

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

AFTERNOON

Reports of in-session working groups48. Humphead wrasse (*Cheilinus undulatus*): Report of the Secretariat SC69 Doc. 48

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.

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.

Reports of in-session working groups

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

The Standing Committee adopted the terms of reference of the intersessional working group on stocks and stockpiles in document SC69 Com. 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.

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

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.

69. Annotations

69.3 Interpretation of annotation #15..... SC69 Doc. 69.3

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.

29. Compliance matters

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

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*.

4. Credentials..... *No document*

The Standing Committee noted a report from the Secretariat that, at present, all 16 voting members of the Standing Committee, except for Chad, had provided credentials.

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

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 CoP 18, including information relating to the implications associated with the different interpretations; and
- b) in the interim and until a decision is made by CoP 18, Parties should treat specimens, including stockpiles, of Appendix I species of pangolin obtained when the species was listed in Appendix II, as Appendix I specimens and regulate trade in accordance with Article III of the Convention¹.

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

49.1 Report of Madagascar..... SC69 Doc. 49.1 (Rev. 1)

and

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

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;

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.

- 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 *Diospyros* spp. and invited Madagascar to provide information related to these efforts in its report to the Standing Committee at its 70th meeting.

51. Elephants (Elephantidae spp.)

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

Report of the MIKE and ETIS Subgroup

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.

29. Compliance matters

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

and

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

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 (ICCWC) ;
- 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 j) 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.

29. Compliance matters

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

The Standing Committee noted document SC69 Doc. 29.4.

71. Listing of marine species

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

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

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

Adoption of Executive Summaries

The executive summary of the fifth session in document SC69 Sum. 5 was adopted with the following amendments:

- Under agenda item 17, include Natural Resources Defense Council as a member of the intersessional working group on livelihoods;
- Under agenda item 31.3, paragraph c), fifth line: replace “of” before “specimens” with “involving”;
- Under agenda item 34.2, title of the agenda item should read “Report of the co-leads”; in paragraph b) iv), delete “of” before “disposal”; in the last paragraph, after “exporting countries”, insert “to accept return of confiscated specimens”.

The executive summary of the sixth session in document SC69 Sum. 6 was adopted with the following amendment:

- Under agenda item 40, include Saudi Arabia as a member of the intersessional working group on electronic systems and information technologies.

39. Definition of the term 'appropriate and acceptable destinations':
Report of the Secretariat SC69 Doc. 39

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’.

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

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

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

The Standing Committee agreed to include Botswana as a member of the intersessional working group on cheetahs.

Adoption of Executive Summaries

The executive summary of the seventh session in document SC69 Sum. 7 was adopted with the following amendments:

- Under Adoption of Executive Summaries, “agenda item 52.2” should be replaced with “agenda item 51.2”; and “mention in paragraph b)” should read “mentioned in paragraph b);
- Under agenda item 71.1, add at the end of the first paragraph “, noting the importance of Parties having access to the best available scientific evidence on species proposed for listing well prior to the meeting of the Conference of the Parties”.

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.

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

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.

Adoption of Executive Summaries

The Committee agreed that outstanding Executive Summaries would be adopted using the procedure provided for in Rule 19 of the Rules of Procedure.

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.