working and had fully demonstrated that it was the best practice to prevent any fraudulent trade. Some Parties expressed some doubts about the legality of these transactions and serious concerns about the important volumes traded. Later, the Secretariat announced that it had received an official letter of invitation from the Government of Nigeria to conduct a technical mission to that country.

The third case concerned CITES permits issued with the exporting or importing country listed as "Republic of Kosovo". Several Members and observers were not in a position to support the Secretariat's recommendation of refraining to refer to Kosovo as the country of import, export or re-export. Only one Party expressed support for the initial recommendation.

Turning to the second part of the document on the possible establishment of a Compliance Assistance Program (CAP), most of the interventions were not in support for the establishment of a working group.

Regarding Guidance for verifying the legal acquisition of founder stock of captive-bred CITES-listed species, the Secretariat mentioned that it had received a letter related to this matter from the Management Authority of Bolivia (Plurinational State of), requesting the Standing Committee to determine, at its 69th meeting, the illegality of the founder stock and offspring of first and second generation of specimens of hyacinth macaw (*Anodorhynchus hyacinthinus*) in possession of Hyacinth Macaw Aviary, Inc. The Parties concerned explained their positions and were invited by the Chair to explore bilaterally all possible solutions.

The Standing Committee agreed the following:

With regard to Japan – introduction from the sea of specimens from the North Pacific population of the sei whale (Balaenoptera borealis)

- a) The Secretariat should review the responses provided by Japan and, in consultation and cooperation with the Party concerned and the Chair of the Standing Committee, determine whether there is additional information to be considered. The Standing Committee requested the Secretariat at the invitation of the Government of Japan, to conduct a technical mission to the country pursuant to Article XIII of the Convention to assess the scientific, administrative and legislative arrangements for authorizing the introduction from the sea of specimens from the North Pacific population of the sei whale; and report its findings and recommendations to the 70th meeting of the Standing Committee (SC70).

Japan asked for confirmation from the Secretariat on the interpretation regarding the reference to Article XIII of the Convention in the recommendation, stating its interpretation that:

- compliance matters are considered under Article XIII and to be read in conjunction with Resolution Conf. 14.3; and
- as the Secretariat is still in need of further information to assess whether there is a compliance issue or not, the request for additional information and the conduct of a technical mission in the recommendation are based on paragraphs 16 and 17 under "Identification of potential compliance matters" of Resolution Conf. 14.3.

In response, the Secretariat confirmed that Japan's interpretation was correct.

With regard to trade in specimens of Pterocarpus erinaceus:

- b) Parties should not accept any CITES permit or certificate for *Pterocarpus erinaceus* issued by Nigeria unless its authenticity has been confirmed by the Secretariat, noting that China and Nigeria have existing CITES document exchanging mechanism to verify the authenticity of all CITES permits and certificates for *Pterocarpus erinaceus* issued by Nigeria.
- c) Range States and importing countries should pay particular attention to trade in *Pterocarpus erinaceus* to ensure that trade in this species only takes place when Parties are satisfied that it is in line with the requirements of the Convention.

- d) The Standing Committee welcomed the invitation by the Government of Nigeria to conduct a technical mission to Nigeria and invited the Secretariat to provide any relevant information on compliance with the Convention related to trade in *Pterocarpus erinaceus* to the Standing Committee.

With regard to CITES permits issued with the "Republic of Kosovo" as State of import, export or re-export

- e) The Standing Committee agreed that no guidance should be issued by the Standing Committee with respect to CITES documentation that refers to Republic of Kosovo as the State of import, export or re-export.

Regarding possible establishment of a Compliance Assistance Programme (CAP)

- f) The Standing Committee requested the Secretariat to submit to its 70th meeting a proposal on the establishment of a Compliance Assistance Programme (CAP), including associated costs. In preparing the proposal, the Standing Committee requested that the Secretariat issue a notification seeking inputs from Parties, intergovernmental organizations and non-governmental organizations on their experience and relevant advice to support a CAP.

Regarding Guidance for verifying the legal acquisition of CITES Specimens (Legal Acquisition Finding)

- g) The members of the Standing Committee as well as Parties and interested observers are invited to provide relevant information on this matter to the Secretariat, including any examples and relevant information regarding methodologies, practical tools, legislative information, forensic expertise and other resources used to monitor compliance with the Convention and to verify the legal acquisition of specimens of CITES-listed species to be exported in accordance with Article III, paragraph 2 (b), Article IV, paragraph 2 (b), and Article V, paragraph 2 (a) of the Convention 90 days in advance of the international workshop to be tentatively held in Brussels from 13 to 15 June 2018. The Standing Committee noted that the Secretariat would issue a notification encouraging participation of range States in the workshop.

Regarding Guidance for verifying the legal acquisition of founder stock of captive-bred CITES listed species to be exported

- h) The Secretariat should include the issue of the legal acquisition of founder stock of captive-bred CITES-listed species on the agenda of the international workshop to be tentatively held in Brussels from 13 to 15 June 2018.
- i) Parties concerned by potential disputes with respect to the interpretation or application of the provisions of the present Convention regulating captive-breeding operations should explore bilaterally all possible solutions and are encouraged to exhaust all possible avenues of negotiation.

The Standing Committee recommended that Parties concerned report on progress to the Secretariat on the implementation of the above recommendations by 1 July 2018, in order for the Secretariat to convey those reports and its comments at the 70th meeting of the Standing Committee.

During discussion of this agenda item, interventions were made by the representatives of Africa (Kenya – acting representative in place of Ethiopia on 27 and 28 November and Niger), Asia (China and Kuwait), Central and South America and the Caribbean (Bahamas, Guatemala and Peru), Europe (Hungary and Israel), North America (Canada), and Oceania (New Zealand), by Antigua and Barbuda, Argentina, Australia, Bolivia (Plurinational State of), the European Union, Japan, Mexico, Nigeria Senegal, and the United States of America, and by the Animal Welfare Institute, Born Free Foundation, Born Free USA, Center for Biological Diversity, Environmental Investigation Agency, Humane Society International, International Fund for Animal Welfare, IWMC – World Conservation Trust, Japan Wildlife Conservation Society, Livelihoods International, Natural Resources Defence Council, ProWildlife, Species Survival Network, Whale and Dolphin Conservation, Wildlife Conservation Society, Wildlife Impact and the World Wildlife Fund.

29.2 Application of Article XIII

29.2.1 Application of Article XIII in the Lao People's Democratic Republic SC69 Doc. 29.2.1

The Secretariat introduced document SC69 Doc. 29.2.1, outlining the findings of its mission to the Lao People's Democratic Republic (Lao PDR) in July 2017.

Several Parties noted the progress presented in the report, but highlighted the need to adopt further compliance measures, including the issuance of a warning or the adoption of a recommendation to suspend trade with Lao PDR in all CITES-listed species. Several Parties also noted that trade in elephant ivory continued to pose problems in the country. One Party expressed concerns about the reference to a specific language in the recommendation and another noted the lack of reference to the trade in snake skins and suggested that it should be included in the final recommendations. Lao PDR welcomed the recommendations indicating that work on their implementation had already begun. They also requested to further clarify and adjust some of the recommendations.

and

29.2.2 Application of Article XIII in the Democratic Republic of the Congo SC69 Doc. 29.2.2

The Secretariat introduced document SC69 Doc. 29.2.2, briefly addressing the progress in implementing the recommendations previously agreed by the Standing Committee.

The Democratic Republic of the Congo (DRC) assured the Committee that it was working hard to implement a series of reforms to fulfil its obligations under the Convention. The DRC also stated that it was conducting a scientific survey of the national population of *Psittacus erithacus* and that a voluntary moratorium on trade in specimens of this species was adopted by the new CITES Management Authority. The DRC declared that all alleged perpetrators responsible for illegal trafficking were being brought to court and that effective systems were being put in place to ensure that CITES authorities work closely with customs authorities and enforcement agencies to ensure effective enforcement of the Convention. Finally, the DRC raised concerns about international trade in pangolins and stated that it would not tolerate any illegal trade and had recently seized 903 kg of pangolin scales.

Various interventions followed to congratulate the DRC for the efforts made and to support the Secretariat's recommendations, including keeping the suspension of trade in specimens of *Psittacus erithacus* as it was already agreed by the Committee at its 66th meeting. A Party suggested an amendment to the recommendation j) ii regarding the trade in *Pericopsis elata*. Finally, another Party pointed out the need for DRC to work with neighbouring countries in the fight against illegal trafficking.

The United Arab Emirates (UAE) stressed that, despite its reservation on *Psittacus erithacus*, it was fully committed not to trade in wild specimens of this species. It also declared that contrary to the information contained in table 4 of the document, the UAE had not imported any *Pericopsis elata* from the DRC.

Parties took note of the scientific study and of the moratorium and invited the DRC to adopt a regulatory act in accordance with the moratorium.

The Standing Committee established an in-session working group on Article XIII processes with the following mandate to:

For Lao PDR (document SC69 Doc. 29.2.1):

- a) clarify the language regarding finished products in recommendation 1 of paragraph 50;
- b) consider including a recommendation on illegal ivory trade in recommendation 4;
- c) consider including a reference to snake farms in recommendation 5;

- d) consider new wording on the languages of the awareness campaigns in recommendation 6;
- e) consider new recommendations related to compliance measures (warning or trade suspension);

For the DRC (document SC69 Doc. 29.2.2):

- f) consider adding “a study on” at the beginning of recommendation 51 j) ii);
- g) consider including a notification in recommendation 52;
- h) consider maintaining or not the trade suspension in specimens of *Psittacus erithacus*;
- i) consider the proposal to delete recommendation 51 b).

The membership of the in-session working group on Article XIII was agreed as follows: Portugal (Chair), Botswana, Belgium, China, European Union, Gabon, Kenya, Lao People’s Democratic Republic, Saudi Arabia, South Africa, Switzerland, Thailand, United States of America, Zimbabwe; and Center for International Environmental Law, Conservation Alliance of Kenya, David Shepherd Wildlife Foundation, Environmental Investigation Agency, Forest Resources Management, Humane Society International, Parrots Breeders Association of Southern Africa, Save the Elephants, Species Survival Network, TRAFFIC, Wildlife Conservation Society and World Wildlife Fund.

Later in the meeting, the Standing Committee adopted document SC69 Com. 8 as follows:

Lao People’s Democratic Republic

The Standing Committee recommended that:

1. *Regarding management of exports of Dalbergia cochinchinensis*

Parties maintain the suspension of commercial trade in specimens of the species *Dalbergia cochinchinensis*, including finished products such as carvings and furniture from Lao PDR, until that Party makes scientifically based non-detriment findings for trade in the species to the satisfaction of the Secretariat.

2. *Regarding national legislation:*

Lao PDR:

- a) adopt adequate legislative measures to implement the Convention that meet the minimum requirements set out in Resolution Conf. 8.4 (Rev. CoP15) on *National laws for implementation of the Convention*;
- b) implement its new criminal legal framework in relation to illegal trade in wildlife, notably the relevant provisions of the amended Penal Code;
- c) develop and enact legislative guidelines for wildlife farming; and
- d) formalize an agreement on mutual assistance between CITES management authorities and customs to strengthen cooperation and ensure the expeditious exchange of information.

3. *Regarding CITES Authorities*

Lao PDR

- a) clarify who are the designated CITES Management and Scientific Authorities;
- b) clearly identify staff within the designated Management and Scientific Authorities who have specific responsibility for granting permits or certificates of behalf of Lao PDR and implementing the Convention, and provide these staff with the training and resources to

communicate with the Secretariat or the Management Authority of any other Party and undertake their CITES responsibilities in an efficient manner;

- c) formally communicate to the Secretariat any changes in the designations or authorizations under the provisions of Article IX of the Convention; and
- d) provide copies of all permits and certificates issued to authorize trade in CITES-listed species in 2016 and 2017 and continue to provide copies until further notice.

4. *Regarding compliance and law enforcement*

Lao PDR

- a) focus on the effective implementation of existing relevant plans, in particular its National Ivory Action Plan (NIAP), and report on progress in implementation according to the fixed deadlines;
- b) take urgent steps to progress the implementation of its crime response plan to tackle illegal trade in wildlife, combining information collected from different sources, including from the DOFI Information Management System, World Wide Fund for Nature (WWF), Wildlife Conservation Society (WCS), the Wildlife Justice Commission case file and from other entities, together with Lao PDR's NIAP, the relevant provisions of the new penal code, the training received on ivory identification and other investigation techniques;
- c) investigate and prosecute mid-high profile cases involving organized or transboundary activities;
- d) adopt result-oriented law enforcement qualitative approaches, using the enforcement indicators of the International Consortium on Combating Wildlife Crime (ICWC) ;
- e) work with the law enforcement agencies from China, Malaysia, Singapore, Thailand and Viet Nam, in the context of ASEAN-WEN and other relevant networks to facilitate the exchange of information and best practices with the objective of improving the mechanisms for justice and police cooperation on the issues of trade and transiting of illegal wildlife and illegal wildlife 'tourism'; and
- f) provide to the Secretariat the results of any investigations conducted by competent national authorities to determine the origin of specimens in illegal trade, the identities of individuals involved in smuggling, and the results of any legal proceedings against alleged perpetrators.

5. *Regarding monitoring of wildlife farms and related trade*

Lao PDR

- a) create a Committee on Tiger Farms composed of government officials, relevant national organizations, members of the Cat Specialist Group of the Species Survival Commission of the International Union for Conservation of Nature (IUCN/SSC), the World Association of Zoos and Aquaria (WAZA), the CITES Secretariat and other international organizations; and
- b) conduct an inventory of the tigers kept in captivity in the farms, combined with a marking scheme and genetic analysis of the animals to establish their origin.

6. *Public awareness and outreach campaigns*

Lao PDR take urgent steps towards the implementation of the outreach campaigns targeted to raise awareness among nationals, traders, visitors and consumers from neighbouring countries about the laws and regulations of the State for the protection of fauna and flora. Campaigns should focus on international airports, main ports, markets and special free economic zones.

The Standing Committee recommended that:

- a) By 31 December 2017, Lao PDR submit an adequate implementation plan with timelines and indicators for complete implementation of recommendations 2-6 in document SC69 Doc. 29.2.1 paragraph 50.
- b) By 30 June 2018, Lao PDR provide a report to the Secretariat on implementation of recommendations 2-6.

If the Secretariat has determined that the adequate implementation plan with timelines and indicators has not been provided by 31 December 2017 or implementation of recommendations 2-6 has not been substantially achieved by 30 June 2018, the Secretariat shall publish a Notification to the Parties recommending a suspension of trade with Lao PDR.

Democratic Republic of the Congo

The Standing Committee recommended that:

Regarding quota management and issuance of export permits

- a) the Democratic Republic of the Congo (DRC) establish an efficient information system, preferably an electronic system resources permitting, to:
 - i) facilitate the issuance of permits and certificates and the verification of the legal acquisition of specimens in trade (legal acquisition finding), while making the manipulation of DRC CITES permits and certificates after issuance more difficult;
 - ii) keep up-to-date records of exporters, which should facilitate controls, communications, collaboration;
 - iii) facilitate liaison and integration with other permitting/certification systems relating to the harvest of and trade in CITES-listed resources, e.g. timber concession authorizations, phytosanitary/veterinary documentation, or customs declarations;
 - iv) control and monitor annual export quotas to ensure they are not exceeded;
 - v) 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
 - vi) prepare annual reports that contain information on trade that have effectively occurred, and follow the guidelines for the preparation and submission of annual report of the [Notification to the Parties No.2017/006](#) and its annex, paying special attention to name correctly the country of import (box 3a in the Standard CITES form); and
- b) the DRC provide scanned copies of all permits and certificates issued to authorize trade in CITES-listed species to the Secretariat until further notice.

*Regarding the management of trade in *Psittacus erithacus**

- c) a non-Party to the Convention for *Psittacus erithacus*, in accordance with Resolution Conf.4.25 (Rev. CoP14), treat the species as if it were included in Appendix II for all purposes, including documentation and control, and suspend the issuance of export permits for commercial and non-commercial trade in specimens of *Psittacus erithacus* of wild origin until it is in a position to make scientifically based non-detriment findings for trade in the species;
- d) the DRC take steps to implement CoP Decision 17.256 on *African grey parrots* (*Psittacus erithacus*);
- e) the DRC not establish experimental export quotas as part of scientific surveys of the species in the country;
- f) the Standing Committee notes the moratorium announced by the DRC to suspend trade of *Psittacus erithacus* and its announcement that it will not implement its reservation on the listing

of the species in Appendix I and It invites DRC to adopt a regulatory act to implement the moratorium, and

- g) the Standing Committee also notes the commitment by the DRC to undertake population surveys and develop a management plan for *Psittacus erithacus*.

Regarding illegal trade:

- h) the DRC take urgent steps to progress the implementation of its NIAP, and report on progress to the Secretariat according to the agreed deadlines;
- i) the DRC investigate and prosecute criminal cases involving organized or transboundary activities relating to illegal trade in CITES-listed wildlife;
- j) the DRC provide to the Secretariat the results of any judicial decision, in accordance with national laws, conducted by competent national authorities to determine the origin of specimens in illegal trade, including African grey parrots, pangolin scales, elephant ivory, etc., as well as the identities of individuals involved in, *inter alia*, falsifying CITES documents, or illegally trading and smuggling CITES specimens, and the results of any legal proceedings against alleged perpetrators; and
- k) the DRC work with the law enforcement agencies from China, Pakistan, Singapore and Turkey to facilitate the exchange of information and best practices with the objective of improving the mechanisms for justice and police cooperation on the issues of trade and transiting of illegal or unreported trade in specimens of CITES-listed species.

Regarding trade in Pericopsis elata

- l) the DRC take urgent steps to implement the measures presented in its NDF report (document PC22 Doc. 12.1 and Annex), particularly:
- i) the finalization and use of a database to monitor the volumes of *Pericopsis elata* exported by the DRC; and
- ii) a study on the systematic conversion of volumes of processed products into round wood equivalent volumes, based on an appropriate conversion rate.

As long as the database mentioned in paragraph l) above is not finalized and submitted to the Secretariat for review, the Standing Committee recommended that importing Parties not accept any CITES export permit or certificate for *Pericopsis elata* issued by the DRC unless its authenticity has been confirmed by the Secretariat.

The Standing Committee maintained its recommendation to suspend commercial trade in specimens of *P. erithacus*

Welcoming the institutional reform of CITES adopted by the DRC, the Standing Committee invited the Parties, partners and donors to provide financial, technical and logistical support to DRC to support the implementations of the above recommendations of the Standing Committee.

The Standing Committee requested that the DRC report on progress to the Secretariat on the implementation of recommendations directed to it by 1 July 2018, in order for the Secretariat to convey this report and its comments at the 70th meeting of the Standing Committee.

During discussion of these agenda items, interventions were made by the representatives of Africa (Kenya – acting representative in place of Ethiopia on 27 and 28 November and Niger), Asia (China), and Europe (Hungary and Portugal), by the Democratic Republic of the Congo, Gabon, the Lao People's Democratic Republic, Senegal, Switzerland, Thailand, the United Arab Emirates, and the United States of America, and by the Global Tiger Forum and Humane Society International.

29.2.3 Application of Article XIII in GuineaSC69 Doc. 29.2.3

The Secretariat introduced document SC69 Doc. 29.2.3, summarizing progress made in the country since the last mission of the Secretariat in September 2011. The Secretariat suggested

to undertake a new mission to update the current recommendations and to offer relevant technical assistance. Guinea was not present at the 69th meeting of the Standing Committee.

One Party pointed out the urgent need to reform the Guinean legislation, and another stressed the need to help Guinea to prevent the expansion of illegal trade to neighbouring countries.

The Standing Committee acknowledged the progress reported by Guinea in 2016 and 2017, and thanked Guinea for the information provided.

The Standing Committee requested the Secretariat, subject to the availability of resources, to conduct a technical mission to Guinea pursuant to Article XIII of the Convention to assess the administrative and legislative arrangements for the implementation of CITES in Guinea; consider the need for additional or revised measures; and provide technical assistance as necessary to implement the Convention.

