

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



Seventy-fourth meeting of the Standing Committee
Lyon (France), 7 - 11 March 2022

Strategic matters

CAPACITY-BUILDING:
REPORT OF THE WORKING GROUP

1. This document has been submitted by New Zealand as Chair of the Standing Committee's working group on capacity-building in consultation with the Secretariat.*

Background

2. At its 18th meeting (Geneva, 2019), the Conference of the Parties adopted Decisions 18.39 to 18.46 on *Capacity-building*:

18.39 Directed to the Parties

Parties are invited to:

- a) *provide information to the Secretariat regarding capacity-building materials and efforts that could be shared among Parties;*
- b) *utilize the CITES Virtual College to support capacity-building activities and provide the Secretariat with inputs and financial support to update and improve its services, including translation of the contents into national languages;*
- c) *use the CITES implementation reports, as well as direct expression of interest, to inform the Secretariat about their capacity needs;*
- d) *support the capacity-building efforts of other Parties by providing scholarships for in-person training or training opportunities, and by translating materials into non-working languages of the Convention; and*
- e) *share ideas, experiences, and information related to the development of a capacity building framework in response to the Notification to Parties issued by the Secretariat under Decision 18.46, paragraph a).*

* *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.*

18.40 Directed to the Animals Committee, Plants Committee

The Animals and Plants Committees shall review the report of the Secretariat called for in Decision 18.46, paragraph c), and provide input and make recommendations to the Standing Committee.

Directed to the Standing Committee¹

18.42 *The Standing Committee shall provide guidance to the Secretariat to refine and consolidate the areas of capacity-building efforts, taking into account the discussions on the Compliance Assistance Programme and Country-wide Significant Trade Reviews, as well as the discussion on the development of an integrated capacity building framework outlined in Decision 18.41.²*

18.43 *The Standing Committee shall undertake the following:*

- a) *review Resolution Conf. 3.4 on Technical cooperation with the view to incorporating capacity-building needs;*
- b) *consider the inputs and recommendations of the Animals and Plants Committees pursuant to Decision 18.40; and*
- c) *make recommendations, including a possible new or revised draft resolution as well as models, tools and guiding documents on capacity building, as appropriate, based on the outcome of the work in Decision 18.46 as well as documents CoP18 Doc. 21.2 and Doc. 21.3, for consideration by the Conference of the Parties at its 19th meeting.*

Directed to the Secretariat

18.44 *The Secretariat shall:*

- a) *collect information on capacity-building materials and efforts from Parties and others, and make them available to Parties through the CITES website;*
- b) *subject to the availability of external funding, undertake the revision and enhancement of the CITES website and of the CITES Virtual College, including selected online courses, to update the content and to improve their effectiveness in providing access to capacity-building resources to Parties;*
- c) *subject to the availability of external funding, provide compliance-related and other general capacity-building support to Parties;*
- d) *inform the Standing, Animals and Plants Committees when needs arise for their review or inputs on capacity-building materials; and*
- e) *subject to the availability of external funding, further cooperate with institutions and organizations to provide Parties with joint capacity-building assistance of relevance to CITES, and provide scholarships for in-person training or training opportunities, and translate materials into non-working languages of the Convention, for example through: the Food and Agriculture Organization of the United Nations (FAO), the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), the International Consortium on Combating Wildlife Crime (ICWC) (including each of its partners), the International Trade Centre (ITC), the International Tropical Timber Organization (ITTO), the International University of Andalusia (UNIA), the United Nations Conference on Trade and Development (UNCTAD), the United Nations Development*

¹ *Decision 18.41 was omitted from the document by mistake: 18.41. The Standing Committee shall establish a working group on capacity-building to advise the Standing Committee on the actions outlined in Decisions 18.42 and 18.43 for the development of an integrated capacity-building framework to improve implementation of the Convention. The working group shall include, but not be limited to, participation of: members of the Standing Committee, the Animals and Plants Committees, the Budget and Finance Sub-Committee, and the Secretariat. The working group shall also include a balanced representation of Parties from each region, as well as Parties that are donors and Parties that are recipients of capacity support.*

² *The Secretariat believes that the intention was to refer to Decision 18.41 and not 18.43.*

Programme (UNDP), the United Nations Environment Programme (UNEP), the World Organisation for Animal Health (OIE); and the World Trade Organization (WTO).

