

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



Seventieth meeting of the Standing Committee
Rosa Khutor, Sochi (Russian Federation), 1-5 October 2018

Species specific matters

Maintenance of the Appendices

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

1. This document has been submitted by the Chair of the Standing Committee intersessional working group on Resolution Conf. 10.9 (Germany).*
2. At its 17th meeting (CoP17, Johannesburg, 2016), the Conference of the Parties adopted the following decision:

16.160 (Rev. CoP17) directed to the Standing Committee

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

3. At its 69th meeting, 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 was instructed to operate in English and French.
4. 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,

* *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

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.

5. The working group conducted its work electronically.
6. To structure the debate and drawing upon the mandate of the working group, the Chair of the working group first identified four possible general approaches to carry out the task of the working group, and presented them as options to the members: repealing Resolution Conf. 10.9 (Option 1); maintaining Resolution Conf. 10.9 without amendments (Option 2); amending Resolution Conf. 10.9 (Option 3); or merging Resolution Conf. 10.9 with another Resolution (Option 4).
7. Twenty-three out of thirty-two members of the working group, including twelve Parties, responded to the question by the Chair. A large majority (eighteen out of twenty-three) of the respondents favoured repealing Resolution Conf. 10.9 (Option 1), while five supported its amendment (Option 3). All African elephant range States that replied favoured the repeal of Resolution Conf. 10.9.
8. The main rationale provided by those supporting the repeal of Resolution Conf. 10.9 (Option 1) was that Resolution 9.24 (Rev. CoP17) on *Criteria for amendment of Appendices I and II* provides sufficient and adequate guidance for dealing with amendments to CITES Appendices I and II, and that Resolution Conf. 10.9 therefore is no longer necessary. Some also pointed to the historical background of the issue, and highlighted that one of the main reasons behind Resolution Conf. 7.9 – the predecessor of Resolution Conf. 10.9 – was that the listing criteria at the time of the adoption of that Resolution did not sufficiently address the specificities of downlisting proposals. Annex 4 of Resolution Conf. 9.24 (Rev. CoP17) now contains precautionary measures when considering proposals to amend Appendix I or II, including the transfer of species from Appendix I to Appendix II, and these were seen as sufficient to address that concern. Some supporters of the repeal of Resolution Conf. 10.9 also stressed that the special procedure foreseen in this Resolution requires significant additional resources and time, while not adding any real value to discussions on proposals to transfer African elephant populations from Appendix I to II in the past. One member who supported the amendment of Resolution Conf. 10.9 argued that the working group could only consider whether and how to develop a more efficient and cost-effective mechanism to review elephant listing proposals if CITES started focusing more on individual populations rather than assessments at species level.
9. In light of the preference expressed by the large majority of its members, the Chair proposed to the working group to recommend to the Standing Committee the repeal of Resolution Conf. 10.9. Since the large majority of the members also felt that Resolution 9.24 (Rev. CoP17) sufficiently covered the issue and did not support amendments to Resolution Conf. 10.9, the Chair concluded that the working group also did not see a need for further work on Resolution Conf. 9.24 (Rev. CoP17), or the development of another mechanism to review proposals to amend the Appendices for the African elephant.

Recommendation

10. The Standing Committee is invited to endorse the recommendation of the working group to repeal Resolution Conf. 10.9, and to report this proposal to the 18th meeting of the Conference of the Parties in compliance with Decision 16.160 (Rev. CoP17).