The Standing Committee further requested the Secretariat to continue to monitor the progress made by Guinea and report to the Standing Committee on such progress, which, in considering such reports, will decide whether its recommendation to suspend all commercial trade in CITES-listed species with Guinea can be lifted, or if additional measures are required.

During discussion of this agenda item, interventions were made by the representatives of Africa (Niger), and Europe (Hungary) and by Senegal.

29.3 National ivory action plans process: Report of the Secretariat SC69 Doc. 29.3

The Secretariat introduced document SC69 Doc. 29.3 and its addendum and provided an update on the National Ivory Action Plan (NIAP) process. Concerns over the methodology of the ETIS report were considered under agenda item 51 on *Elephants (Elephantidae spp.)*.

Some Committee Members and Parties expressed concern over the postal procedure that followed CoP17, for the inclusion of new Parties in the NIAP process. There were diverging views among speakers on which countries should be added to the NIAP process. The Secretariat clarified that the postal procedure was conducted in full compliance with Rules 30 to 32 of the Rules of Procedure of the Committee. Some Parties concerned by the NIAP process who had not submitted reports to SC69 provided an update on the activities they implemented to combat elephant poaching and illegal ivory trade.

The Standing Committee agreed to endorse the new names for the NIAP Party categories suggested in paragraph 150 of document SC69 Doc. 29.3, including an explanation for each category; and requested the Secretariat to prepare a proposal to amend Annex 3 to Resolution Conf. 10.10 (Rev. CoP17) accordingly to reflect these changes and to request ETIS to use the new names in future ETIS Reports, for consideration by the Standing Committee and onward submission to the 18th meeting of the Conference of the Parties.

The Standing Committee requested the MIKE and ETIS Subgroup to consider recommendation w) on ETIS methodology in paragraph 158 of document SC69 Doc. 29.3 and report back later in the meeting.

The Standing Committee established an in-session working group on national ivory action plans process with a mandate to:

- a) review all country-specific recommendations in paragraph 158 of document SC69 Doc. 29.3; and
- b) consider further recommendations.

The membership of the in-session working group on national ivory action plans process was agreed as follows: Canada (Chair), Belgium, Botswana, Chad, China, Democratic Republic of the Congo, European Union, Gabon, Germany, Japan, Kenya, Lao People's Democratic Republic, Liberia, Malawi, Malaysia, Mozambique, Namibia, Netherlands, Niger, Nigeria, Qatar, Russian Federation, Singapore, South Africa, Sri Lanka, Thailand, Uganda, United Arab Emirates, United States of America, Viet Nam, and Zimbabwe; and Born Free Foundation, Conservation Alliance of Kenya, Conservation Force, David Shepherd Wildlife Foundation, Environmental Investigation Agency, Humane Society International, International Fund for Animal Welfare, International Union for Conservation of Nature, Ivory Education

Institute, Japan Tiger and Elephant Fund, Livelihood International, Pro Wildlife, Save the Elephants, Species Survival Network, The True Green Alliance, TRAFFIC, United Nations Office on Drugs and Crime, Vulcan / Paul G. Allen Philanthropies, Wildlife Conservation Society, World Wildlife Fund, Zoological Society of London.

Later in the meeting, Canada, as Chair of the in-session working group on national ivory action plans, introduced document SC69 Com. 7. The Secretariat suggested adding “recommending Parties” before “to suspend” in recommendation b) ii). Some Committee Members raised concerns over the time frame set in the recommendations in document SC69 Com. 7, for Parties to submit their NIAP progress reports. Qatar expressed the view that it should not be included in the NIAP process, and that the decision on whether Qatar should be included in the NIAP process or not be deferred to the 70th meeting of the Standing Committee. Qatar indicated its intention to invite the Secretariat to conduct a technical mission to the country.

The Standing Committee adopted document SC69 Com. 7 amended by the Secretariat as follows:

Possible new Parties to participate in the National Ivory Action Plans (NIAP) process

Japan

a) The Standing Committee:

- i) noted the report received from Japan;
- ii) encouraged Japan to remain vigilant in its efforts to combat illegal trade in ivory, and to closely review trends to ensure that the activities and measures it is implementing respond effectively to illegal trade in ivory as it affects the country;
- iii) invited Japan to report through the Secretariat to its 70th meeting (SC70) on its implementation of Resolution Conf. 10.10 (Rev. CoP17); and
- iv) requested the Secretariat to continue to monitor progress in accordance with the provisions of paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17), and to bring any issues of concern that may arise to the attention of the Committee at SC70.

Qatar

b) The Standing Committee:

- i) included Qatar in the NIAP process; and
- ii) requested the Party to develop and implement a NIAP in accordance with the *Guidelines*.

Singapore

c) The Standing Committee:

- i) agreed not to include Singapore in the NIAP process at present;
- ii) invited Singapore to report through the Secretariat to SC70 on its implementation of Resolution Conf. 10.10 (Rev. CoP17); and
- iii) requested the Secretariat to continue to monitor progress in accordance with the provisions of paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17), and to bring any issues of concern that may arise to the attention of the Committee at SC70.

South Africa

d) The Standing Committee:

- i) noted the report received from South Africa, available as information document SC69 Inf. 43;

- ii) requested South Africa to submit a report to the Secretariat so that the Secretariat can make the report available to the Standing Committee at SC70, together with any recommendations it may have; and
- iii) requested the Secretariat to continue to monitor progress in accordance with the provisions of paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17), and to bring any issues of concern that may arise to the attention of the Committee at SC70.

Sri Lanka

- e) The Standing Committee:
 - i) agreed not to include Sri Lanka in the NIAP process at present;
 - ii) noted the report received from Sri Lanka;
 - iii) encouraged Sri Lanka to remain vigilant in its efforts to combat illegal trade in ivory, and to closely review trends to ensure that the activities and measures implemented respond effectively to illegal trade in ivory as it affects the country; and
 - iv) requested the Secretariat to continue to monitor progress in accordance with the provisions of paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17), and to bring any issues of concern that may arise to the attention of the Committee at SC70.

Togo

- f) The Standing Committee:
 - i) noted that Togo did not submit its NIAP to the Secretariat in accordance with the time frame set by the Conference of the Parties in Step 2, paragraph b) of the Guidelines; and
 - ii) requested Togo to submit its revised NIAP to the Secretariat for assessment in accordance with Step 3 of the Guidelines, and commence implementation as soon as the revised NIAP is accepted as 'adequate' by the Secretariat, and provide associated reporting in accordance with the provisions set out in the Guidelines.

Parties that continue implementing their NIAPs

Cameroon, Egypt, Ethiopia and the United Republic of Tanzania

- g) Regarding the United Republic of Tanzania as Party of 'primary concern', Cameroon and Ethiopia as Parties of 'secondary concern', and Egypt as a Party of 'importance to watch', the Standing Committee noted that these Parties did not submit reports on progress with NIAP implementation that allowed for their progress to be reflected in document SC69 Doc. 29.3.
- h) In the absence of any report or oral update on progress with NIAP implementation to SC69 by the Parties mentioned in recommendation g) above, the Standing Committee requested the Secretariat in accordance with Step 4, paragraph f) of the *Guidelines*, on behalf of the Committee to:
 - i) issue a warning, requesting the above-mentioned Parties to submit their NIAP progress reports within 60 days of the conclusion of SC69 to the Secretariat;
 - ii) if there is no satisfactory response by a Party concerned, issue a Notification to Parties recommending all Parties to suspend commercial trade in CITES-listed species with that Party until the Party concerned submits a progress report to the Secretariat confirming that progress has been made towards NIAP implementation.

The Democratic Republic of the Congo

- i) The Standing Committee:

- i) agreed an overall rating of 'limited progress' in line with Step 4 paragraph e) of the Guidelines;
- ii) requested the Democratic Republic of the Congo to, in case it wishes to revise and update its NIAP that was found to be adequate in 2015, to do so within 60 days upon conclusion of SC69 and to reinsert in the revised NIAP those actions originally found to be adequate by the Secretariat, or to provide justification on why these actions should be removed from the NIAP.

Angola

- j) The Standing Committee requested:
 - i) the Secretariat to, in accordance with Step 4 paragraph f) of the Guidelines, issue a warning requesting Angola to submit to the Secretariat a revised report on progress with NIAP implementation, including reporting on all actions that are contained in its NIAP that was found adequate by the Secretariat, within 60 days of the conclusion of SC69;
 - ii) Angola to, in case it wishes to revise and update its NIAP that was found to be adequate in 2015, to do so within 60 days upon conclusion of SC69 and to reinsert in the revised NIAP those actions originally found to be adequate by the Secretariat, or to provide justification on why these actions should be removed from the NIAP.
- k) In accordance with Step 4 paragraph f) of the *Guidelines*, the Standing Committee requested the Secretariat to issue a Notification on behalf of the Standing Committee to all Parties to suspend all commercial trade in CITES-listed species with Angola, if there is no satisfactory response by Angola to the warning.
- l) The Standing Committee encouraged Parties, governmental, intergovernmental and non-governmental organizations and others to, where possible, provide financial and technical assistance to Angola, in accordance with Decision 17.82, and to inform the Secretariat accordingly.

Cambodia

- m) The Standing Committee:
 - i) agreed an overall rating of 'limited progress' in line with Step 4 paragraph e) of the *Guidelines*;
 - ii) requested Cambodia to enhance efforts to progress the implementation of NIAP actions between SC69 and SC70, and provide associated reporting in accordance with the provisions set out in the *Guidelines*;
 - iii) requested the Secretariat to conduct a technical mission to Cambodia in accordance with paragraph 29 e) in the Annex to Resolution Conf. 14.3 on *CITES compliance procedures* at the invitation of Cambodia, to meet with national agencies responsible for NIAP implementation, offer assistance, and identify appropriate steps to progress the implementation of the NIAP, and report its findings and recommendations to the Committee at its 70th meeting; and
 - iv) agreed that if Cambodia, upon assessment by the Secretariat, does not show any demonstrable progress with the implementation of its NIAP at SC70, the Standing Committee issue a recommendation to suspend all commercial trade in CITES-listed species.

Nigeria

- n) The Standing Committee:
 - i) noted that Nigeria submitted a progress report, available as an information document; and
 - ii) requested the Secretariat to evaluate the progress report and bring any matters arising to the attention of the Standing Committee as may be needed.

Congo and Gabon

- o) The Standing Committee:
 - i) agreed an overall rating of 'limited progress' in line with Step 4 paragraph e) of the *Guidelines*; and
 - ii) requested the Congo and Gabon to enhance efforts to progress the implementation of NIAP actions between SC69 and SC70, and provide associated reporting in accordance with the provisions set out in the *Guidelines*.

Lao People's Democratic Republic

- p) The Standing Committee:
 - i) agreed an overall rating of 'limited progress' in line with Step 4 paragraph e) of the *Guidelines*;
 - ii) requested the Lao People's Democratic Republic (Lao PDR) to enhance efforts to progress the implementation of NIAP actions between SC69 and SC70, with a particular focus on the implementation of its amended Penal Code and progressing the implementation of Actions 2.5 and 2.6 in its NIAP, by initiating inspections and enforcement actions in domestic markets, and scaling up inspections at ports and border checkpoints; and
 - iii) requested the Lao PDR to use the template for progress reports on NIAP implementation available on the NIAP webpage for future reporting on progress with NIAP implementation, including providing sufficiently detailed reporting to enable the Secretariat to fully assess the progress made.

Mozambique

- q) The Standing Committee welcomed the progress made by Mozambique and agreed an overall rating of 'partial progress' in line with Step 4 paragraph e) of the *Guidelines*.

Parties that have 'substantially achieved' their NIAPs

China, Hong Kong SAR of China, Kenya, Philippines, Thailand and Uganda

- r) The Standing Committee:
 - i) commended China, Hong Kong SAR of China, Kenya, Philippines, Thailand and Uganda for the measures taken to implement their NIAPs;
 - ii) requested the Secretariat to continue to monitor progress in accordance with the provisions of paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17), and to bring any issues of concern that may arise to the attention of the Committee at SC70; and,
 - iii) encouraged China, Hong Kong SAR of China, Kenya, Philippines, Thailand and Uganda to submit a report to the Secretariat, 90 days before the deadline for submission of documents to the 70th meeting of the Standing Committee, on any further measures taken and activities implemented to combat illegal ivory trade, including on any new or further policy developments, so that the Secretariat can make the reports available to the Standing Committee at SC70.
- s) The Standing Committee agreed that it will consider at SC70 whether China, Hong Kong SAR of China, Kenya, Philippines, Thailand and Uganda should exit the NIAP process, in accordance with Step 5 paragraph d) of the *Guidelines*.

Malaysia

- t) In accordance with Step 5 paragraph d) of the *Guidelines*, the Standing Committee requested Malaysia to:

- i) revise and update its NIAP in accordance with Step 2 of the *Guidelines*, to ensure that the actions in it respond to current threats, and taking into consideration the observations made by the Secretariat in paragraphs 117 and 118 of document SC69 Doc. 29.3; and
- ii) submit its revised and updated NIAP to the Secretariat for assessment in accordance with Step 3 of the *Guidelines*, and commence implementation as soon as its revised and updated NIAP is accepted as 'adequate' by the Secretariat, and provide associated reporting in accordance with the provisions set out in the *Guidelines*.

Viet Nam

- u) In accordance with Step 5 d) of the *Guidelines*, the Standing Committee requested Viet Nam to:
 - i) revise and update its NIAP in accordance with Step 2 of the *Guidelines*, and develop a combined National Ivory and Rhinoceros Action Plan (NIRAP), taking into consideration the observations made by the Secretariat in paragraph 143 of document SC69 Doc. 29.3; and
 - ii) commence implementation of the newly updated NIRAP and provide associated reporting, in accordance with the provisions set out in the *Guidelines*.

During discussion of this agenda item, interventions were made by the representatives of Africa (Chad, Ethiopia, Kenya – acting representative in place of Ethiopia on 27 and 28 November, and Niger), Asia (China and Kuwait), and North America (Canada), and by the European Union, Qatar, Singapore, South Africa and Uganda.

29.4 Illegal trade in species: Grey parrot (*Psittacus erithacus*).....SC69 Doc. 29.4

The Standing Committee agreed to defer consideration of this agenda item until the author of the document, the Republic of Congo, joins the meeting.

Chad introduced document SC69 Doc.29.4 as the delegation of the Republic of Congo had not been able to join the meeting. Chad expressed concerns about the significant increase of African grey parrot poaching in the Democratic Republic of the Congo (DRC) since the transfer of the species to Appendix I and the reservation made in this respect by the DRC.

The DRC expressed concerns regarding the tone of the document and the way it refers to another Party. It suggested that the Republic of Congo actively combat corruption. A Member of the Committee welcomed the recommendations and encouraged the authorities of Parties who entered reservations to withdraw them. Saudi Arabia declared that despite its reservation, the Party did not intend to trade in wild specimens of *Psittacus erithacus*.

The Standing Committee noted document SC69 Doc. 29.4.

During discussion of this agenda item, interventions were made by the representatives of Africa (Chad and Niger), and Europe (Hungary) and by the Democratic Republic of the Congo, Gabon and Saudi Arabia.

30. Review of Significant Trade in specimens of Appendix-II species SC69 Doc. 30

The Secretariat introduced document SC69 Doc. 30, noting that cases were reviewed following the submission of new information or the expiration of implementation deadlines. Recommendations for relevant cases had been made in consultation with the Animals Committee, through its Chair.

Parties expressed general agreement with the recommendations contained in the document.

The Standing Committee removed *Hippopotamus amphibius* from Mozambique from the Review of Significant Trade.

The Standing Committee retained *Pandinus imperator* from Togo in the Review of Significant Trade, and urged Togo to fully implement recommendations a) to e) in Annex 1 of document SC69 Doc. 30 by 27 April 2018.

The Standing Committee removed *Python reticulatus* from Malaysia from the Review of Significant Trade, and urged Malaysia to publish their revised quota of 162,000 skins from Peninsular Malaysia. The Standing Committee requested Malaysia to share with Parties details of the size limits associated with their quota.

The Standing Committee removed *Hippocampus trimaculatus* from the Review of Significant Trade, noting the confirmation from Thailand that the suspension of exports of all *Hippocampus* spp. remains in force, and urged Thailand to inform the Secretariat and the Chair of the Animals Committee about any change in the trade suspension for *H. trimaculatus*, together with a justification, for their agreement.

The Standing Committee requested that Togo establish a zero quota for wild and ranched specimens of *Chamaeleo gracilis*, and urged Togo to implement recommendations a), c), d), e), f), g), h) and i) of the Animals Committee in Annex 1 of document SC69 Doc. 30 by 27 April 2018.

The Standing Committee requested that Togo establish a zero quota for wild and ranched live specimens of *Kinixys homeana*, and urged Togo to implement recommendations c), d), e), f), g) and h) of the Animals Committee in Annex 1 of document SC69 Doc. 30 by 27 April 2018.

The Standing Committee requested the Secretariat to include the additional guidance of the Animals Committee in Annex 2 of document SC69 Doc. 30 in their correspondence with the relevant range States.

The Standing Committee requested the Secretariat to follow-up with Equatorial Guinea and the Lao People's Democratic Republic on the cases brought to its attention in Annex 3 of document SC69 Doc. 30 and report back to SC70.

The Standing Committee asked the Animals Committee to bring further clarification on the case of *Uromastyx aegyptia/Jordan* in Annex 3 of the document and report back to SC70.

The Standing Committee noted the information presented in paragraphs 14 to 17 of document SC69 Doc. 30.

During discussion of this agenda item, interventions were made by the representatives of Asia (Indonesia), Europe (Hungary), and North America (Canada), by Malawi, Mozambique, South Africa, Thailand, and Zimbabwe, and by the Chair of the Animals Committee.

31. Enforcement

31.1 Enforcement matters: Report of the Secretariat SC69 Doc. 31.1

and

31.2 International Consortium on Combating Wildlife Crime (ICCWC): Report of the Secretariat..... SC69 Doc. 31.2

The Secretariat introduced documents SC69 Doc. 31.1 and Doc. 31.2, outlining the enforcement related activities of the Secretariat and providing an update on activities conducted under the auspices of ICCWC, respectively. The Secretariat provided an oral update on activities conducted jointly with the United Nations Office on Drugs and Crime (UNODC) at the seventh session of the Conference of the States Parties to the United Nations Convention against Corruption, held in Vienna, Austria, in November 2017, to progress the implementation of both Decision 17.85, paragraph b), and Resolution Conf. 17.6, paragraph 15. The Secretariat noted that with regards to Decision 17.85, paragraph a), on efficient international movement of samples for forensic or enforcement purposes, and recommendation a) in paragraph 35 of the document, that this matter has already been addressed at the meeting, under agenda item 38 on *Simplified procedures for permits and certificates*.

Members of the Standing Committee thanked the Secretariat and ICCWC partners for the increasing number of activities implemented to date and renewed their commitment to combat illegal wildlife trade, its associated corruption and encouraged Parties to focus on combating money laundering and targeting the proceeds of crime. One Party requested the Secretary-General to share information with Parties on the meeting of the United Wildlife Transportation Task Force.

The Standing Committee noted document SC69 Doc. 31.1, and the Resolution on *Tackling illicit trafficking in wildlife* adopted by the United Nations General Assembly at its 71st session; and further

noted the *High Level Principles on Combating Corruption Related to Illegal Trade in Wildlife and Wildlife Products* adopted at the G20 Leaders Summit held in Hamburg, Germany, in the annex to the G20 Leaders' Declaration.

The Standing Committee requested the Secretariat to continue to explore opportunities to progress the implementation of Decision 17.85 b).

The Standing Committee noted document SC69 Doc. 31.2 and welcomed the generous support of donors for the implementation of the ICCWC Strategic Programme 2016-2020 in accordance with Decisions 17.52 c) and d).

During discussion of these items, interventions were made by the representatives of Africa (Niger), Europe (Israel and Portugal) and North America (Canada).

31.3 Combating wildlife cybercrime: Report of the Secretariat.....SC69 Doc. 31.3

The Secretariat introduced document SC69 Doc. 31.3, providing an update on efforts by the Secretariat, Parties and ICCWC partners in combating wildlife cybercrime.