18.45 *In carrying out capacity-building activities, the Secretariat shall pay particular attention to the needs of Parties identified through compliance procedures, recently acceded Parties, developing country Parties, and Small Island Developing States.*

18.46 *The Secretariat shall:*

- a) *based on document CoP18 Doc. 21.3 Annex 5 and in consultation with the Standing Committee, develop a questionnaire and issue a Notification to Parties transmitting the questionnaire to gather input to inform the development of an integrated capacity-building framework;*
- b) *liaise with other Multilateral Environmental Agreements to collect information regarding how their capacity-building efforts are targeted, accomplished, and tracked;*
- c) *prepare a report summarizing the outcomes of its implementation of Decision 18.46, paragraphs a) and b), the outcomes of the needs assessment working group summarized in document SC66 Doc. 20.2 (Rev.1), and the information on capacity-building needs provided by Parties through their implementation reports, for consideration by the Animals and Plants Committees; and*
- d) *subject to the availability of external funding and in consultation with the Standing Committee, Animals and Plants Committees, and the Budget and Finance Sub-Committee, organize a workshop that would facilitate the Standing Committee's tasks set out in Decisions 18.42 and 18.43.*

Progress update: Decisions directed to the Secretariat

3. In implementing Decisions 18.44 – 18.45, the Secretariat has undertaken – or initiated – the following activities since the 18th meeting of the Conference of the Parties:
 - a) streamlined the dedicated page on the CITES website and continued its efforts to collect relevant information;
 - b) initiated the revision of the CITES Virtual College, which will include a searchable database of identification materials, documentation on non-detriment findings (NDF) and reference materials, as well as a new set of online courses. The latter is being developed with inputs from the Animals and Plants Committees in line with Decision 18.44, paragraph c), and some of the courses will be published during the course of 2022;
 - c) provided capacity-building support to Parties upon request as well as compliance-related assistance to Parties with extrabudgetary funding;
 - d) worked with external partners, including the International University of Andalusia (UNIA), the United Nations Development Programme (UNDP), the United Nations Environment Programme (UNEP), to provide training opportunities to Parties; and
 - e) pursuant to Decision 18.45, provided capacity support and advisory services *inter alia* to Mauritania, Mauritius, Rwanda, Tonga, Vanuatu, and Parties in the Caribbean; with discussions underway to further support a small number of Pacific Island country Parties.
4. The Secretariat's work pursuant to Decision 18.46 and in support of the work of the Standing Committee's working group on capacity-building, has been summarised in its report to the Animals and Plants Committees submitted in 2020 as well as the addendum report submitted in May 2021, both of which were reviewed at their joint meeting in June 2021 (see below). Furthermore, thanks to a generous contribution from Canada, the Secretariat was able to support the convening of an online workshop of the Standing Committee's working group.

Progress update: Decisions directed to the Animals and Plants Committees

5. The Animals and Plants Committees reviewed the reports of the Secretariat at their joint meeting in July 2021, called for in Decision 18.46, paragraph c), and agreed the following pursuant to Decision 18.40 (See AC31/PC25 Sum. 1 (Rev. 1), agenda item 10/11):
 - a) some form of CITES capacity-building conceptual framework (strategy) is needed;
 - b) a wide variety of elements must be considered when developing the capacity-building conceptual framework;
 - c) wide stakeholder consultation is needed for the development of the capacity-building framework; and
 - d) elements for both face-to-face and online means of capacity building delivery must be considered in the framework. The Committees invited the Standing Committee to consider the views of the Animals and Plants Committees in its discussions through the continued participation of their four representatives in the Standing Committee's intersessional working group on capacity-building.

Progress update: Decisions directed to the Standing Committee

6. On the basis of the progress outlined above, the Standing Committee's working group on capacity-building met online once to consider the inputs and recommendations of the Animals and Plants Committees and to review Resolution Conf. 3.4 on *Technical cooperation* with the view to incorporating capacity-building needs, pursuant to Decision 18.43. A summary of the online meeting was circulated for input from the wider working group.
7. The working group generally agreed that a CITES capacity-building conceptual framework or strategy is needed. In discussing the elements of the framework, the working group also agreed that further discussion is required to inform the development of the framework.
8. Two options for the objective of the capacity-building framework were tabled and discussed by the working group. The common components of the two options, relating to audience and scope, are captured in the Secretariat's suggested combination below. A matter that might warrant further discussion is whether the objective should emphasize a Party-led approach to identifying capacity-building needs.