Committee Members and Parties provided updates on their cooperation with online trade platforms and the increased commitment of some of those platforms to better control trade and prevent illegal sale of wildlife online. Some speakers suggested the term wildlife cybercrime should be used instead of e-commerce in the recommendations of the Secretariat.

The Standing Committee agreed to draw the attention of the Parties to INTERPOL's Cyber Wildlife Crime Investigations course and requested the Secretariat to invite the co-chairs of the WCO Working Group on E-Commerce and a representative of INTERPOL to participate in its working group on wildlife cybercrime.

The Standing Committee established an intersessional working group on wildlife cybercrime with a mandate to:

- a) consider the report of the Secretariat in accordance with Decision 17.93, paragraph f), as well as any other relevant information presented to the Standing Committee;
- b) consider the reports received from Parties in response to Notification to the Parties No. 2017/036 of 4 May 2017;
- c) after considering the reports and information referred to in paragraphs a) and b) above, as well as any other relevant information received, including from Parties, enforcement authorities, private industry and civil society, advise whether further measures are required to combat wildlife cybercrime and if so, propose draft text for either amendments to paragraphs 11 and 12 of Resolution Conf. 11.3 (Rev. CoP17) or a new resolution on wildlife cybercrime involving specimens of CITES-listed species, together with related draft decisions as necessary.
- d) report to the 70th meeting of the Committee.

The membership of the intersessional working group on wildlife cybercrime was agreed as follows: Kenya (Chair), Australia, Belgium, Brazil, China, Estonia, European Union, France Gabon, Germany, Indonesia, Kuwait, Liberia, Malaysia, Peru, Poland, Portugal, Saudi Arabia, Singapore, South Africa, Switzerland, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, and Viet Nam; and Born Free Foundation, Elephant Action League, International Fund for Animal Welfare, INTERPOL, IWMC – World Conservation Trust, Lewis & Clark – International Environmental Law Project, TRAFFIC, and Wildlife Conservation Society.

During discussion of this agenda item, interventions were made by the representatives of Asia (China and Indonesia), Central and South America and the Caribbean (Peru), and Europe (Portugal), by Kenya and the United States of America, and by the International Fund for Animal Welfare and TRAFFIC.

32. Implementation of the Convention relating to captive-bred and ranched specimens: Report of the Secretariat..... SC69 Doc. 32

The Secretariat introduced document SC69 Doc. 32 emphasizing the changing sources of CITES specimens in international trade over time and that existing rules governing trade in specimens that were not taken from the wild were extremely complex and had perhaps not kept up with the changing patterns of trade. The Secretariat emphasized the consultative nature of the review of CITES provisions relating to the trade in non-wild specimens of animals and plants.

Several speakers supported the need for greater clarification, streamlining and simplification of the rules governing trade in specimens that were not taken from the wild. One Member noted that the term “non-wild” could lead to linguistic confusion and preferred the term “not taken from the wild”. There were differences of view about whether the review should include details of the history of the development of the present rules. One member stressed the need to link this review to the Committee’s work on Decision 17.177. Another expressed the view that captive breeding should be considered as part of the process to ensure that living specimens are prepared and shipped so as to minimize the risk of injury, damage to health or cruel treatment. Others commented that Parties need to take action on specimens acquired illegally which have passed international borders and are being used in captive breeding facilities. Several speakers commented that the draft in the Annex of the document needed to be more neutral in tone.

The Standing Committee noted document SC69 Doc. 32 and established an intersessional working on captive-bred and ranched specimens with the mandate to provide advice to the Secretariat, upon request, in their fulfilment of Decision 17.101.

The membership of the intersessional working group on captive-bred and ranched specimens was agreed as follows: United States of America (Chair), Bahamas, Bolivia (Plurinational State of), Brazil, Canada, China, Colombia, European Union, France, Georgia, Germany, Guatemala, Indonesia, Japan, Kenya, New Zealand, Peru, Portugal, South Africa, Spain, Thailand, United Kingdom of Great Britain and Northern Ireland and Zimbabwe; and Alliance of Marine Mammals and Aquariums, Asia Cat, Association of Zoos and Aquariums, Center for International Sustainable Development Law, Defenders of Wildlife, Eurogroup for Animals, European Association of Zoos and Aquaria, Global Eye, Humane Society International, International Fund for Animal Welfare, International Union for Conservation of Nature, Ivory Education Institute, Lewis & Clark – International Environmental Law Project, MEA Strategies, Parrots Breeders Association of Southern Africa, Species Survival Network, TRAFFIC, Wildlife Conservation Society, World Animal Protection, World Association of Zoos and Aquariums, World Parrot Trust, and World Wildlife Fund; and the Chairs of the Animals and Plants Committees.

During discussion of this agenda item, interventions were made by the representatives of Asia (China), Central and South America and the Caribbean (Bahamas, Guatemala and Peru), Europe (Hungary and Israel) and North America (Canada), by Bolivia (Plurinational State of), Japan, Mexico and the United States of America, and by Global Eye and Species Survival Network.

33. Asian big cats in captivity: Report of the Secretariat..... SC69 Doc. 33

The Secretariat introduced document SC69 Doc. 33, noting that funds were now available to embark on the implementation of Decision 17.229 and thanked the European Union for generously making these available.

Many speakers emphasized the urgency of undertaking this work. Several referred to activities undertaken within their own territories to implement Decision 17.226. NGO observers offered to provide information to contribute to the work of the Secretariat.

The Standing Committee noted document SC69 Doc. 33 and invited the Secretariat to issue a Notification asking Parties to report on their implementation of Decision 17.226 in time for the information to be made available for its 70th meeting.

During discussion of this agenda item, interventions were made by the representatives of Europe (Hungary, Israel and the Russian Federation), by India and Thailand, and by the Global Tiger Forum and the Environmental Investigation Agency (speaking also on behalf of Animal Welfare Institute, Born Free Foundation, David Shepherd Wildlife Foundation, Eurogroup for Animals, Humane Society International, Species Survival Network, Wildlife Protection Society of India, World Animal Protection, World Wildlife Fund and Zoological Society of London).

34. Disposal of confiscated specimens

34.1 Report of the Secretariat..... SC69 Doc. 34.1

and

34.2 Report of the co-leads..... SC69 Doc. 34.2

The Secretariat introduced document SC69 Doc. 34.1, highlighting the results of an online survey on the use and usefulness of the guidelines contained in the annexes to Resolution Conf. 17.8 on *Disposal of illegally traded and confiscated specimens of CITES-listed species* and current practices. The Secretariat noted three findings: The guidelines in Annexes 1 and 2 seemed to be considered more useful than Annex 3; Parties generally sought to place confiscated live specimens in adequate facilities; and the main challenges related to the recovery of costs associated with the interim and final disposal of specimens.

The co-lead of the topic, Switzerland, introduced document SC69 Doc. 34.2 on behalf of Israel and Switzerland and proposed to establish an intersessional working group on the matter.

Most of the Parties who spoke expressed caution with regard to the suggestion in the terms of reference to consider the creation of a list of rescue centres, emphasizing security risks and the need to maintain the privacy of rescue centres. Some Parties and organizations suggested that the working group consider the possibility of developing additional guidance for handling confiscated live animals as well as dead specimens of plants. Some Parties noted the challenges in returning confiscated live specimens to the export country and the costs associated with such repatriation, and requested further guidance in this regard.

The Standing Committee noted document SC69 Doc. 34.1.

The Standing Committee established an intersessional working group on disposal of confiscated specimens with a mandate to:

- a) analyze the results of the questionnaire and other activities undertaken by the CITES Secretariat under Decision 17.118; and
- b) prepare a report to the 70th meeting of the Standing Committee, containing recommendations on the following topics, as appropriate and necessary:
 - i) possible amendments to Resolution Conf. 17.8 on *Disposal of illegally traded and confiscated specimens of CITES-listed species* and its Annexes;
 - ii) the possibility of the creation of a list of rescue centers for the disposal of live specimens which might be published on the CITES Secretariat website;
 - iii) the different options for disposal of confiscated specimens under the Convention and the legal questions related to these options; and
 - iv) the use of the term “disposal” and considerations of possible alternative terms that might be more appropriate.

The membership of the intersessional working group on disposal of confiscated specimens was agreed as follows: Israel and Switzerland (co-Chairs), Argentina, Brazil, Canada, China, Ethiopia, European Union, France, Guatemala, Italy, Japan, Kenya, Liberia, Malaysia, Netherlands, Peru, Portugal, Singapore, Spain, Sweden, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, and the United States of America; and Animal Welfare Institute, Association of Zoos and Aquariums, Born Free Foundation, Eurogroup for Animals, European Alliance of Rescue Centres & Sanctuaries, European Association of Zoos and Aquaria, Humane Society International, International Fund for Animal Welfare, International Union for Conservation of Nature, International Wood Products Association, San Diego Zoo Global, Species Survival Network, Stichting Animal Advocacy, and Protection, Wildlife Impact, World Association of Zoos and Aquariums, World Parrot Trust, World Resources Institute, and World Wildlife Fund.

The Standing Committee noted the following concerns expressed by Parties: the need to maintain the privacy of rescue centres, the possibility of developing guidance for exporting countries to accept return of confiscated specimens and guidance for the handling of confiscated live animals.

During discussion of this agenda item, interventions were made by the representatives of Central and South America and the Caribbean (Peru), Europe (Portugal), and North America (Canada), by Argentina, Japan, Switzerland and the United States of America, and by the Environmental Investigation Agency (speaking also on behalf of Species Survival Network and World Resources Institute), Eurogroup for Animals, and the World Association of Zoos and Aquariums (speaking also on behalf of Association of Zoos and Aquariums, European Association of Zoos and Aquaria, San Diego Zoo Global, Wildlife Conservation Society, World Parrot Trust and Zoological Society of London).

35. Specimens produced from synthetic or cultured DNA:

Report of the Secretariat SC69 Doc. 35

The Secretariat introduced SC69 Doc. 35, with an update on progress made in the implementation of the study on trade in specimens produced from synthetic or cultured DNA.

Several Parties stated that the work conducted under the Convention on Biological Diversity (CBD) and its protocols, including the Nagoya protocol, should be taken into account in the study, particularly the work done by the Ad Hoc Group on Synthetic Biology of the CBD. One Party noted the need for a better distinction on synthetic vs. cultured DNA. Another Party urged the Secretariat to focus on Resolution Conf. 9.6 (Rev. CoP16) on *Trade in readily recognizable parts and derivatives*. It recommended that the study focus on the need to distinguish between wild-sourced and synthetic/cultured specimens.

The Standing Committee noted document SC69 Doc. 35 and invited Parties to send comments to the Secretariat on the terms of reference of the study in the Annex of document SC69 Doc. 35. The Standing Committee further invited Parties and observers to provide relevant information on the issue of specimens produced from synthetic or cultured DNA to the Secretariat, including existing reports and literature, examples of specimens produced from synthetic or cultured DNA, etc.

The Standing Committee established an intersessional working group on synthetic or cultured DNA with a mandate to:

- a) review the findings and recommendations of the Secretariat's report in Decision 17.89 and the recommendations of the Animals and Plants Committees, and
- b) make recommendations for consideration at the 70th meeting of the Standing Committee, including appropriate revisions to existing resolutions.

The membership of the intersessional working group on synthetic or cultured DNA was agreed as follows: Mexico (Chair), Austria, Cameroon, Canada, China, Israel, Peru, Republic of Korea, South Africa, Switzerland, United Kingdom of Great Britain and Northern Ireland and the United States of America; and Center for Biological Diversity, Lewis & Clark – International Environmental Law Project, MEA Strategies, Natural Resources Defense Council, San Diego Zoo Global, Species Survival Network, Wildlife Conservation Society, and World Wildlife Fund.

During discussion of this agenda item, interventions were made by the representatives of Central and South America and the Caribbean (Guatemala, Peru), and Europe (Israel), and by Mexico, Norway and the United States of America.

36. Introduction from the sea: Report of the Secretariat SC69 Doc. 36

The Secretariat introduced document SC69 Doc. 36, focusing on the implementation of Decisions pertaining to chartering operations.

Some Parties expressed agreement with the recommendations contained in the document and noted that the issue of chartering should continue to be monitored by the Secretariat.

The Standing Committee noted document SC69 Doc. 36 and invited the Secretariat to issue a Notification asking Parties to submit information on their challenges in implementing Resolution Conf. 14.6 (Rev. CoP16)

on *Introduction from the sea*, drawing attention to the need to include a specific request regarding chartering issues, and to report back at the 70th meeting of the Standing Committee.

During discussion of this agenda item, interventions were made by the representatives of Asia (China) and Europe (Israel and Portugal) and by Japan.

37. Purpose codes on CITES permits and certificates..... SC69 Doc. 37

As lead for the Standing Committee on the issue of purpose codes, Canada introduced document SC69 Doc. 37, outlining the progress made since the 17th meeting of the Conference of the Parties.

The Standing Committee established an intersessional working group on purpose codes with a mandate to:

- a) focus on clearly defining purpose-of-transaction codes to encourage their consistent use, and consider the possible elimination of current codes or the inclusion of new ones;
- b) in evaluating the use and definition of purpose-of-transaction codes, take into account any difficulties of implementation by Parties and the potential resource implications of inclusion of any new codes or deletion of current purpose-of-transaction codes; and
- c) submit a report and any recommendations for amendments to Resolution Conf. 12.3 (Rev. CoP17) on *Permits and certificates*, or to any revision thereof, at the 70th meeting of the Standing Committee.

The membership of the intersessional working group on purpose codes was agreed as follows: Canada (Chair), Australia, Belgium, Brazil, China, Germany, Israel, Italy, Japan, Malaysia, Norway, Saudi Arabia, South Africa, United Arab Emirates, and the United States of America; and Alliance of Marine Mammals Parks and Aquariums, Association of Zoos and Aquariums, Food and Agriculture Organization, Global Eye, Lewis & Clark – International Environmental Law Project, Parrots Breeders Association of Southern Africa, Pet Industry Joint Advisory Council, Pro Wildlife, Safari Club International, San Diego Zoo Global, Species Survival Network, and TRAFFIC.

During discussion of this agenda item, an intervention was made by the representative of North America (Canada).

**38. Simplified procedure for permits and certificates:
Report of the Secretariat **No document****

The Secretariat recalled that Resolution Conf. 12.3 (Rev. CoP17) on *Permits and certificates* contained a section XII on simplified procedures for issuing permits and certificates for trade in specimens that have no or negligible impact on the conservation status of the species. The intention was to give Parties the possibility to apply simpler procedures for the international movement of biological samples etc. for purposes of research, enforcement etc. The Secretariat noted that it had issued Notification No. 2017/71 inviting Parties and other relevant stakeholders to submit information on their implementation and experiences with the use of the simplified procedures and any encountered difficulties to the Secretariat by 31 January 2018. The Secretariat proposed to ensure that the work under Decisions 17.173 and 17.174 seeking the experiences of Parties in their implementation of the simplified procedures, Decision 17.85 on facilitating the international movement of wildlife specimens for forensic purposes, and Decision 17.216 on the management and conservation of sharks and rays, including *inter alia* legislative matters that might arise in exporting, transit or consumer countries, be brought together in one intersessional working group on simplified procedures to consider the need for revising the simplified procedures in section XII of Resolution Conf. 12.3 (Rev. CoP17) and the related Annex 4 and, if required, make appropriate proposals and recommendations.

Several Parties supported the establishment of an intersessional working group, and encouraged Parties to provide information with regard to Notification No. 2017/071.

The Standing Committee established an intersessional working group on simplified procedures for permits and certificates with the following mandate to:

- a) review the Secretariat's compilation of responses to Notification 2017/071 inviting Parties and stakeholders to report on their implementation of, and experience with, simplified procedures to issue permits and certificates to facilitate and expedite trade that will have a negligible impact, or none, on the conservation of the species concerned;

- b) consider the scientific exchange provision outlined under Article VII, paragraph 6 of the Convention and further guidance on implementing that provision outlined in Resolution Conf. 11.15 (Rev. CoP12) on *Non-commercial loan, donation or exchange of museum and herbarium specimens*;
- c) take into account relevant work of the electronic systems and information technology working group;
- d) consider whether the provisions of Section XII of Resolution Conf. 12.3 (Rev. CoP17) on *Permits and certificates* are adequate to facilitate the international movement of:
 - i) samples of CITES-listed species (or samples suspected to contain CITES-listed species) for forensic or enforcement purposes, as requested of the Standing Committee in Decision 17.85 and canvassed in SC69 Inf. Doc. 18;
 - ii) the introduction from the sea of biological samples of CITES-listed species; and
 - iii) the urgent international movement of biological samples of CITES-listed species, including for diagnostic and other health and disease related purposes.
- e) if required, make proposals for amendment to Resolution Conf. 12.3 (Rev. CoP17) on *Permits and certificates*, and Resolution 11.15 (Rev. CoP12) on *Non-commercial loan, donation, or exchange of museum and herbarium specimens*; and
- f) present its report and recommendations to the 70th meeting of the Standing Committee for consideration.

The membership of the working group on simplified procedures for permits and certificates was agreed as follows: Australia (Chair), Canada, China, European Union, Germany, Italy, Japan, Mozambique, Namibia, Russian Federation, South Africa, Switzerland, Thailand, United Kingdom of Great Britain and Northern Ireland, United States of America, Viet Nam and Zimbabwe; and Association of Zoos and Aquariums, Defenders of Wildlife, Food and Agriculture Organization, Humane Society International, International Union for Conservation of Nature, Ivory Education Institute, Lewis & Clark – International Environmental Law, San Diego Zoo Global, Society for Wildlife Forensic Science, TRAFFIC, and Wildlife Conservation Society.

During discussion of this agenda item, interventions were made by the representative of North America (Canada) and by Australia and Switzerland.

39. Definition of the term 'appropriate and acceptable destinations':

Report of the Secretariat SC69 Doc. 39

The Secretariat introduced document SC69 Doc. 39, providing an update on the implementation of Decisions 17.178 to 17.180, as well as Resolution Conf. 11.20 (Rev. CoP17) on *Definition of the term 'appropriate and acceptable destinations'*.

A Party supported the recommendations by the Secretariat, including the issuance of a Notification. Some Parties and organizations expressed concern regarding the export of live wild African elephants, arguing that zoos should not be considered an appropriate destination for such specimens.

The Standing Committee noted document SC69 Doc. 39 and the revised timeline for the implementation of Decisions 17.178 to 17.180 and established an intersessional working group on 'appropriate and acceptable destinations' with a mandate to:

- a) review the report undertaken by the Secretariat in accordance with Decision 17.178 and any recommendations coming from the 30th meeting of the Animals Committee, and
- b) report to the 70th meeting of the Standing Committee with its provisional recommendations for consideration by the Committee.

The membership of the intersessional working group on 'appropriate and acceptable destinations' was agreed as follows: United States of America (Chair), Argentina, Canada, China, Ethiopia, Israel, Japan, Kenya, South Africa, Switzerland, United Arab Emirates, and the United Kingdom of Great Britain and Northern Ireland; and Association of Zoos and Aquariums, European Association of Zoos and Aquaria,

Fondation Franz Weber, International Elephant Foundation, MEA Strategies, Pro Wildlife, Safari Club International, San Diego Zoo Global, Species Survival Network, and World Animal Protection.

Later in the meeting, the Standing Committee agreed to include Zimbabwe and the International Union for Conservation of Nature as members of the intersessional working group on 'appropriate and acceptable destinations'.

During discussion of this agenda item, interventions were made by the representatives of Africa (Ethiopia and Niger) and North America (Canada), by Burkina Faso and Senegal, and by Born Free Foundation and Humane Society International.

40. Electronic systems and information technologies..... SC69 Doc. 40

Switzerland introduced document SC69 Doc. 40, highlighting that the ASYCUDA eCITES system (ACITES) was available for Parties, upon request, for the automation of CITES processes and electronic permit information exchange.

Parties welcomed the availability of the ASYCUDA eCITES system as a low cost solution for the implementation of electronic CITES systems and recognized the important role of electronic CITES systems to strengthen the implementation of the Convention. Several Parties expressed interest in implementing ASYCUDA eCITES. Others noted that some Parties had developed their own e-permitting system different from ASYCUDA. A Party highlighted the need of Parties from developing countries for technical and financial assistance to implement eCITES.

The Standing Committee established an intersessional working group on electronic systems and information technologies with a mandate to:

- a) further collaborate with the United Nations Environment Programme-World Conservation Monitoring Centre (UNEP-WCMC) on the development of the Electronic Permit Information eXchange (EPIX) system as a conduit for the exchange of CITES permits and certificates, and as a central registry to facilitate validation of CITES permit data by CITES Management Authorities and Customs officials;
- b) identify where the progress in the EPIX system, and the subsequent facilitation of the reporting requirements of Parties, may potentially affect the provisions of Resolution Conf. 11.17 (Rev. CoP17) on *National reports* and the amendment of *Guidelines for the preparation and submission of CITES annual reports* distributed by the Secretariat.
- c) work with the United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT), the United Nations Conference on Trade and Development (UNCTAD), the International Trade Centre (ITC), the World Bank, the World Customs Organization (WCO), and the World Trade Organization (WTO) in the context of the Agreement on Trade Facilitation, and other relevant partners, to continue the development of joint projects that would facilitate Parties' access to electronic permitting services and their alignment to international trade standards and norms, such as the revision of the CITES e-permitting toolkit and the development of the eCITES module in ASYCUDA;
- d) work with the Secretariat of the International Plant Protection Convention (IPPC) in the development of electronic trade documentation and learn from IPPC's efforts to develop electronic phytosanitary certificates;
- e) monitor and advise on Parties' work related to the development of traceability systems for specimens of CITES-listed species to facilitate their harmonization with CITES permits and certificates;
- f) make recommendations as necessary, including any suggestions for the revision of Resolution Conf. 11.17 (Rev. CoP17) on *National reports* and the amendment of the *Guidelines for the preparation and submission of CITES annual reports* distributed by the Secretariat, to the 18th meeting of the Conference of the Parties; and
- g) review the information submitted by Parties under Decision 17. 156, and make recommendations as necessary, any suggestions for the revision of Resolution Conf. 12.3 (Rev. CoP17) on *Permits and certificates* to ensure the Resolution allows for electronic border clearance processes that are consistent with and incorporate the requirements of Articles III, IV, V and VI into any e-permitting system, examining

in particular the issues of presentation and validation, to the 18th meeting of the Conference of the Parties; and

h) report back to the 70th meeting of the Standing Committee.

The membership of the intersessional working group on electronic systems and information technologies was agreed as follows: Switzerland (Chair), Australia, Bahamas, Canada, China, France, Georgia, Germany, Guatemala, Japan, Kenya, Kuwait, Malaysia, Norway, Portugal, Republic of Korea, Russian Federation, Saudi Arabia, Singapore, South Africa, Switzerland, Thailand, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, and Viet Nam; and Associazione Piscicoltori Italiani, Environmental Investigation Agency, International Wood Products Association, Legal Atlas, United Nations Economic Commission for Europe and United Nations Environment Programme.

The Standing Committee approved the work programme of the intersessional working group in Annex 1 of document SC69 Doc. 40.

The Standing Committee noted the availability of a low cost software solution for the automation of CITES processes; called upon interested Parties to evaluate whether an implementation of this system in their Management Authority can strengthen CITES permit control; and called upon donor agencies to take note of the interest of many Management Authorities from developing countries to adopt automated solutions and the need to provide funding for the implementation.

During discussion of this agenda item, interventions were made by the representatives of Asia (China), Central and South America and the Caribbean (Bahamas, Guatemala and Peru), Europe (Portugal), and North America (Canada), and by Australia, Georgia, Norway, Singapore and Switzerland.

41. Transport

41.1 Transport of live specimens SC69 Doc. 41.1

The Secretariat introduced document SC69 Doc. 41.1 and called on Parties to bring to its attention any issues, challenges and new developments related to the guidelines on transport of live specimens. To enhance compliance with the Live Animals Regulations (LAR), the International Air Transport Association (IATA) and the Secretariat were planning a joint awareness-raising campaign.

The Standing Committee noted document SC69 Doc. 41.1.

During discussion of this agenda item, an intervention was made by the representative of the International Air Transport Association (IATA).

41.2 Request for engagement of the CEOs of airlines and maritime shipping companies and executive bodies governing their activities SC69 Doc. 41.2

Zimbabwe introduced document SC69 Doc. 41.2, deploring the recent decisions of several airlines and maritime shipping companies to stop transporting legally acquired wildlife products and specimens, thereby undermining the livelihood of local communities. The document asked the Chair of the Standing Committee to contact airlines and maritime shipping companies and executive bodies governing their activities.

Several Parties supported the idea to reach out to transport companies with information and explanations on the Convention, emphasizing the important distinction between legal and illegal trade. Many Parties, however, questioned the role of the Standing Committee and its Chair in this engagement, noting that the Secretariat would probably be better placed to take this on. The Secretary-General noted that the Secretariat was a member of the Transport Task Force and that the Buckingham Declaration made a clear distinction between legal and illegal trade. He further stressed that the Secretariat worked well with International Air Transport Association (IATA) and that private companies were free to make their own policies with which the Secretariat could not interfere. IATA supported the declaration made by the Secretary-General and underscored that IATA could not intervene either, but recognized that information and communication were important, and that IATA was ready to communicate to its members all information needed.

The Standing Committee noted document SC69 Doc. 41.2. The Standing Committee encouraged the Secretariat to continue to engage with the transport sector and provide information on the functioning of CITES and noted the continued willingness of the International Air Transport Association to assist the Secretariat in the provision of such information.

During discussion of this agenda item, interventions were made by the representatives of Asia (China), Europe (Israel), and North America (Canada), by Botswana, Japan, Mozambique, Namibia, Norway, South Africa, the United States of America and Zimbabwe, and by IATA.

42. Traceability: Report of the Secretariat..... SC69 Doc. 42

The Secretariat introduced document SC69 Doc. 42. In response to Notification No. 2017/38, Parties provided information on their traceability projects which has been made available on the CITES website.

Parties noted the progress made and supported the establishment of an intersessional working group on traceability.

The Standing Committee established an intersessional working group on traceability with a mandate to:

- a) recommend a working definition of 'traceability' to assist Parties in work related to the implementation of traceability systems;
- b) encourage Parties that are developing traceability systems to ensure they are complementary, mutually supportive and standardized, as appropriate, and that they are adapted to the unique conditions relating to trade in CITES-listed species;
- c) provide general guidance on a mechanism to coordinate and oversee the development of traceability systems using lessons learned from the development of the global CITES permits and certificates system, global information and traceability systems, and other relevant initiatives;
- d) subject to the availability of external resources, and as appropriate, develop and make use of umbrella guidelines, and recommend standards, to develop traceability systems for different species that are mutually supportive and that generate standardized data;
- e) subject to the availability of external resources, analyse examples that describe CITES supply chains, including but not limited to those using Unified Modelling Language, and identify points throughout the supply chain where specimens should be located, verified, and its application defined, bearing in mind a wide range of production systems and life forms;
- f) take into account the work on e-permitting to ensure links between CITES permits and certificates and traceability identifiers;
- g) collaborate with United Nations and other relevant organizations that have experience in the development and use of traceability standards and systems; and
- h) draft a resolution on traceability, as deemed necessary, to be submitted to the Standing Committee at its 70th meeting, taking into account any relevant conclusions and recommendations of the report resulting from Decision 17.154, as appropriate, for consideration at the 18th meeting of the Conference of the Parties.

The membership of the intersessional working group on traceability was agreed as follows: Mexico and Switzerland (co-Chairs), Brazil, Canada, China, Colombia, Japan, Malaysia, Russian Federation, South Africa, United Arab Emirates, United States of America and Viet Nam; and Americas Fur Resources Council, Environmental Investigation Agency, GS1 Switzerland, Humane Society International, International Union for Conservation of Nature, International Wood Products Association, Lewis & Clark – International Environmental Law Project, MEA Strategies, TRAFFIC, United Nations Conference on Trade and Development, United Nations Economic Commission for Europe, United Nations Environment Programme, and World Wildlife Fund.

The Standing Committee approved the work plan of the intersessional working group in Annex 1 of document SC69 Doc. 42.

Later in the meeting, the Standing Committee agreed to include Australia and the Association of Fish and Wildlife Agencies as members of the intersessional working group on traceability.

During discussion of this agenda item, interventions were made by the representatives of Europe (Portugal) and North America (Canada).

43. Stocks and stockpiles of specimens of CITES-listed species..... SC69 Doc. 43

Israel introduced document SC69 Doc. 43, noting the lack of guidance to assist Parties in controlling stocks and stockpiles.

Speakers agreed on the need for action, but offered some suggestions for amending the draft terms of reference for the proposed intersessional working group.

The Standing Committee requested Canada, Hungary, Israel and South Africa to review the terms of reference for the proposed intersessional working group on stocks and stockpiles in Annex 1 of document SC69 Doc. 43 and report back later in the meeting.

Later in the meeting, the Standing Committee adopted the terms of reference of the intersessional working group on stocks and stockpiles in document SC69 Doc. 4 amended by Canada and the United States as follows:

With the assistance of the Secretariat, the working group will pursue the following objectives:

- a) review the existing provisions agreed by the Parties concerning controls on stocks of specimens of CITES-listed species provided in Annex 2 of document SC69 Doc. 43;
- b) identify CITES conservation and enforcement objectives in the management of both government and privately held stocks and stockpiles of specimens;
- c) suggest definitions of “stock” and “stockpile”;
- d) consult with Parties affected by the measures in Annex 2 of document SC69 Doc. 43, through a Notification to them, to request information concerning the resources they use to implement these Resolutions and Decisions including any significant challenges they face in maintaining these stockpiles and using this information consider resource implications for Parties and the Secretariat;
- e) consult with Parties, INTERPOL, World Customs Organization, UN Office on Drugs and Crime, World Trade Organization, museums, appropriate representatives of private industry and any other technical experts to identify best practices for robust stockpile management systems, identification of specimens (age and origin), inventory, corruption prevention, and disposal / destruction, with particular sensitivity to cost effectiveness required by developing countries;
- f) explore the legal implications of a Party selling confiscated specimens;
- g) consider different approaches to managing stockpiles of legally acquired specimens, and stockpiles of confiscated specimens, as well as the different treatment of stockpiles containing species listed in Appendices I, II and III; and
- h) on the basis of the discussions at the 69th meeting of the Standing Committee and the results of paragraphs a) to g) above, report conclusions and recommendations to the 70th meeting of the Standing Committee.

The Standing established an intersessional working group on stocks and stockpiles with the mandate adopted above.

The membership of the intersessional working group on stocks and stockpiles was agreed as follows: Israel (Chair), Canada, China, Democratic Republic of the Congo, Gabon, Mozambique, Russian Federation, Singapore, South Africa, United States of America, Viet Nam, and Zimbabwe; and Born Free Foundation, C.F. Martin & Co., Inc., Environmental Investigation Agency – US, Humane Society International, International Fund for Animal Welfare, International Union for Conservation of Nature, Ivory Education

Institute, IWMC – World Conservation Trust, Species Survival Network, TRAFFIC, Wildlife Conservation Society, and World Wildlife Fund.

During discussion of this agenda item, interventions were made by the representatives of Europe (Hungary and Israel) and North America (Canada), by South Africa and by the Environmental Investigation Agency (speaking also on behalf of Center for International Environmental Law, Species Survival Network and World Resources Institute).

44. Identification of specimens in trade

44.1 Tiger skins: Report of the Secretariat SC69 Doc. 44.1

and

44.2 Identification Manual: Report of the Secretariat SC69 Doc. 44.2

The Secretariat introduced documents SC69 Doc. 44.1 and SC69 Doc. 44.2 and noted that it had received information from Thailand and India in response to Notification No. 2017/058.

Parties provided information on their informal database of tiger skins, as well as efforts made by enforcement agencies in combating illegal poaching and trade in tiger specimens.

The Standing Committee noted document SC69 Doc. 44.1; urged tiger range States to provide the Secretariat with information requested in Notification to Parties No. 2017/058; and invited Parties to provide financial support to the Secretariat for assessing the feasibility of establishing a central repository of photographs of wild tigers and seized tiger skins, in implementing Decision 17.164, paragraph c).

The Standing Committee noted document SC69 Doc. 44.2.

During discussion on these items, interventions were made by the representatives of Asia (Indonesia) and Europe (Russian Federation), by India and by the Global Tiger Fund.

45. Cheetahs (*Acinonyx jubatus*): Report of the Secretariat SC69 Doc. 45

The Secretariat introduced document SC69 Doc. 45.

Committee Members welcomed the discussion of the Secretariat with non-governmental organizations on the cheetah trade resource kit. The Convention on Migratory Species (CMS) informed the Committee that CMS COP12, adopted a decision to establish a Joint CMS-CITES African Carnivores Initiative on the basis of the CITES-CMS Joint Programme of Work, with the aim to bring more coherence to the implementation of resolutions and decisions adopted by both Conventions on lion, leopard, cheetah and African wild dog with the advantages of pooling funds, expertise and resources and more effective conservation actions.

The Standing Committee established an intersessional working group on cheetahs with a mandate to:

- a) review the draft CITES cheetah trade resource kit and the recommendations of the Secretariat as outlined in Decision 17.125;
- b) formulate comments and recommendations on the finalization and dissemination of the CITES cheetah trade resource kit for consideration by the Standing Committee at its 70th meeting; and
- c) provide advice to the Secretariat to support their fulfilment of Decision 17.127.

The membership of the intersessional working group on cheetahs was agreed as follows: Kuwait (Chair), Ethiopia, Kenya, Namibia, Saudi Arabia, South Africa, and the United Arab Emirates; and Born Free Foundation, Convention on Migratory Species, International Fund for Animal Welfare, International Professional Hunters Association, International Union for Conservation of Nature, Wildlife Conservation Society, and Zoological Society of London.

The Standing Committee encouraged all Parties, in particular cheetah range States and Parties affected by the illegal trade in cheetahs, intergovernmental organizations and non-governmental organizations, to use

World Wildlife Day 2018 to initiate public awareness campaigns to promote the conservation of cheetahs, and reduce illegal offer of, and demand for illegally traded cheetahs.

The Standing Committee noted the efforts of the CITES and CMS Secretariats, with the support of the International Union for Conservation of Nature, to implement CITES Decisions 17.124 to 17.130 on *Cheetahs* through the Joint CITES-CMS African Carnivores Initiative.

Later in the meeting, the Standing Committee agreed to include Botswana as a member of the intersessional working group on cheetahs.

During discussion of this agenda item, interventions were made by the representatives of Africa (Niger), Asia (Kuwait), and Europe (Portugal), and by the Convention on Migratory Species and the Zoological Society of London.

46. Sturgeons and paddlefish (Acipenseriformes spp.)

46.1 Definition of country of origin of caviar.....SC69 Doc. 46.1

The Secretariat introduced document SC69 Doc. 46.1, noting that it included proposals for amendments to Resolution Conf. 12.7 (Rev. CoP17) on *Conservation of and trade in sturgeons and paddlefish*.

Parties noted that the proposed interpretation by the Secretariat did not sufficiently address the confusion on the issue, concluding that more work was needed. While supporting the revision of the labelling guidelines, another Party opposed the adoption of a new definition of 'country of origin' just for the case of caviar. An observer organization added that using a single label to indicate all countries of origin may easily become indecipherable, noting the need for additional documentation alongside with CITES exports permits.

The Standing Committee established an intersessional working group on country of origin of caviar with a mandate to:

In support of the implementation of Decision 17.185,

- a) discuss the issue of definition of the country of origin of caviar, taking into consideration the draft definition proposed by the majority of the Standing Committee's working group on sturgeons and paddlefish, which reads "country of origin of caviar: country in which a registered processing plant harvests roe of Acipenseriformes species to process caviar", the recommendations adopted by the Animals Committee at its 29th meeting and the discussion at the 69th meeting of the Standing Committee on the proposed amendments in document SC69 Doc. 46.1; and
- b) develop recommendations, as appropriate, to report to the 70th meeting of the Standing Committee.

The membership of the intersessional working group on country of origin of caviar was agreed as follows: Japan (Chair), Canada, China, Finland, France, Georgia, Germany, Italy, Poland, Russian Federation, Saudi Arabia, Spain, Ukraine, United Arab Emirates, and the United States of America; and Associazione Piscicoltori Italiani, Food and Agriculture Organization, International Caviar Importers Association, IWMC – World Conservation Trust, TRAFFIC, and World Wildlife Fund.

During discussion of this agenda item, interventions were made by the representatives of Europe (Hungary) and North America (Canada), by Japan and the United States of America, and by the International Caviar Importers Association.

46.2 Stocks shared by range States and the respective species:

Report of the Animals CommitteeSC69 Doc. 46.2

The Chair of the Animals Committee introduced document SC69 Doc. 46.2, highlighting possible amendments to the table entitled "Overview about stocks shared by range States and the respective species" contained as Annex 3 in Resolution Conf. 12.7 (Rev. CoP17), taking into account the delimitation of stocks in the North-West Black Sea and Lower Danube.

Some Parties opposed introducing changes to the referred table, noting that existing scientific results should be considered. A Party disagreed with that view, referring to insufficient information to justify the separation of populations. The Russian Federation asked for its intervention to be included in the Summary Record. It can be found in Annex 1 of this Summary Record.

The Standing Committee encouraged all CITES Parties bordering the Black Sea and Danube river to collaborate on research to address knowledge gaps regarding the distribution and migration of stocks of sturgeon species in their respective jurisdictions, in particular molecular and genetic studies, to establish the basis for science-based delimitation of stocks in the Danube and Black Sea.

The Standing Committee agreed that, in case no clear research results become available, the interpretation of shared sturgeons stocks in the table in Annex 3 of Resolution Conf. 12.7 (Rev. CoP17) on *Conservation of and trade in sturgeons and paddlefish* remains as it stands.

During discussion of this agenda item, interventions were made by the representatives of Europe (Hungary and the Russian Federation), by Georgia and Ukraine, and by the Chair of the Animals Committee.

47. Eels (*Anquilla* spp.)

47.1 Report of the Secretariat.....SC69 Doc. 47.1

and

47.2 Illegal trade in *Anquilla anguilla*SC69 Doc. 47.2

The Secretariat introduced document SC69 Doc. 47.1, explaining that the original timelines outlined in Decision 17.186 could not be met due to delays in securing funding.

The European Union introduced document SC69 Doc. 47.2 and brought to the attention of the Standing Committee a number of recent enforcement operations that had led to significant seizures of European eels.

Parties generally supported the recommendations presented in both documents.

The Standing Committee noted documents SC69 Doc. 47.1 and SC69 Doc. 47.2 and established an intersessional working group on European eels with the mandate to:

- a) review available information on the illegal trade in European eel, including the information that will be provided under paragraph f) of Decision 17.186, as and when it becomes available, and
- b) report to the 70th meeting of the Standing Committee with its provisional recommendations for consideration by the Committee.

The membership of the intersessional working group on European eels was agreed as follows: Spain (Chair), Canada, China, European Union, France, Indonesia, Japan, Poland, Portugal, Republic of Korea, United Kingdom of Great Britain and Northern Ireland, and the United States of America; and Convention on Migratory Species, Food and Agriculture Organization, International Union for Conservation of Nature, IWMC – World Conservation Trust, Species Survival Network, TRAFFIC, and Zoological Society of London.

During discussion of these agenda items, interventions were made by the representatives of Asia (China), Europe (Portugal), and North America (Canada), by Japan, Norway and the United States of America, and by the International Union for Conservation of Nature (speaking also on behalf of TRAFFIC and Zoological Society of London) and Livelihoods International.

48. Humphead wrasse (*Cheilinus undulatus*): Report of the Secretariat SC69 Doc. 48

The Secretariat introduced document SC69 Doc. 48.

Indonesia agreed that further discussion was needed to draft recommendations to progress the implementation of the Convention for humphead wrasse. Indonesia further informed the Committee that new

domestic regulation now allowed the export of humphead wrasse with source code “R” from Indonesia both by sea- and airport and that additional details would be shared via a notification to the Parties in the near future.

The Standing Committee established an in-session working group on humphead wrasse with the following mandate to:

In support of the implementation of Decision 15.87 (Rev. CoP17),

- a) review the information and recommendations referred to in document SC69 Doc. 48;
- b) consider additional information needs, if any, from range States and importing States on their actions taken to ensure the effective implementation of the Convention regarding trade in this species; and
- c) develop recommendations for improving the regulation of international trade in the humphead wrasse, and the enforcement of controls, to ensure the effectiveness of the Appendix-II listing of the species for consideration by the Standing Committee and onwards submission to the Conference of the Parties.

The membership of the working group on humphead wrasse was agreed as follows: New Zealand (Chair), China, Indonesia, Japan, and the United States of America; and Food and Agriculture Organization of the United Nations, International Union for Conservation of Nature and TRAFFIC.

The Standing Committee adopted document SC69 Com. 2 amended by New Zealand as follows:

The Standing Committee congratulated Hong Kong SAR and Indonesia on their work and progress being made on this matter, particularly regarding harvest management, production systems, export / import control and tracking, and habitat protection.

The Standing Committee recognized advances made by Indonesia in the implementation of its National Plan of Action, with development of a non-detriment finding (NDF) that facilitates legal international trade in specimens of humphead wrasse ensuring that it does not threaten their survival;

The Standing Committee appreciated the efforts of the Groupers and Wrasses Specialist Group of the International Union for Conservation of Nature (IUCN), with the assistance from the Food and Agriculture Organization (FAO), in collaborative efforts to move towards sustainable production and trade of humphead wrasse.

However, the Standing Committee also recognized that there is still ongoing and observed illegal trade of live and frozen fish with little understanding of the origin of the product in the market.

The Standing Committee encouraged donors to make external funding available to the CITES Secretariat, FAO and IUCN in a timely manner to continue to support Indonesia in achieving sustainable fishery management of the species, including fishing in relation to ranching and novel production systems, pursuant to Decisions 16.140 (Rev. CoP17) and 17.201.

The Standing Committee requested the Secretariat to issue a further Notification to request Parties to share information on national regulation in place on the management, conservation and trade in humphead wrasse prior to the 70th meeting of the Standing Committee (SC70).

The Standing Committee urged source and consumer States of humphead wrasse to intercept and take action on illegal shipments, and, as appropriate and to the extent possible, share information on such illegal catch and illegal trade, with the Secretariat, as well as CITES authorities of relevant Parties.

The Standing Committee recognized that the novel practice of grow-out and ranching of newly settled humphead wrasse in shallow water algal beds may offer significant livelihood and stock recovery opportunities that would benefit from further research support and benefit policy development related to these novel practices, in order, *inter alia*, to minimize the risk of product acquired in violation of the Convention and related national laws entering the market.

The Standing Committee encouraged Parties and donors to collaborate in the development and use of cost-effective tracing techniques, including technologies for tracking live-fish-transporting vessels, individual fish

recognition and tracing techniques to assist in excluding from the market product acquired in violation of the convention and related national laws.

The Standing Committee agreed to consider at its 70th meeting information provided by range, trading and market States to determine whether other interventions, e.g. additional draft decisions to be reported to the 18th Conference of the Parties, are required to adequately address reported violations of the convention and related national laws.

During discussion of this agenda item, an intervention was made by the representative of Asia (Indonesia).

49. Malagasy ebonies (*Diospyros* spp.) and palisanders and rosewoods (*Dalbergia* spp.)

49.1 Report of MadagascarSC69 Doc. 49.1 (Rev. 1)

and

49.2 Report of the Secretariat.....SC69 Doc. 49.2

Madagascar introduced document SC69 Doc. 49.1 (Rev. 1) and provided an update on the implementation of paragraphs e) and f) of Decision 17.204, and a detailed use plan for stockpiles of Malagasy ebonies, rosewood and palisanders. Madagascar recommended that the Standing Committee lift the current trade suspension for these species under specified conditions.

The Secretariat introduced document SC69 Doc. 49.2, noting that Madagascar's use plan was well prepared, but that several points needed to be strengthened or further clarified.

Most Parties agreed with the recommendations of the Secretariat to maintain the trade suspension until the actions requested in Decision 17.204 were fully implemented, further noting that any sale of stockpiles would be premature.

The Standing Committee established an in-session working group on Malagasy *Diospyros* spp. and *Dalbergia* spp. with the following mandate to:

Within the mandate of the Standing Committee as provided in Decision 17.207,

- a) clarify the understanding of the scope of the Standing Committee's current trade suspension;
- b) consider lifting or maintaining the current trade suspension; and
- c) consider additional recommendations on the provision of financial and technical support to Madagascar, the conditions for the sale of existing stockpiles and the localization and seizure of undeclared stockpiles.

The membership of the in-session working group on Malagasy *Diospyros* spp. and *Dalbergia* spp. was agreed as follows: Canada (Chair), Chad, China, European Union, Kenya, Madagascar, Singapore, Sri Lanka, and the United States of America; and Chambre Syndicale de la Factice Instrumentale, Environmental Investigation Agency, Forest Based Solutions, Wildlife Conservation Society, World Bank, World Resources Institute and World Wildlife Fund.

Later in the meeting, Canada (Chair) introduced document SC69 Com.10.

The Standing Committee agreed to recommendations in paragraph 39 of document SC69 Doc. 49.2 with the amendments in document SC69 Com. 10 as amended by China, the United States of America and the European Union as follows:

Concerning Decision 17.204, paragraph e)

- a) The Standing Committee noted the progress that Madagascar has made in strengthening control and enforcement measures against illegal logging and export, and recommends that these efforts be continued and expanded, as observed in paragraphs 19 and 20 of document SC69 Doc. 49.2;

- b) The Standing Committee invited countries that seized large consignments of CITES-listed rosewood and ebony originating in Madagascar to share information in support of investigations and prosecutions in Madagascar; and to request the assistance from ICCWC in undertaking these investigations;

Concerning Decision 17.204, paragraph f)

- c) The Standing Committee noted that, to date, there is no audited inventory of at least a third of the stockpiles of logs, sawn wood and veneer sheets of the species of *Dalbergia* and *Diospyros* in Madagascar, and encourages Madagascar to undertake these inventories and audits in a transparent and controlled manner;
- d) The Standing Committee welcomed the use plan in Annex 4 of document SC69 Doc. 49.2 (Rev. 1), but considers that it cannot be approved at present, and requests the Secretariat to continue working with Madagascar and its partners to revise and finalize it, particularly with respect to the observations made in paragraphs 33 and 34 of document SC69 Doc. 49.2;

Conclusions

- e) The Standing Committee therefore agreed to maintain the recommendation for Parties not to accept exports or re-exports for commercial purposes from Madagascar of specimens of *Diospyros* spp. (populations from Madagascar; annotation #5) and *Dalbergia* spp. (annotation #15) until Madagascar has complied with the provisions in Decision 17.204, paragraphs e) and f), by:
- i) significantly strengthening control and enforcement measures against illegal logging and export at the national level, including seizures, investigations, arrests, prosecutions, and sanctions, including towards high-level offenders;
 - ii) submitting an audited inventory of at least a third of the confiscated and declared stockpiles of logs, sawn wood and veneer sheets of species of *Dalbergia* spp. and *Diospyros* spp. from Madagascar for consideration and approval of the Committee; and
 - iii) submitting a use plan that is revised as recommended in paragraph d), for consideration and approval of the Committee;
- f) The Standing Committee requested the Secretariat to report on progress made by Madagascar with the implementation of paragraphs e) and f) of Decision 17. 204 at the 70th meeting of the Standing Committee;
- g) The Standing Committee requested the Secretariat to report on progress made by Parties and relevant partners in providing technical and financial assistance to support the implementation of Decisions 17.203 to 17.208 and the finalization and implementation of the use plan at the 70th meeting of the Standing Committee;
- h) The Standing Committee urged Parties and relevant partners to provide technical and financial assistance to support the implementation of Decisions 17.203 to 17.208 and the finalization and implementation of the use plan;
- i) The Standing Committee invited transit and destination Parties to implement Decision 17.203 and follow guidance provided in Resolution Conf. 17.8, in particular paragraphs 2 and 8 therein, and to report progress to the 70th meeting of the Standing Committee; and
- j) The Standing Committee also urged Madagascar to make progress in developing a plan for how it will identify and take control of undeclared and hidden stocks of *Dalbergia* spp. and *Diopsyros* spp. and invited Madagascar to provide information related to these efforts in its report to the Standing Committee at its 70th meeting.

During discussion of this agenda item, interventions were made by the representatives of Asia (China), Europe (Israel and Portugal), and North America (Canada), by the European Union, Madagascar and the United States of America, and by the World Bank and the Environmental Investigation Agency (speaking also on behalf of Species Survival Network and World Resources Institute).

50. Sharks and rays (Elasmobranchii spp.): Report of the Secretariat..... SC69 Doc. 50

The Secretariat introduced document SC69 Doc. 50, with a particular focus on capacity-building activities and Decisions on sharks and rays.

Several Parties supported the recommendations presented in the document and the draft terms of reference for an intersessional working group. Some Parties felt that there was no need for the working group to consider drafting amendments to Resolution Conf. 10.3 on *Designation and role of the Scientific Authorities* and to Resolution Conf. 12.3 (Rev. CoP17) on *Permits and certificates* to reflect the role of regional fisheries management organizations and bodies. One Party and one observer organization gave examples for legislative issues that could be discussed by the working group, including the bycatch of CITES listed species on the high seas and the complexity of issuing certificates for species that have different status of protection under CITES and the Convention on Migratory Species, such as *Mobula* rays.

The Standing Committee established an intersessional working group on sharks and rays with a mandate to:

- a) consider the information in paragraphs 20 to 33 of document SC69 Doc. 50;
- b) review the following:
 - i) how to take account of measures and regulations agreed under Regional Fisheries Management Organizations and Bodies, or other multilateral environmental agreements, in particular the Convention on Migratory Species (CMS), in the implementation of CITES;
 - ii) the role of Regional Fisheries Management Organizations and Bodies in supporting the making of non-detriment findings;
 - iii) identification and traceability issues, taking into consideration requirements that have been developed for the trade in specimens of other Appendix-II species, and their applicability to specimens of CITES-listed sharks and rays in trade; and
 - iv) legislative issues that might be hindering the implementation of the Convention for sharks and rays; and
- c) report on its deliberations and make recommendations to the 70th meeting of the Standing Committee for its report to the 18th meeting of the Conference of the Parties.

The membership of the intersessional working group on sharks and rays was agreed as follows: Indonesia (Chair), Antigua and Barbuda, Australia, Brazil, Canada, Chile, China, European Union, France, Germany, Guatemala, Japan, Mexico, Mozambique, Netherlands, Peru, Portugal, Republic of Korea, Sri Lanka, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, and the United States of America; and Convention on Migratory Species, Defenders of Wildlife, Food and Agriculture Organization, Humane Society International, International Fund for Animal Welfare, International Union for Conservation of Nature, IWMC – World Conservation Trust, Natural Resources Defense Council, Save our Seas Foundation, Species Survival Network, The Pew Charitable Trusts, TRAFFIC, Wildlife Conservation Society, World Wildlife Fund, and the Zoological Society of London.

During discussion of this agenda item, interventions were made by the representatives of Asia (China and Indonesia), Central and South America and the Caribbean (Peru), Europe (Portugal) and North America (Canada), by Chile, Japan, Mexico, Sri Lanka, and the United States of America, and by the Convention on Migratory Species and IWMC-World Conservation Trust.

51. Elephants (Elephantidae spp.)

51.1 Elephant conservation, illegal killing and ivory trade SC69 Doc. 51.1

The Secretariat introduced document SC69 Doc. 51.1 and recalled that, although the CITES Programme on Monitoring the Illegal Killing of Elephants (MIKE) indicated that current levels of African elephant poaching have been declining for six consecutive years, overall, elephant populations in African MIKE sites have probably continued to decline in 2016. One Party suggested that the MIKE analyses might underestimate actual poaching levels in Africa. Another Party noted that Zimbabwe and Côte d'Ivoire were identified as "of concern" in the ETIS report, and recommended their inclusion in the

National Ivory Action Plan process. Several Parties questioned the methodology used by the Elephant Trade Information System (ETIS) in its report. The United Arab Emirates (UAE) strongly opposed the suggestions made on page 28 of the Annex to the document that it was not making an effort to stop the transit in ivory. The UAE noted that the efforts in this regard were apparent in the number of transit seizures made by the authorities in the UAE and reported to ETIS.

Parties generally expressed agreement with the Secretariat's recommendations. However, several did not support the publishing of the stockpile management system of the NGO 'Stop Ivory' on the CITES webpage, nor giving it directly to Parties because other systems exist that are Government-led and thus may be preferable. Nevertheless, some Parties noted that they had benefitted from the guidance. One Party observed that it was difficult to advise the Standing Committee with regard to this recommendation without having reviewed the system in question.

- a) The Standing Committee encouraged Parties, in their implementation of CITES provisions concerning trade in elephant specimens that are contained in Resolution Conf. 10.10 (Rev. CoP17) on *Trade in elephant specimens*, to take account of the trends in illegal trade in ivory and other elephant specimens and poaching described in the report in the Annex of document SC69 Doc. 51.1.
- b) The Standing Committee noted that the MIKE and ETIS Subgroup intended to meet in the margins of the present meeting, and report back later in the week.
- c) The Standing Committee reminded Parties to use the *Guidelines for the preparation and submission of CITES annual reports*, updated in January 2017, when reporting on trade in hunting trophies of *Loxodonta africana*.
- d) The Standing Committee recognized the contributions that several Parties have made to the African Elephant Fund, and the importance of the smooth operation and management of the Fund.
- e) The Standing Committee noted the stockpile management system of the NGO 'Stop Ivory' as one stockpile management system that is available to Parties and has been used by some Parties. The Standing Committee invited the Secretariat to review the stockpile management system by 'Stop Ivory' and advise on those aspects of that system that would be useful for Parties in meeting their reporting requirements under Resolution Conf. 10.10 (Rev. CoP17) within the framework of Decision 17.171.
- f) The Standing Committee urged Asian elephant range States to exchange lessons learned and experiences on registration systems for live Asian elephants.

Later in the meeting, the Chair of the MIKE and ETIS Subgroup reported back on matters related to the ETIS methodology, and introduced document SC69 Com.11.

The Standing Committee adopted the report of the MIKE and ETIS Subgroup in document SC69 Com. 11 amended by Singapore as follows:

Contingent on the provision of external funding, the Standing Committee requested TRAFFIC to:

- a) make available the programming code in the ETIS analysis through a repository hosting service, together with appropriate annotations and supporting documentation. This will be augmented with links to existing documents explaining the methods used in the analyses.
- b) finalise the delivery of an on-line facility for Parties to access, download or upload seizure data in a timely manner. Access will be restricted to designated individuals of CITES Management Authorities. Access to data will be provided in accordance with the data access policy outlined in Resolution Conf. 10:10 (Rev. CoP17).
- c) send the ETIS report to CoP18 to all Parties identified as potentially requiring attention in the NIAP process at least 30 days prior to the release of the report on the CITES website; and
- d) produce materials that explain in a stepwise manner the ETIS analysis and conceptual framework. Materials will be targeted at a non-technical audience, in three languages, and made freely and widely available.

The Standing Committee requested all Parties to take note that these activities are priorities, but will only take place if additional funding can be provided.

The Standing Committee requested the Secretariat, in collaboration with the MIKE-ETIS Technical Advisory Group, to prepare terms of reference for a review of the ETIS program including operations, data collection, validation and management, analysis and technical outputs, and an assessment of options for carrying out this review. The review should take into account the issues, which have been raised by Parties in relation to the ETIS methodology and analysis. The review should also take into account issues which may be raised by the Parties in submissions called for by the Secretariat by February 2018 in paragraph 158 v) of document SC69 Doc. 29.3. These are to be presented to the MIKE-ETIS Subgroup at the 70th meeting of the Standing Committee, for consideration and recommendation to the Standing Committee on how to proceed. The review should consider and report as early as possible the technical aspects of the analytical framework.

During discussion of this agenda item, interventions were made by the representatives of Africa (Chad, Kenya – acting representative in place of Ethiopia on 27 and 28 November, Namibia and Niger), and Asia (China), by Botswana, Burkina Faso, the European Union, Mozambique, South Africa, Thailand, Uganda, the United Arab Emirates, the United States of America, Viet Nam, and Zimbabwe, and by the Ivory Education Institute, IWMC-World Conservation Trust, and Stop Ivory.

51.2 Implementing aspects of Resolution Conf. 10.10 (Rev. CoP17) on the closure of domestic ivory markets.....SC69 Doc. 51.2

Niger introduced document SC69 Doc. 51.2 and noted the need for Parties to inform the Secretariat on the status of the legality of their domestic ivory markets and to close those contributing to poaching or illegal trade in ivory.

Parties noted that the decision on the closure of ivory markets should follow thorough case-by-case considerations, and that not all ivory markets are to be closed.

- a) The Standing Committee commended the efforts made, or under way, by some Parties to close their domestic ivory markets in conformity with the provisions in Resolution Conf. 10.10 (Rev. CoP17) on *Trade in elephant specimens*, as amended at the recent Conference of the Parties, including but not limited to the actions taken by China and the United States of America.
- b) The Standing Committee directed the Secretariat to issue a Notification to all Parties drawing their attention to paragraph 3 of Resolution Conf. 10.10 (Rev. CoP17) recommending “that all Parties and non-Parties in whose jurisdiction there is a legal domestic market for ivory that is contributing to poaching or illegal trade, take all necessary legislative, regulatory and enforcement measures to close their domestic markets for commercial trade in raw and worked ivory as a matter of urgency”.
- c) The Standing Committee also directed the Secretariat in the Notification mentioned in paragraph b) above to invite relevant Parties to provide to the Secretariat information specified in paragraph 8 of Resolution Conf. 10.10 (Rev. CoP17) on the status of the legality of their domestic ivory markets and efforts to implement the provisions of the Resolution, including efforts to close domestic markets that contribute to poaching or illegal trade.
- d) In this regard, the Standing Committee reminded the Secretariat that it should report at the 70th meeting of the Committee on the implementation of provisions relating to domestic ivory markets contained in Resolution Conf. 10.10 (Rev. CoP17) and Decision 17.87.

During discussion of this agenda item, interventions were made by the representatives of Africa (Chad, Kenya – acting representative in place of Ethiopia on 27 and 28 November and Niger), Europe (Russian Federation), and North America (Canada), by the European Union, Gabon, Senegal, South Africa, Thailand, and Uganda, and by the Ivory Education Institute and Wildlife Conservation Society (speaking also on behalf of Association of Zoos and Aquariums, David Shepherd Wildlife Foundation, Environmental Investigation Agency, Fondation Franz Weber, Natural Resources Defence Council, San Diego Zoo Global and World Association of Zoos and Aquariums).

51.3 Implementing the CoP17 Decisions on ivory stocks and stockpilesSC69 Doc. 51.3

Niger introduced document SC69 Doc. 51.3 and encouraged countries preferring to keep ivory stockpiles on a long term basis to share their experiences for the benefit of common efforts.

The Standing Committee agreed to seek a timeframe and detailed cost estimate from the Secretariat for completing the work detailed in Decision 17.171, taking into account and making use of the available existing material, and further information to be obtained from Parties and experts; acknowledged the contributions made prior to or during the 69th meeting of the Standing Committee; renewed the call for further external contributions to ensure that the Decisions adopted by the Conference of the Parties at its 17th meeting can be fully and swiftly implemented; and acknowledged the contributions in kind already made as well as any subsequent financial or other contributions made prior to, or during the 69th meeting of the Standing Committee.

During discussion of this agenda item, an intervention was made by the representative of Africa (Niger).

51.4 Update on the Elephant Protection Initiative SC69 Doc. 51.4

Kenya introduced document SC69 Doc. 51.4, provided an update on the Elephant Protection Initiative (EPI) and encouraged non-governmental organizations and non-range States to support the EPI.

A Party observed that many other initiatives and activities in support of elephant conservation exist, and that document SC69 Doc. 51.4 could have been submitted as an information document. Some Parties expressed concern regarding the resource mobilization strategies of the Elephant Protection Initiative, seeing overlaps or competition with the African Elephant Fund in trying to raise funds in support of the African Elephant Action Plan. While some Parties stated not to be aligned with policies promoted by Elephant Protection Initiative, others noted that they had benefitted from being members of such Initiative.

The Standing Committee noted the report from the Elephant Protection Initiative (EPI) and the actions of EPI members States and partners reported therein.

During discussion of this agenda item, interventions were made by the representatives of Africa (Chad, Kenya – acting representative in place of Ethiopia on 27 and 28 November, Namibia and Niger), and by the European Union, Gabon, Malawi and South Africa.

52. Legal and illegal trade in Bread palms (*Encephalartos* spp.): Report of the Secretariat SC69 Doc. 52

The Chair of the Standing Committee introduced document SC69 Doc. 52.

Parties expressed support for the recommendations in the document. The Chair of the Plants Committee raised concern over recommendation c) in paragraph 23 of document SC69 Doc. 52, noting that it might go beyond the mandate of the Committee, since it relates to a domestic issue.

The Standing Committee encouraged Parties to register nurseries producing artificially propagated specimens of *Encephalartos* spp. in accordance with Resolution Conf. 9.19 (Rev. CoP15) on *Registration of nurseries that artificially propagate specimens of Appendix-I plant species for export purposes*, and to ensure that the correct source codes are applied when exporting artificially propagated *Encephalartos* spp. specimens.

The Standing Committee encouraged all range States of *Encephalartos* spp. to step up their measures to regulate the activities of exporters of artificially propagated *Encephalartos* spp. specimens, to ensure the legal origin of stocks and to prevent *Encephalartos* spp. from the wild from entering illegal trade.

The Standing Committee further encouraged all Parties, in particular range States, to implement strict measures to regulate at national level the ownership and possession of *Encephalartos* spp.

During discussion of this agenda item, interventions were made by the representative of Europe (Hungary), the United States of America, and the Chair of the Plants Committee.

53. Hawksbill turtle (*Eretmochelys imbricata*) and other marine turtles (Cheloniidae and Dermochelyidae): Report of the Secretariat SC69 Doc. 53

The Chair of the Standing Committee introduced document SC69 Doc. 53.

The Standing Committee noted document SC69 Doc. 53 and established an intersessional working group on marine turtles with the following mandate to:

- a) review the information and recommendations contained in the study undertaken by the Secretariat pursuant to Decision 17.222 a); and
- b) formulate its own recommendations for consideration by the Standing Committee at its 70th meeting for its reporting to the Conference of the Parties, at its 18th meeting, as appropriate.

The membership of the working group on marine turtles was agreed as follows: United States of America (Chair); Australia, China, Indonesia, and Japan; and the Food and Agricultural Organization, Humane Society International, International Union for Conservation of Nature, TRAFFIC, and the World Wildlife Fund.

There were no interventions.

54. Asian big cats (Felidae spp.): Report of the Secretariat SC69 Doc. 54

The Secretariat introduced document SC69 Doc. 54.

Committee Members and Parties expressed their support for the theme of the World Wildlife Day 2018 “Protecting big cats”. Several range States provided an update on the activities related to Asian big cats. A Party noted that poaching remained a big threat to tigers, especially for populations outside protected areas. Parties encouraged that the review of the implementation of Resolution Conf. 12.5 (Rev. CoP17) on *Conservation of and trade in tigers and other Appendix-I Asian big cat species* be completed in time to enable reporting to the 70th meeting of the Standing Committee. Parties highlighted the importance of the protection of Asian big cats and the need to provide financial support to the Secretariat for the implementation of the CoP17 Decisions on *Asian big cats*.

The Standing Committee encouraged all Parties, in particular Asian big cat range States and Parties affected by illegal trade in Asian big cats, intergovernmental organizations and non-governmental organizations to, in accordance with Resolution Conf. 17.1, use World Wildlife Day 2018 to initiate or enhance public awareness campaigns to promote the conservation of Asian big cats, and reduce illegal offer of, and demand for illegally traded Asian big cat specimens, and to showcase any activities conducted to progress the implementation of Resolution Conf. 12.5 (Rev. CoP17) on *Conservation of and trade in tigers and other Appendix-I Asian big cat species*.

During discussion of this agenda item, interventions were made by the representatives of Asia (China and Indonesia), and Europe (Hungary), by India and the United States of America, and by Wildlife Conservation Society (speaking also on behalf of Animal Welfare Institute, Born Free Foundation, David Shepherd Wildlife Foundation, Environmental Investigation Agency, Humane Society International, Species Survival Network, Wildlife Protection Society of India, World Animal Protection, World Wildlife Fund and Zoological Society of India).

55. Great apes (Hominidae spp.): Report of the Secretariat **No document**

The Secretariat informed the Standing Committee that it had participated in meetings and conferences calls of the Great Apes Survival Partnership (GRASP) and noted that a timeline had been agreed between GRASP, CITES and the International Union for Conservation of Nature (IUCN) in order to ensure that the report requested under Decision 17.232 would be ready in time for consideration at the 70th meeting of the Standing Committee. The Secretariat drew the attention of the Committee to information document SC69 Inf. 45.

The Chair of the Animals Committee stated that the Animals Committee would gladly review and provide comments on the report requested under Decision 17.232 once received.

The Standing Committee noted the oral report of the Secretariat and requested the Secretariat to submit the report undertaken in accordance with Decision 17.232 to the Animals Committee for its consideration at its 30th meeting. The Standing Committee established an intersessional working group on great apes with the following mandate to:

- a) review the report undertaken by the Secretariat in accordance with Decision 17.232 and any recommendations coming from the Animals Committee, and

b) report to the 70th meeting of the Standing Committee with any draft recommendations.

The membership of the working group on great apes was agreed as follows: Canada (Chair), China, European Union, France, Indonesia, Malaysia, Nigeria, Thailand, United Kingdom of Great Britain and Northern Ireland, and the United States of America; and Born Free Foundation, Convention on Migratory Species, Food and Agriculture Organization, International Union for Conservation of Nature, TRAFFIC, Wildlife Conservation Society, Wildlife Impact, and the World Association of Zoos and Aquariums.

During discussion of this agenda item, interventions were made by the representative of Asia (Indonesia), by Wildlife Impact (speaking also on behalf of Born Free Foundation, Center for Biological Diversity, Eurogroup for Animals, Humane Society International, ProWildlife and Species Survival Network), and by the Chair of the Animals Committee.

**56. Rosewood timber species [Leguminosae (Fabaceae)]:
Implementation of Decision 17.234 - Follow up on PC23 outcomes..... SC69 Doc. 56**

The Chair of the Plants Committee introduced document SC69 Doc. 56, noting the need for better knowledge on management, trade and enforcement challenges for rosewood timber species.

Some Parties expressed their agreement with the recommendations contained in the document, noting that the study proposed should give priority to the rosewood species currently listed in the Appendices. However, the Secretariat pointed out that the Plants Committee's recommendation for the Secretariat to raise external funds for undertaking a study were not in compliance with the Resolution Conf. 11.1 (Rev. CoP17) on *Establishment of committees*. Such activities can only be instructed by the Conference of the Parties. Global Eye noted that it had already undertaken a similar study on rosewood timber species.

The Standing Committee encouraged Parties to initiate a study considering aspects outlined in paragraph 5 of document SC69 Doc. 56 and share the results with interested Parties at the Plants Committee.

The Standing Committee noted issues raised in paragraph 6 of document SC69 Doc. 56 and requested the Secretariat to review those issues in collaboration with the Chair of the Plants Committee and bring any issue related to implementation and enforcement back to the Standing Committee.

During discussion of this agenda item, interventions were made by the representatives of Africa (Niger), Central and South America and the Caribbean (Guatemala and Peru), and Europe (Portugal), by India, Mexico, Senegal and the United States of America, and by Global Eye.

57. Pangolins (*Manis* spp.): Report of the Secretariat..... SC69 Doc. 57

The Secretariat introduced document SC69 Doc. 57, which includes a summary of the findings of the report on the implementation of Decisions 17.239, paragraph b), and 17.240. The Secretariat noted that a correction should be made to recommendation a) in paragraph 59 of document SC69 Doc. 57, where the word "request [all Parties to]" should be replaced with "encourage [all Parties to]".

Committee Members, Parties and observer organizations agreed that the conservation of pangolins is critical due to the high level of illegal trade and it was necessary to take measures to combat such illegal trade. Parties expressed different views with respect to 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 a species from Appendix II to Appendix I. The Secretariat clarified that, according to its historic interpretation, a specimen of a species that was removed from the wild when the species concerned was listed in Appendix II or III, and where the species had meanwhile been transferred to Appendix I, should be treated as an Appendix II or III specimen. The Secretariat also noted that there seemed to be different interpretations between Parties on this matter; and so it would be important to clarify possible ambiguities in Resolution Conf. 13.6 (Rev. CoP16) to provide for a common understanding of applicable provisions when a species is transferred from Appendix II to Appendix I. Noting that it was the mandate of the Conference of the Parties to provide guidance on the interpretation of the Convention to the Parties, the Chair of the Standing Committee suggested an in-session working group to discuss how to bring this forward to the Conference of the Parties.

Some speakers also raised concern over the role the Secretariat would play in validating the documents that would allow trade in pangolins specimens that had been removed from the wild while the species was listed

in Appendix II, believing such verification process could only be implemented at a national level. Some Range States provided an update on the situation of pangolins in their national territory.

- a) The Standing Committee noted the different interpretations 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 a species from Appendix II to Appendix I.
- b) The Standing Committee encouraged all Parties to undertake risk profiling and provide capacity-building interventions for enforcement officers at ports to enable them to better target illegal trade in pangolin specimens, in particular illegal trade in live and dead animals and pangolin scales.
- c) The Standing Committee requested the Secretariat to:
 - i) in its implementation of the provisions of paragraph 14 in Resolution Conf. 11.3 (Rev. CoP17) on *Compliance and enforcement*, pay specific attention to illegal trade in pangolin specimens;
 - ii) encourage the World Customs Organization (WCO) to develop a set of risk profiles and indicators to address illegal trade in pangolin specimens, with a particular focus on illegal trade in live animals, the carcasses of pangolins, and pangolin scales; and
 - iii) encourage partner agencies of the International Consortium on Combating Wildlife Crime (ICWC) to build upon the work already done and to, subject to available resources, support analytical work, targeted investigations, operational information exchange and the development of operational plans, to target and address the criminal networks involved in illegal trade in pangolin specimens, by convening Wildlife Inter-Regional Enforcement (WIRE) and Regional Investigative and Analytical Case Management (RIACM) meetings as appropriate, for key Parties in Africa and Asia, and Parties in other regions significantly affected by illegal trade in pangolin specimens, as identified in the report available in the Annex to document SC69 Doc. 57 on *Pangolins (Manis spp.)*.
- d) The Standing Committee agreed to submit the following draft decisions to the 18th meeting of the Conference of the Parties:

Directed to all pangolin range States

- 18.A All pangolin range States that have not yet done so, are encouraged to take urgent steps to develop and implement *in situ* pangolin management and conservation programmes, which includes population assessments, as anticipated in paragraph 7 of Resolution Conf. 17.10 on *Conservation of and trade in pangolins*.

Directed to the Secretariat

- 18.B 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 conversion parameters for all pangolin species, that will enable the reliable determination of the number of animals associated with any quantity of pangolin scales seized, that can be used by Parties in cases where national legislation demands that such information be provided for court purposes.
- 18.D The Secretariat shall report on the implementation of decision 18.A to 18.C to the Standing Committee.
- 18.E The Standing Committee shall review the report of the Secretariat, and report the results to the Conference of the Parties at its 19th meeting.

The Standing Committee established an in-session working on pangolins with the following mandate to:

- a) revise recommendation a) in paragraph 59 of document SC69 Doc. 57;
- b) consider an additional draft decision proposed by Thailand and an edit to draft decision 18.C proposed by the United States of America; and

- c) propose a way forward to clarify 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 a species from Appendix II to Appendix I.

The membership of the working group on pangolins was agreed as follows: South Africa (Chair); Cameroon, China, Democratic Republic of the Congo, European Union, Gabon, India, Indonesia, Kenya, Malaysia, Mozambique, Nigeria, Senegal, Thailand, Uganda, the United Kingdom of Great Britain and Northern Ireland, United States of America, and Viet Nam; and Annamiticus, Born Free Foundation, Born Free USA, Environmental Investigation Agency, Humane Society International, International Council for Game and Wildlife Conservation, International Fund for Animal Welfare, Lewis & Clark – International Environmental Law Project, Natural Resources Defense Council, Species Survival Network, TRAFFIC, Wildlife Conservation Society, Wildlife Protection Society of India, World Wildlife Fund, and Zoological Society of London.

Later in the meeting, South Africa (Chair) introduced document SC69 Com 9. It was noted that no consensus was reached in the working group regarding 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. Some Parties opposed the language in document SC69 Com. 9 and stated that that applying Article III of the Convention to stockpiles of pangolin specimens acquired when the species was still listed in Appendix II, would be a voluntary stricter measure that would not be an obligation of all Parties. Other Parties expressed the opinion that specimens acquired before the entry into force of the listing of the species in Appendix I should be treated as Appendix I upon entry into force for reasons relating to implementation and enforcement of the new listing. Several Parties supported the recommendations in document SC69 Com 9. The representative of Europe (Israel) called for a vote under Rule 15.1 of the Rules of Procedure of the Standing Committee, which was supported by the representative of Africa (Niger).

China, the Democratic Republic of the Congo, and the United States of America asked for their interventions to be included in the Summary Record. They can be found in Annexes 2, 3, and 4 of this Summary Record respectively.

The Standing Committee voted on a proposal to adopt the recommendations in document SC69 Com. 9 with the amendment to include “, pangolins range States” after “(IUCN)” in draft decision 18.xx. Document SC69 Com. 9 with the amendment to include “, pangolins range States” after “(IUCN)” in draft decision 18.xx was adopted by 11 votes in favour, 3 against and 1 abstention, as follows:

- 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), including pangolins range States, 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 CoP18, including information relating to the implications associated with the different interpretations; and
 - b) in the interim and until a decision is made by CoP18, 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 Convention¹.

During discussion of this agenda item, interventions were made by the representatives of Africa (Chad, Ethiopia, Namibia and Niger), Asia (China, Indonesia and Kuwait), Central and South America and the Caribbean (Guatemala and Peru), Europe (Hungary, Israel and the Russian Federation), North America (Canada), and Oceania (New Zealand), by Cameroon, the Democratic Republic of the Congo, Gabon, India, Japan, Norway, Senegal, South Africa, Thailand, and the United States of America, and by the International Council for Game and Wildlife Conservation, the International Fund for Animal Welfare (speaking also on behalf of Animal Welfare Institute, Center for Biological Diversity, Environmental Investigation Agency, Humane Society International, Natural Resources Defence Council, Species Survival Network, Wildlife Conservation Society, World Wildlife Fund and the Zoological Society of London) and the International Union for Conservation of Nature.

58. African lion (*Panthera leo*) SC69 Doc. 58

The Secretariat introduced document SC69 Doc. 58, noting possible further actions on African lions, namely a CITES Task Force on African lions and a multi-donor technical trust fund for African lions.

Parties expressed general agreement with the recommendations in the document, as well as the mandate for the proposed intersessional working group. Some Parties and observer organizations reiterated the need to create a CITES Task Force on lions, which could be considered by the Standing Committee working group and be part of its terms of reference.

¹ *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.*

The Standing Committee noted document SC69 Doc. 58 and established an intersessional working group on the African lion with a mandate to:

- a) support the Secretariat or its consultants in undertaking a study on the legal and illegal trade in lion specimens called for in Decision 17.241, paragraph e), by, *inter alia*, sharing relevant information and facilitating research;
- b) review prior to the 70th meeting of the Standing Committee (SC70) the study conducted in accordance with Decision 17.241, paragraph e), and the recommendations by the Animals Committee, and draft recommendations for consideration by the Standing Committee;
- c) review prior to SC70 other aspects of the report of the Secretariat to the 30th meeting of the Animals Committee (including implementation of paragraphs a), d) and f) of Decision 17.241) and the recommendations by the Animals Committee, and draft comments and recommendations as appropriate for consideration by the Standing Committee;
- d) consider and provide terms of reference and *modus operandi* for the CITES Task Force on African lions as directed in Decision 17.243, paragraphs c) and d);
- e) consider further actions to be taken, including the possible development of additional specific guidance on trade in and conservation of African lions by amending existing Resolutions or through a dedicated resolution, and the appropriateness for organizing a second African lion range States' meeting, and draft recommendations as appropriate for consideration by the Standing Committee;
- f) assess whether existing grants programmes and funding opportunities can support, or be strengthened to support, the effective implementation of conservation and management plans and strategies for African lions, as envisaged in Decision 17.243, paragraph e); and taking account this assessment, consider the need and challenges for establishing an additional multi-donor technical trust fund; and
- g) report on the results of these activities, including draft recommendations, at SC70.

The membership of the intersessional working group on the African lion was agreed as follows: Niger (Chair), Austria, Botswana, Burkina Faso, Chad, China, Ethiopia, Kenya, Mozambique, Namibia, Nigeria, South Africa, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America, and Zimbabwe, and Animal Welfare Institute, Born Free Foundation, Born Free USA, Conservation Alliance of Kenya, Conservation Force, Convention on Migratory Species, Humane Society International, International Professional Hunters Association, International Union for Conservation of Nature, Safari Club International Foundation, The European Federation of Association for Hunting and Conservation, TRAFFIC, Wildlife Conservation Society, World Animal Protection, World Wildlife Fund, and Zoological Society of London.

The Standing Committee requested the Secretariat to disseminate to the Parties relevant information on existing funding opportunities that can support the implementation of conservation and management plans and strategies for the African lion, and the actions outlined in Decision 17.241, paragraphs a) to j).

The Standing Committee noted the efforts of the CITES and CMS Secretariats, with the support of the International Union for Conservation of Nature, to implement CITES Decisions 17.241 to 17.245 on *African lion* through the Joint CITES-CMS African Carnivores Initiative and invited the CITES Secretariat to share relevant information on the implementation of the CITES Decisions on *African lion* to the CMS Secretariat.

During discussion of this agenda item, interventions were made by the representatives of Africa (Namibia and Niger) and Europe (Portugal), by Botswana, Cameroon, Kenya, Nigeria, Senegal, and by Born Free Foundation, the Convention on Migratory Species and Wildlife Conservation Society.

59. Illegal trade in Tibetan antelope (*Pantholops hodgsonii*)..... SC69 Doc. 59

The Secretariat introduced document SC69 Doc. 59.

Parties provided an update on their national activities related to the Tibetan antelope. Switzerland informed the Committee that it had been in contact with a number of Parties regarding specific cases of illegal trade in shahtoosh and the development of enforcement strategies to combat such illegal trade. Switzerland also offered interested Parties to join an inspection with the aim to share experience between enforcement officers on detection methods and identification of shahtoosh shawls.

The Standing Committee established an in-session working group on Tibetan antelope with the following mandate to:

- a) review the results and outcomes of the workshop conducted by INTERPOL and Switzerland in July 2016 taking account the comments of the Secretariat in document SC69 Doc. 59; and
- b) prepare draft recommendations to the Parties for consideration by the Standing Committee.

The membership of the working group on Tibetan antelope was agreed as follows: Switzerland (Chair); Canada, China, India, Kuwait, Spain, and the United States of America; and Wildlife Protection Society of India.

Later in the meeting, Switzerland (Chair) introduced document SC69 Com. 5.

The Standing Committee adopted document SC69 Com. 5 amended by the United States as follows:

Countries affected by the illegal trade in parts and derivatives of the Tibetan antelope are encouraged to:

- a) in line with Resolution Conf. 11.8 (Rev. CoP17) paragraph 1 d), identify whether there are any stockpiles of raw wool or finished products of Tibetan antelope specimens in their country and report this to the Secretariat by 31 May 2018;
- b) consider analyzing such stockpiles so that information can be gained regarding the origin of those in order to address the divergence in reported numbers of confiscations and poaching incidents;
- c) continue their efforts towards strengthening enforcement controls with the aim of eliminating both the illegal trade in Tibetan antelope parts and derivatives and the processing of Tibetan antelope wool, in line with Resolution Conf. 11.8 (Rev. CoP17) paragraphs 1 a) and 3 a), respectively;
- d) raise awareness with enforcement officers of the known modus operandi and smuggling routes and provide relevant training for front line officers on identification of the raw wool and products made from the Tibetan antelope;
- e) identify relevant enforcement strategies, nationally and/ or regionally where the illegal trade of Tibetan antelope specimens takes place, and implement those to strengthen enforcement cooperation;
- f) work together to produce a hands-on training manual comprised of material and information that is already available, specifically to support enforcement officers in the field;
- g) share such training material with the Secretariat to make it available on the CITES website and on Environet, as appropriate;
- h) strengthen the exchange of intelligence between relevant Parties and conduct analyses with the aim to enable targeted joint operations, as appropriate in line with Resolution Conf. 11.3 (Rev. CoP17) paragraph 13 sub-paragraphs j) and p);
- i) improve the reporting to the Secretariat as requested in Resolution Conf. 11.8 (Rev. CoP17) paragraph 3 c); and
- j) implement demand reduction strategies to combat illegal trade in Tibetan antelope specimens in line with Resolution Conf. 17.4.

During discussion of this agenda item, interventions were made by the representative of Asia (China) and by Switzerland and the United States of America.

60. Rhinoceroses (Rhinocerotidae spp.): Report of the Secretariat SC69 Doc. 60

The Secretariat introduced document SC69 Doc. 60 that focused on Mozambique, South Africa, Viet Nam and Zimbabwe, the four Parties identified as Parties for priority attention in Annex 5 to document CoP17 Doc. 68.

Parties and observer organizations noted the importance that Parties comply with Resolution Conf. 9.14 (Rev. CoP17) on *Conservation of and trade in African and Asian rhinoceroses* and raised concern over the limited number of Parties that provided information to the Secretariat on their rhinoceros horn stockpiles. Some Parties and observer organizations suggested that the six Parties mentioned in Annex 5 to document CoP17 Doc. 68 should submit a report on the implementation of Decisions 17.133 and 17.134, as applicable. Range States provided an update on the status of rhinoceros populations and on activities implemented in relation to rhinoceroses and called for increased support to help conservation efforts. Some speakers raised concern over the developments in South Africa regarding domestic trade in rhinoceros horn.

The Standing Committee agreed the recommendations a) to g) in paragraph 68 of document SC69 Doc. 60, amended as follows:

Mozambique

- a) The Standing Committee encouraged Mozambique to strengthen efforts to address criminal syndicates targeting and corrupting local communities in the Mkukaza, as well as other areas in Mozambique, by enhancing intelligence gathering on the members of these syndicates and their activities, to map out their criminal networks, and to initiate targeted intelligence driven law enforcement action, including deploying anti-money-laundering and asset recovery investigations as appropriate, against the offenders involved, with a particular focus on those individuals that manage and organize these activities;
- b) The Standing Committee requested Mozambique to include in its report on the implementation of its National Ivory and Rhino Action Plan (NIRAP) to the 70th meeting of the Standing Committee (SC70), reporting on the implementation of the amended Conservation Law, including information on arrests, prosecutions and convictions for offences involving rhinoceros and elephant poaching or illegal trade in rhinoceros horn and ivory, achieved through the implementation of the amended Conservation Law, and on any activities conducted or measures implemented in accordance with recommendation a) above, so that the Secretariat can make the report available to the Standing Committee together with any recommendations it may have; and
- c) The Standing Committee agreed that the implementation of the amended Conservation Law and the activities or measures implemented sufficiently responds to illegal trade in rhinoceros horn as it affects Mozambique.

South Africa

- d) The Standing Committee encouraged South Africa to closely review poaching and trafficking trends in accordance with Decision 17.134, to ensure that any new crime trends that may emerge regarding any regulatory measures for domestic trade in rhinoceros horn in South Africa are swiftly identified and addressed.

Viet Nam

- e) The Standing Committee encouraged Viet Nam to:
 - i) scale up efforts to conduct analyses of available information to map out the organized crime groups active in the country that deal in rhino horn, with a strategic focus on the places within Viet Nam most affected by illegal trade in rhino horn;
 - ii) through Viet Nam Wildlife Law Enforcement Network (WEN), convene multi-disciplinary investigative teams involving all relevant authorities, to work in close collaboration with local authorities in key identified areas that are involved in the illegal trade in rhino horn, and initiate intelligence driven operations and investigations to address the activities of those criminal elements that remain active in Viet Nam, with a particular focus on illegal rhinoceros horn trade;
 - iii) institutionalize the collection of samples of rhino horn from seizures for forensic analyses, with a particular focus on paragraph 1 f) of Resolution Conf. 9.14 (Rev. CoP17) on *Conservation of and trade in African and Asian rhinoceroses*, and paragraph 22 of Resolution Conf. 10.10 (Rev. CoP17) on *Trade in elephant specimens* by putting in place a national protocol that will facilitate the collection of samples in accordance with recognized procedures, and relevant legislation regulating the exchange of such specimens; and

- iv) develop country-specific guidelines and materials that can assist officers to identify worked rhinoceros horn and ivory specimens worn as jewelry, to facilitate greater awareness about such items among frontline officers working at posts where they might encounter tourists wearing these items, and to ensure that officers will be alert to the detection of such commodities, and that any attempts to exploit smuggling wildlife specimens in this manner can be detected and addressed;
- f) The Standing Committee requested Viet Nam to submit a progress report on the implementation of the new Penal Code 2017 and on the issues reported on in document SC69 Doc. 60 at its 70th meeting;
- g) The Standing Committee requested Viet Nam to submit a full report on the implementation of Penal Code 2017, including information on arrests, prosecutions and convictions for offences involving illegal trade in rhinoceros horn committed at both border points and domestic markets in Viet Nam, achieved through the implementation of Penal Code 2017, and information on any activities conducted or measures implemented in accordance with recommendation e) i) to iv) above, to the Secretariat by 31 January 2019, so that the Secretariat can make the report available to the Standing Committee at its 71st meeting (SC71), together with any recommendations it may have;
- h) The Standing Committee agreed to consider the report submitted by Viet Nam and the recommendations of the Secretariat, at SC71, to determine if the implementation of Penal Code 2017 and the activities or measures implemented sufficiently respond to illegal trade in wildlife as it affects Viet Nam, in particular illegal trade in rhinoceros horn, or if any further measures may be needed.

The Standing Committee invited relevant Parties to provide information on the implementation of Decisions 17.133 and 17.134 for consideration at its 70th meeting.

The Standing Committee established an intersessional working group on rhinoceroses with the following mandate to:

- a) evaluate Parties' implementation of Resolution Conf. 9.14 (Rev. CoP17) and measures to prevent and combat rhinoceroses poaching and trafficking in rhinoceros horn, taking into consideration the recommendations in CoP17 Doc.68 Annex 5 and, focusing particularly on the six countries identified for priority attention as presented in that report, make any recommendations as appropriate; and
- b) review and evaluate reports submitted by Mozambique and Viet Nam, when available.

The membership of the working group on rhinoceroses was agreed as follows: United Kingdom of Great Britain and Northern Ireland (Chair), China, Democratic Republic of the Congo, European Union, Indonesia, Israel, Kenya, Mozambique, Namibia, Poland, Portugal, South Africa, United States of America, Viet Nam and Zimbabwe; and Annamiticus, Born Free Foundation, Conservation Force, Humane Society International, International Fund for Animal Welfare, International Union for Conservation of Nature, Ivory Education Institute, The True Green Alliance, TRAFFIC, Wildlife Conservation Society, World Wildlife Fund, and Zoological Society of London.

During discussion of this agenda item, interventions were made by the representatives of Africa (Kenya – acting representative in place of Ethiopia on 27 and 28 November), Asia (China), Europe (Portugal) and North America (Canada), by India, Mozambique, the United States of America, Viet Nam and Zimbabwe, and by Born Free Foundation, Conservation Force and the International Union for Conservation of Nature (speaking also on behalf of TRAFFIC and the World Wildlife Fund).

**61. Illegal trade in the helmeted hornbill (Rhinoplax vigil):
Report of the Secretariat **SC69 Doc. 61 (Rev. 1)****

The Chair of the Standing Committee introduced document SC69 Doc. 61 (Rev. 1).

The Committee was informed that a draft Action Plan for the Helmeted Hornbill was being developed and expected to be finalized by the end of 2017 and that there is ongoing work being conducted by a helmeted hornbill working group in order to support the development of a conservation strategy. Speakers noted the importance of the cooperation among Parties for conserving the species.

The Standing Committee noted document SC69 Doc. 61 (Rev. 1).

During discussion of this agenda item, interventions were made by the representative of Asia (Indonesia) and Humane Society International.

62. Snakes (Serpentes spp.): Report of the Secretariat SC69 Doc. 62

The Chair of the Standing Committee introduced document SC69 Doc. 62.

Some Parties considered the measures directed under Decisions 17.278 and 17.281 to have been implemented. However, others expressed disagreement, noting that there were still significant knowledge gaps that should first be filled.

The Standing Committee noted document SC69 Doc. 62 and encouraged the Secretariat to liaise with the five remaining countries that did not report to seek any reporting on their implementation of Decision 17.278 and to report back at its 70th meeting.

During discussion of this agenda item, interventions were made by the representative of Asia (China), and by India, Switzerland, the United States of America and Viet Nam.

63. Queen conch (Strombus gigas): Report of the Secretariat SC69 Doc. 63

The Chair of the Standing Committee introduced document SC69 Doc. 63, noting that the Secretariat would report on enforcement and traceability issues concerning international trade in queen conch at the 70th meeting of the Standing Committee.

Bahamas highlighted the importance of this issue and expressed its agreement with the document.

The Standing Committee noted document SC69 Doc. 63, thanked the range States for the information that they submitted in response to the request by the Chair of the Western Central Atlantic Fishery Commission; and encouraged range States that have not yet submitted such information to do so.

During discussion of this agenda item, an intervention was made by the representative of Central and South America and the Caribbean (Bahamas).

64. Tortoises and freshwater turtles (Testudines spp.): Report of the Secretariat SC69 Doc. 64

The Secretariat introduced document SC69 Doc. 64 and noted that it had convened a CITES Tortoise and Freshwater Turtles Task Force meeting in Singapore in April 2017, and that participants to the Task Force meeting developed recommendations for consideration by the Standing Committee.

Parties and observer organizations agreed with the recommendations of the Task Force and renewed their commitment to combat illegal trade of tortoises and freshwater turtles.

The Standing Committee acknowledged by loud acclamation the award of the Secretary-General's Certificate of Commendation to the Wildlife Crime Control Bureau, Ministry of Environment, Forest and Climate Change, India.

The Standing Committee agreed to the recommendations developed by participants to the CITES Tortoise and Freshwater Turtles Task Force as presented in paragraph 6 of document SC69 Doc. 64, including the amendments suggested by the Secretariat in paragraph 7 of the same document.

The Standing Committee requested the Secretariat to prepare a draft revised version of Resolution Conf. 11.9 (Rev. CoP13) on *Conservation of and trade in tortoises and freshwater turtles*, incorporating the revisions proposed in recommendation 4 d) i. to v. developed by participants of the CITES Tortoises and Freshwater Turtles Task Force, and taking into consideration the other recommendations developed by the Task Force and discussions at the present meeting, for consideration by the Standing Committee at its 70th meeting.

The Standing Committee noted the success achieved during "Operation Save Kurma" initiated by India, and encouraged Parties affected by significant levels of illegal trade in tortoises and freshwater turtles to consider undertaking similar operations in future.

During discussion of this agenda item, interventions were made by India, Singapore and the United States of America, and by the International Union for Conservation of Nature and Wildlife Conservation Society.

65. Totoaba (*Totoaba macdonaldi*)

65.1 Report of the Secretariat..... SC69 Doc. 65.1

and

65.2 Implementation of Decisions 17.145 to 17.151 on totoaba (*Totoaba macdonaldi*)..... SC69 Doc. 65.2

The Secretariat introduced SC69 Doc. 65.1 and Mexico introduced document SC69 Doc. 65.2, submitted by China, Mexico and the United States of America. The documents reported on the implementation of Decisions 17.145 to 17.151 on totoaba and highlighted the outcomes of a trilateral meeting in August 2017.

Parties and observer organizations expressed deep concerns about the conservation status of the Appendix I listed vaquita (*Phocoena sinus*), and called for strong measures to avoid the extinction of the species. The recommendations presented in the two documents were broadly supported.

Speakers requested that the Standing Committee instruct the CITES Secretary-General to undertake a high level mission to Mexico to address the issues discussed. Later in the meeting, Mexico announced that it will extend a corresponding invitation to the Secretary-General in the near future.

The Standing Committee noted documents SC69 Doc. 65.1 and SC69 Doc. 65.2 and further noted the progress achieved by Mexico, China and the United States in the implementation of Decisions 17.145 to 17.151.

The Standing Committee encouraged China, Mexico and the United States of America to continue their collaboration, noting the urgency of the issue, to improve the conservation status of totoaba and vaquita, *inter alia* by implementing measures agreed at their trilateral meeting in August 2017.

Regarding Decision 17.149, which calls for a study to be developed by the CITES Secretariat in collaboration with relevant organizations such as the Food and Agriculture Organization and the International Union for Conservation of Nature, the Standing Committee further encouraged Parties and the wider CITES community to provide support for its full implementation.

During discussion of this agenda item, interventions were made by the representatives of Asia (China), Europe (Portugal), and Oceania (New Zealand), by Mexico and the United States of America, and by Animal Welfare Institute (speaking also on behalf of the Association of Zoos and Aquariums, Center for Biological Diversity, Defenders of Wildlife, Environmental Investigation Agency, International Fund for Animal Welfare, Natural Resources Defence Council, Species Survival Network, Wildlife Conservation Society and World Wildlife Fund) and the International Union for Conservation of Nature.

66. CITES Appendix III..... SC69 Doc. 66

New Zealand introduced document SC69 Doc. 66, highlighting the limited use and understanding of CITES Appendix III.

Speakers highlighted the importance of the issue and supported the establishment of an intersessional working group.

The Standing Committee established an intersessional working group on CITES Appendix III with a mandate to:

- a) develop guidance for exporting and importing countries with respect to the effective implementation of Appendix III, including measures to address suspected illegal international trade in Appendix III-listed specimens;
- b) develop advice on characteristics of species that may benefit from inclusion in Appendix III, requesting and taking into consideration advice of the Animals and Plants Committee, and

- c) develop, in consultation with the Secretariat, as well as Parties, as appropriate, recommendations, including possible amendments to Resolution Conf. 9.25 (Rev. CoP17) on *Inclusion of species in Appendix III*, for consideration by the Standing Committee at its 70th meeting (2018), and its subsequent reporting to the 18th meeting of the Conference of the Parties as provided in Decision 17.304.

The membership of the intersessional working group on CITES Appendix III was agreed as follows: New Zealand (Chair), Cameroon, Canada, Chad, China, Germany, Hungary, Japan, New Zealand, Peru, Thailand, and the United States of America; and Humane Society International, Species Survival Network, TRAFFIC, United Nations Environment Programme, and World Wildlife Fund.

During discussion of this agenda item, interventions were made by the representatives of Central and South America and the Caribbean (Peru) and Oceania (New Zealand) and by Cameroon.

67. Procedure for entering reservations with respect to the amendments to Appendices I, II and III..... SC69 Doc. 67

The Secretariat introduced document SC69 Doc.67, noting that the Depositary Government (Switzerland) had called for clear guidance from the Conference of the Parties since it had not considered itself to be in a position to reject reservations with respect to amendments to the Appendices received after the 90-day deadline established by the Convention.

The Depositary Government intervened to clarify, that usually a late reservation was not immediately rejected, and could still be received by the Depositary, if the totality of other Parties tacitly agreed. One objection would be sufficient to reject a late reservation. However, Switzerland, as Depositary Government, would follow the decision of the Conference of the Parties. In the absence of clear guidance from the Conference of the Parties regarding this matter, the Depositary Government would continue to proceed as it has done so far.

Parties supported the 90-days deadline for submission of reservation, underscoring that the acceptance of late reservations might undermine the Convention. It was noted that the deadline only applied to reservations in Appendices I and II and not Appendix III.

The Standing Committee agreed that reservations with respect to amendments to Appendices I or II must be made in accordance with the provisions of the Convention and within the 90-day deadline stipulated in paragraph 3 of Article XV.

The Standing Committee welcomed the intention of the Secretariat to submit a draft proposal to amend those relevant elements of Resolution Conf. 4.25 (Rev. CoP14) on *Reservations* to provide clear guidance in this regard to the Depositary Government.

During discussion of this agenda item, interventions were made by the representatives of Europe (Hungary and Israel), and by Switzerland and the United States of America.

68. Periodic review of the Appendices: Report of the Animals and Plants Committees SC69 Doc. 68

The Chair of the Plants Committee introduced document SC69 Doc. 68, noting the need for external funding to assist Parties in conducting Periodic Reviews.

Parties agreed with the recommendations in the document and called for greater contributions to and participation in the Periodic Review process.

The Standing Committee noted document SC69 Doc. 68 and encouraged Parties to allocate funds towards the Periodic review of the Appendices. The Standing Committee requested the Secretariat to look into the records in Annexes 1 and 2 of document SC69 Doc. 68, in consultation with the United Nations Environment Programme – World Conservation Monitoring Centre and relevant Parties as necessary, and to report back any issues of concern to the Standing Committee at its 70th meeting.

During discussion of this agenda item, interventions were made by the representatives of Asia (China) and North America (Canada), by Chile and by the Chair of the Plants Committee.

69. Annotations

69.1 Establishment of a working group on annotations.....SC69 Doc. 69.1

As the co-lead for the Standing Committee on the issue of annotations, Canada introduced SC69 Doc. 69.1, focusing on the composition of the working group and its terms of reference.

Committee Members and Parties supported the establishment of the working group and invited donors to provide funds to conduct any preparatory work in advance of the Conference of the Parties. A Party suggested that annotations for the listing of agarwood species and *Bulnesia sarmientoi* should be among the highest priorities and encouraged the working group to use the guidance that already exist. It was also noted that the terms of reference do not include any animal taxa and an update on this aspect might be considered at a later stage. A similar point was made regarding the annotations referring to finished products. An observer organization mentioned a technical mistake made regarding annotation #16 by the inclusion of life plants.

The Standing Committee established an intersessional working group on annotations with a mandate to:

Taking into consideration the advice of the Standing Committee on annotation #15 and on the best way to prioritize its work,

- a) further consider procedures for crafting annotations and develop recommendations for improving them;
- b) evaluate and address issues related to the drafting, interpretation and implementation of annotations, and assist Parties in drafting future annotations, drawing on appropriate expertise from within and outside its membership;
- c) conduct any relevant additional work on evaluating the existing annotations for plant taxa listed in Appendices II and III, with an emphasis on ensuring that such annotations are clear as to the types of specimens to be covered by a listing, can be readily implemented, and focus on those parts and derivatives primarily exported from the range States and those commodities that dominate the trade in and demand for the wild resource;
- d) based on the results of the timber trade study directed to the Secretariat in Decision 15.35 (Rev. CoP16), to review the existing annotations for tree species and, if appropriate, draft amendments to those annotations and prepare clear definitions for the terms used in the annotations in order to facilitate their use and understanding by CITES authorities, enforcement officers, exporters and importers;
- e) in close collaboration with ongoing efforts in the Plants Committee, to continue reviewing the appropriateness and practical implementation of the annotation(s) of the agarwood-producing taxa (*Aquilaria* spp. and *Gyrinops* spp.), taking into consideration the previous work done by the range and consumer States of these species;
- f) review outstanding implementation challenges resulting from the listings of *Aniba rosaeodora* and *Bulnesia sarmientoi* in the Appendices, particularly concerning trade in extracts, and propose appropriate solutions;
- g) draft definitions of terms included in annotations, in cases where the terms are not easily understood or where there has been difficulty in implementing the listing as a result of confusion about what commodities are covered, and submit them to the Standing Committee for adoption by the Conference of the Parties and subsequent inclusion in the Interpretation section of the Appendices;
- h) conduct any work related to annotations directed to it by the Conference of the Parties, the Standing, Animals or Plants Committee; and
- i) prepare reports on progress made in addressing the issues tasked to it and submit them for consideration at the 70th meeting of the Standing Committee.

The membership of the intersessional working group on annotations was agreed as follows: Canada (Chair), Argentina, Australia, Belgium, Brazil, China, Democratic Republic of the Congo, Denmark, European Union, France, Gabon, Germany, Guatemala, Italy, Japan, Kuwait, Mexico, Namibia, Netherlands, Portugal, Republic of Korea, Russian Federation, South Africa, Spain, Sweden, Switzerland, Thailand, United Kingdom of Great Britain and Northern Ireland, United States of America, and Zimbabwe; and Association Technique Internationale des Bois Tropicaux, C.F. Martin & Co., Inc., Center for International Environmental Law, Chambre Syndicale de la Factice Instrumentale, Confédération des Industries Musicales Européennes, Environmental Investigation Agency – UK, Fender Musical Instruments Corp., Forest Based Solutions, Llc., Humane Society International, International Association of Violin and Bow Makers, International Wood Products Association, IWMC-World Conservation Trust, League of American Orchestras, Lewis & Clark – International Environmental Law Project, Madinter Trade, S.L., Species Survival Network, Taylor Guitars, TRAFFIC, World Resources Institute, and World Wildlife Fund; and the Chair of the Plants Committee.

The Standing Committee requested the intersessional working group on annotations to propose guidance related to the issues raised related to annotation #16 for its consideration at its 70th meeting and noted that the working group Chair will take account of the interventions made during the debate when guiding the work of the working group.

During discussion of this agenda item, interventions were made by the representative of North America (Canada), by the Democratic Republic of the Congo, the European Union, Japan and the United States of America, and by IWMC-World Conservation Trust.

69.2 Annotations for Appendix II orchids: Report of the Plants CommitteeNo document

Switzerland presented a brief oral report on the progress made so far (in-depth case studies, overviews, draft plan and draft questionnaire), encouraging liaison between the working group of the Plants Committee on this matter and the working group of the Standing Committee on annotations.

The Standing Committee noted the oral report of the Chair of the Plants Committee.

There were no interventions.

69.3 Interpretation of annotation #15SC69 Doc. 69.3

The Chair of Plants Committee introduced document SC69 Doc. 69.3 and, as provided for in paragraph 8 of Resolution Conf. 11.21 (Rev. CoP17), proposed that the Standing Committee agree on interim definitions of the terms "non-commercial", "exports", and "total weight of 10 kg per shipment" in paragraph b) of annotation #15 in order to facilitate the implementation of the listing of *Dalbergia* spp. in Appendix II.

Parties welcomed the document and provided comments on the recommendations 10 a) and b) of the document regarding the interpretation of the term "non-commercial" and the interpretation of the term "10 kg per shipment". A Party highlighted the fact that the demand concerned several economic sectors, including the musical instruments, the car industry, etc. Several observer organizations expressed their support towards the recommendations and declared their readiness to sensitize the musical industry about the importance of conserving these species. Others invited the Committee to remain vigilant to ensure that the interim definitions are not used as a loophole by unscrupulous traders and do not create a dangerous precedent for the Convention.

The Standing Committee established an in-session working group on annotation #15 with the following mandate:

- a) revise the proposed interim definitions of certain terms used in paragraph b) of annotation #15 for the intersessional period between the 17th and the 18th meetings of the Conference of the Parties, as set out in paragraph 10 of document SC69 Doc. 69.3 based on the language proposed by the European Union, the United States of America, Japan, Norway, Guatemala, and Peru; and
- b) prepare draft recommendations for consideration by the Standing Committee.

The membership of the working group on annotation #15 was agreed as follows: Chair of the Plants Committee (Chair), Argentina, Australia, Canada, China, Denmark, European Union, France, Germany,

Guatemala, Indonesia, Japan, Mexico, Netherlands, Norway, Spain, Sweden, Thailand, United Kingdom of Great Britain and Northern Ireland, and the United States of America; and Association Technique Internationale des Bois, Center for International Environmental Law, C.F. Martin & Co., Inc., Chambre Syndicale de la Façture Instrumentale, Confédération des Industries Musicales Européennes, Environmental Investigation Agency, Forest Based Solutions, Llc., International Association of Violin and Bow Makers, International Wood Products Association, Ivory Education Institute, IWMC – World Conservation Trust, League of American Orchestras, Species Survival Network, Taylor Guitars, and World Resources Institute.

Later in the meeting, the Chair of Plants Committee introduced document SC69 Com. 6.

The Standing Committee adopted document SC69 Com. 6 as follows:

The Standing Committee agreed the following interim definitions of the terms used in paragraph b) of annotation #15 for the intersessional period between the 17th (CoP17) and the 18th (CoP18) meetings of the Conference of the Parties:

Regarding interpretation of the term “non-commercial”

The following transactions should be considered “non-commercial”:

The cross-border movement of items (such as musical instruments) for purposes including, but not limited to, personal use, paid or unpaid performance, display, or competition (e.g., on a temporary exhibition); and when such cross-border movement will not lead to the sale of the item and the item is returned to the country where the item is normally held.

The cross-border movement of an item (such as a musical instrument), for the purpose of being repaired, in view of the fact that the item will remain under the ownership of the same person and that such transport will not lead to the sale of the item. The return to the seller or manufacturer of a product under warranty after sale service should also be considered as a non-commercial transaction.

The cross-border movement of a shipment containing multiple items sent for one of the above purposes (e.g. a shipment of musical instruments being jointly sent for the purpose of being repaired), provided that the individual portion of *Dalbergia/Guibourtia* species present in each item weighs less than 10 kg and would therefore, if traveling separately, qualify for the exemption;

The loan of an item (such as a musical instrument) for exhibition in museums, competition or performance purposes.

Cross-border movement for the purpose of trade shows and trade fairs should be considered as a commercial transaction.

Regarding interpretation of the term “10 kg per shipment”

For non-commercial transactions as outlined above, the 10 kg limit should be interpreted as referring to the weight of the individual portions of each items in the shipment made of wood of the species concerned. In other words, the 10 kg limit is to be assessed against the weight of the individual portions of wood of *Dalbergia/Guibourtia* species contained in each item of the shipment, rather than against the total weight of the shipment.

Regarding interpretation of the terms in paragraph b) of Annotation #15 in the case of orchestras, music ensembles and similar groups which travel with all instruments in the form of a “consolidated shipment”

The cross-border movement of musical instruments in a container, together with or prior to the travelling of the group, is considered as a “consolidated shipment”. In such cases, the total weight of wood of *Dalbergia/Guibourtia* species in the instruments constituting the “consolidated shipment” is likely to exceed 10 kg. Such “consolidated shipment” should nonetheless not require a CITES document, considering that the individual portion of wood of *Dalbergia/Guibourtia* species present in each instrument weighs less than 10 kg and that the related instrument would therefore, if travelling separately, qualify for the exemption. However, if the weight of wood of *Dalbergia/Guibourtia* species subject to Annotation #15 present in any individual instrument exceeds 10 kg, this specific instrument

would require a CITES document. For clarification, musical instruments being shipped as a “consolidated shipment” and qualifying for this exemption should have a single importer or exporter and a single consignee or consignor.

The Standing Committee requested the Secretariat to issue a Notification to the Parties, communicating the interim definitions above, to the Parties and encouraging all Parties to use them during the intersessional period between CoP17 and CoP18; and resolved that these interim definitions are agreed for the exclusive purpose of interpreting certain terms in paragraph b) of annotation #15, and do not constitute a precedent for the interpretation of these terms in any other annotation, Decision or Resolution applying to any other specimen of a CITES-listed species. The Standing Committee requested the Secretariat to include in the Notification the above specification, as well as the information below.

Regarding identification of specimens at species or genus level on CITES permits and Certificates

Specimens should, as far as possible, be identified at species level (e.g. *Dalbergia melanoxylon*) on CITES permits and certificates. However, in the absence of such information and in exceptional cases, specimens may be identified on CITES permits and certificates at genus level (*Dalbergia* spp.), in particular in the case of manufactured products containing pre-Convention specimens as per section XIV of Resolution Conf. 12.3 (Rev. CoP17). When the specimen is recorded at the genus level, it should be indicated on the documents that the specimens concerned do not contain wood of the species *Dalbergia nigra* when this is actually the case.

During discussion of this agenda item, interventions were made by the representatives of Central and South America and the Caribbean (Bahamas, Guatemala and Peru) and North America (Canada), by Argentina, the European Union, Japan, Mexico, Norway and the United States of America, and by the League of American Orchestras (speaking also on behalf of C.F. Martin & Co., Chambre Syndicale de la Façture Instrumentale, Confédération des Industries Musical Européennes, Fender Musical Instruments Corp., ForestBased Solutions, International Association of Violin and Bow Makers, International Wood Products Association, Society of Music Merchants and Taylor Guitars) and Species Survival Network (speaking also on behalf of Center for International Environmental Law and Environmental Investigation Agency).

70. Review of Resolution Conf. 10.9 on Consideration of proposals for the transfer of African elephant populations from Appendix I to Appendix II SC69 Doc. 70

The Secretariat introduced document SC69 Doc. 70.

Some Parties proposed to simply repeal Resolution Conf. 10.9, and argued that the formation of a working group was therefore not necessary. A Party opposed this view and supported the establishment of the working group. Another Party added that issues relating to proposals for amending CITES Appendices I or II be better placed under Resolution Conf. 9.24 (Rev. CoP17) on *Criteria for amendment of Appendices I and II*.

The Standing Committee established an intersessional working group on Resolution Conf. 10.9 with a mandate to 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; to work in collaboration and consultation with all African elephant range States; and to report to the Standing Committee at its 70th meeting. To the extent possible, the working group will operate in English and French.

The membership of the intersessional working group on Resolution Conf. 10.9 was agreed as follows: Germany (Chair), Botswana, Chad, China, Ethiopia, France, Israel, Kenya, Liberia, Mozambique, Namibia, Nigeria, South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, and Zimbabwe; and Community Rural Conservancy Communities & NASCO, Conservation Force, David Shepherd Wildlife Foundation, Environmental Investigation Agency – UK, Humane Society International, International Union for Conservation of Nature, Ivory Education Institute, IWMC – World Conservation Trust, Livelihood International, Natural Resources Defense Council, Pro Wildlife, Safari Club International, The European Federation of Associations for Hunting & Conservation (FACE), The True Green Alliance, Wildlife Conservation Society, and Zoological Society of London.

During discussion of this agenda item, interventions were made by the representatives of Africa (Ethiopia, Namibia and Niger), Europe (Israel) and Oceania (New Zealand), by Botswana and the United States of America, and by Humane Society International.

71. Listing of marine species

71.1 Cooperation under the FAO-CITES 2006 MoU, with special reference to the scientific and technical evaluation of commercially exploited aquatic species listing proposals..... SC69 Doc. 71.1

Japan introduced document SC69 Doc. 71.1, highlighting ways to improve the process for the delivery of scientific and technical advice for Parties on CITES listing proposals for commercially exploited aquatic species, notably through the advice of Panel of Experts of the Food and Agriculture Organization (FAO).

Many Parties and observer organizations recognized that the collaboration between CITES and FAO under the Memorandum of Understanding was very useful and successful. With regard to proposals to amend the Appendices, Parties noted that States are sovereign in their decision-making and recalled that the findings of FAO's Panel were not the only information source available to evaluate listing proposals. For this reason, most Parties did not see the need to modify the system in current use and consequently did not support the draft decisions contained in the document.

The Standing Committee supported continued collaboration between the Food and Agriculture Organization (FAO) and the CITES Secretariat and supported the effective implementation of the Memorandum of Understanding between FAO and the CITES Secretariat, noting the importance of Parties having access to the best available scientific information on species proposed for listing well prior to meeting of the Conference of the Parties.

The Standing Committee encouraged Parties to consult with the Animals Committee and other relevant organizations as soon as possible when considering submissions of proposals for marine species.

The Standing Committee encouraged the Secretariat to consider ways to further enhance communication of reports of the FAO Expert Panel.

During discussion of this agenda item, interventions were made by the representatives of Africa (Niger), Asia (China and Indonesia), Central and South America and the Caribbean (Bahamas and Peru), North America (Canada) and Oceania (New Zealand), by Chile, the European Union, India, Japan, Mexico, Norway and Sri Lanka, and by Humane Society International, the International Union for Conservation of Nature and IWMC-World Conservation Trust.

71.2 Analysis of the relevance of the advice provided by the FAO Panel of Experts for proposals on marine fish species and evaluation of the conservation benefits of marine fish species listed at CITES CoP16 and CoP17..... SC69 Doc. 71.2

The Standing Committee agreed to defer consideration of this agenda item until the author of the document, Saint Vincent and the Grenadines, joins the meeting.

The author of the document not being present, the Standing Committee noted the submission of document SC69 Doc. 71.2.

There were no interventions.

72. Analysis of the relevance of the criteria of Resolution Conf. 9.24 (Rev. CoP17) SC69 Doc. 72

The Standing Committee agreed to defer consideration of this agenda item until the author of the document, Saint Vincent and the Grenadines, joins the meeting.

The author of the document not being present, the Standing Committee noted the submission of document SC69 Doc. 72.

There were no interventions

73. Reports of regional representatives

73.1 Africa..... *No document*

73.2 Asia..... *SC69 Doc. 73.2*

73.3 Central and South America and the Caribbean..... *SC69 Doc. 73.3 (Rev. 1)*

73.4 Europe..... *SC69 Doc. 73.4 (Rev. 1)*

73.5 North America..... *SC69 Doc. 73.5*

and

73.6 Oceania..... *SC69 Doc. 73.6*

The Standing Committee noted all of the reports received from regional representatives.

74. Any other business..... *No document*

There were no decision taken by the Standing Committee.

During discussion of this agenda item, an intervention was made by Mexico on the totoaba and vaquita.

75. Determination of the time and venue of the 70th meeting..... *No document*

The Chair reported that a single offer had been received to host the 70th meeting of the Committee, which had been accepted. The Committee thanked the Russian Federation for its generous offer to host its 70th meeting, which will take place in Sochi, Russian Federation, on 1-5 October 2018.

76. Closing remarks

Following the remarks by members of the Committee, observers representing Parties and intergovernmental and non-governmental organizations, and the Secretary-General, the Chair thanked all participants for their cooperation and thanked the Secretary-General, the Secretariat and the interpreters for their work, and closed the meeting at 18h20.

**Intervention by the Russian Federation
on agenda item 46.2 for the record**

The Russian Federation regrets that the Standing Committee was not able to support the recommendation of the Animals Committee contained in document SC69 Doc 46.2 para 10 subpara (b) about the unification of the Black Sea and Lower Danube sturgeon stocks.

This proposal was elaborated by the Working Group on Sturgeons and subsequently supported by the AC 29th session.

Non-implementation of this Recommendation may be dangerous for the conservation and sustainable management of the Black Sea sturgeon, especially in absence of an organization on fisheries management in this region.

Annually the Russian Federation releases from reproducing facilities into Azov-Black Sea basin up to 5 mln sturgeon fingerlings which have molecular-genetic tags. We are developing a national monitoring system of the transboundary and highly migratory sturgeon species for traceability and combating Illegal Unreported and Unregulated fishing.

The Russian Federation calls upon the Black Sea littoral states to establish effective cooperation in fisheries.

**Intervention by China on agenda item 57
for the record (emphasis in original)**

China appreciates the hard work, spirit of collaboration and contributions of the members of the Working Group. However, we noticed that although the common understanding of a better conservation of pangolins is clearly targeted, no final consensus was made by the working group on the basic convention principle and some recommendations.

Paragraphs starting from "INTERPRETATION CLARIFICATION" until the end of the document on page 2 of the document SC69 Com.9 except the footnote of it is misleading and should not be accepted.

This means that the Standing Committee wants to require the parties to treat appendix II, III and non-CITES specimens as appendix I specimens. It may mislead CITES to an unknown future.

Paragraph 2 of Article VII of CITES states that "Where a Management Authority of the State of export or re-export is satisfied that a specimen was acquired before the provisions of the present Convention applied to that specimen, the provisions of Articles III, IV and V shall not apply to that specimen where the Management Authority issues a certificate to that effect."

Paragraph 2 of Article VII of the Convention is about the pre-convention issue, which is in fact the "before the provisions of the Convention" issue. And resolution 13.6 (Rev. CoP16) interprets this paragraph. We agree that this logic can apply to transfer the specimen from appendix II to I, the pre-appendix I specimens, which means when an Appendix II species is up-listed to Appendix I, the specimens acquired before the date of entering into force of the up-listing should be regarded as appendix II species or non CITES species, depending on the date of the acquisition of the specimen.

The definition of "pre-convention" does not need any interpretation. This rule of exemption and "pre-convention definition" is not a sole "product" of CITES.

As a common rule, law does not apply to the past. This is what jurists have called the "Principle of Non-Retroactivity of Law", which is widely accepted by both international law and national laws. For example, Section 9 of Article 1 of United States Constitution states that "No Bill of Attainder or ex post facto Law shall be passed".

China calls upon all the Standing Committee Members to reject the current version of the report of the Pangolin Working Group, which requests the Conference of the Parties to interpret the definition of "pre-convention" and recommends parties treat the pre-appendix I specimens of pangolins as appendix I specimens.

If accepted, CITES Standing Committee is making a notorious example of jeopardizing the spirit of law and the principle of CITES Convention itself. And the most important is, it is against Vienna Convention on the Law of Treaty and is infringing State Sovereignty and Jurisdiction.

We are strongly against illegal trade in endangered species, we are also against any actions against the law of the nature and the nature of the law.

Parties have the right to take stricter measures to restrict the export or import of pangolins so as to protect the species, but **parties can only do it voluntarily, they never should be forced to do so!** We note that Paragraph 1 of Article XIV of the Convention states that parties have the right to take stricter measures than the convention. It is a right rather than an obligation of the parties.

Please notice that the Non-retroactivity principle is included in Article 28 of Vienna Convention on Treaty of laws, which state that "Unless a different intention appears from the treaty or is otherwise established, its provisions do not bind a party in relation to any act or fact which took place or any situation which ceased to exist before the date of the entry into force of the treaty with respect to that party". It was also recognized by the International Court of Justice in the past cases. We strongly advise that all parties consult the treaty and legal affairs advisors of the foreign affairs ministry for the clarification of the issue. Even if the committee accepts the current version of the report, the national jurisdiction bodies will have the authority to reject them and could declare those unlawful

recommendations invalid. We also request the CITES Secretariat to further contact the Legal Affairs Office of the United Nations on the issue of "Principle of Non-Retroactivity of Law" and provide further legal advice to the Parties.

**Intervention by the Democratic Republic of the Congo
on agenda item 57 for the record**

After the vote by the Standing Committee of Document SC69 Com 9 on the Report of the Working Group on Pangolins (*Manidae* spp.), the Democratic Republic of the Congo considers that paragraph b of the Recommendation that “Parties and range countries should treat specimens, including stockpiles, of species of pangolin as Appendix I specimens and regulate trade in accordance with Article III of the Convention” is not a mandatory provision but rather a piece of guidance.

Therefore, the Democratic Republic of the Congo will only implement this recommendation once all the Parties to CITES have implemented it as well. If, on the contrary, a Party does not implement it, the DRC will not implement it either and will invoke the reciprocity reservation provided for in Article 215 of the Constitution of the Democratic Republic of the Congo of 18 February 2006, according to which “Regularly concluded international treaties and agreements have, as of their publication, higher authority than that of laws, provided each treaty or agreement is applied by the other party”.

Intervention by the United States of America on agenda item 57 for the record

Concerning the unfortunate confusion over retroactive application of law that has been introduced into debate, while we appreciate China's concern for the important rule of law principle against retroactivity (and we welcome their consideration of the U.S. Constitution, which contains this and many other principles we hold dear), we must note that the application of current CITES rules to trade to be taken in the present or future — which is what we are discussing here — in no way involves retroactive application of law. A retroactivity problem would arise only if prior transactions were prosecuted under later-established rules. No one is proposing that. We believe the Convention language and history are clear here.

In fact, the approach recommended in the working group report is no more a retroactive application of law than China's recently announced ban on domestic ivory trade. We applaud China's efforts in that endeavor. Similarly here, the working group approach is recommending current application of current law to current trade.