to guide Parties, partners and the Secretariat to identify capacity-building needs and to plan, prioritize, coordinate, implement, monitor and review the effectiveness of their capacity-building efforts for the enhanced implementation of the Convention.
9. The working group discussed the relationship of the capacity-building framework with other CITES activities. The working group sees the capacity-building framework as an umbrella for the Compliance Assistance Programme (CAP), and country-wide Review of Significant Trade (RST) along with other measures and tools. The need for the framework to demonstrate clear linkages between these components was noted.
10. Working group members generally agreed that a conceptual model of the capacity-building framework would be useful. Two models were proposed; one proposal was simplified and high-level, demonstrating steps and feedback systems for planning, and the other proposal mapped capacity needs and intervention points in more detail. While the conceptual models require further discussion and refinement, it was suggested by one Party that both models would be useful.
11. The approach to capacity-building needs assessment was considered high priority with the benefits of more systematic and less of an *ad hoc* approach noted. The working group generally supported taking a "needs-based" approach and agreed to consider examples of needs assessments and tools created by other entities (such as the Convention on Biological Diversity). The sensitive nature of the needs assessment was noted.
12. The need for a common language was supported by the working group, particularly the adoption of clear definitions. Again, it was recommended to look to definitions used in the capacity-building frameworks of other multilateral environmental agreements (for example the Convention on Biological Diversity).
13. The working group considered that work on performance indicators and the monitoring and evaluation tool may be best developed following the developments of other elements of the framework. The resource tracking tool, particularly supported from a donor perspective, will also require further discussion, taking into account the importance of data security.

14. The working group reviewed Resolution Conf. 3.4 on *Technical cooperation* and agreed that a new Resolution on *Capacity-building* to replace Resolution Conf. 3.4 may be called for. Resolution Conf. 3.4 had a very narrow purpose in comparison to the current broader concept of capacity-building. The working group developed a draft proposed text of the new resolution, contained in Annex 1 to the present document.
15. The draft new resolution on capacity-building incorporates the decisions related to capacity-building that are routinely repeated in CoP decisions on a regular or rolling basis. The preambular text seeks to link closely to the CITES Strategic Vision; recognises the benefits of capacity-building and acknowledges those involved. The resolution could be amended as necessary based on the completion of the capacity-building framework.
16. The draft decisions in Annex 2 to the present document reflect the need for more discussion to inform the development of the capacity-building framework.

Recommendations

17. The working group invites the Standing Committee to:
 - a) take note of the present document and the progress made in implementation of Decisions 18.39 through 18.46;
 - b) review the draft resolution and decisions on *capacity-building* contained in Annexes 1 and 2 to this document and recommend them for adoption by the Conference of the Parties at its 19th meeting

Draft Resolution on Capacity-building

Conf. 19.XX, Capacity-Building

REITERATING Goal 3 of the *CITES Strategic Vision: 2021-2030* as set out in Resolution Conf. 18.3, and specific objectives 3.2, 3.3 and 3.7, that Parties (individually and collectively) have the tools, resources and capacity to effectively implement and enforce the Convention, contributing to conservation, sustainable use and reduction of illegal trade in CITES listed species;

RECALLING that the *CITES Strategic Vision: 2021-2030* recognizes the relationship of CITES with and the contribution it makes to other international efforts and actions, including achieving the relevant Sustainable Development Goals, and the post-2020 Global Biodiversity Framework;

FURTHER RECALLING that the *CITES Strategic Vision: 2021-2030* requests cooperation among Parties, relevant international partners, international financial mechanisms and other related institutions to support activities that contribute to CITES implementation and enforcement;

ACKNOWLEDGING the availability of the technological tools and innovations that support capacity-building activities are rapidly evolving;

RECOGNIZING the need for a more integrated and coherent approach to capacity-building in supporting the implementation of the Convention;

AWARE that many Parties would benefit from both general capacity development and capacity-building targeted to help address implementation, compliance, and enforcement issues;

RECOGNIZING the special and diverse needs of developing country Parties, in particular the Least Developed Countries and Small Island Developing States, and Parties with economies in transition, with regard to difficulties in the establishment, staffing, training and equipment of Management Authorities and Scientific Authorities, as well as enforcement authorities and entities;

RECOGNIZING that capacity-building and compliance assistance efforts to improve the effectiveness of CITES can involve every aspect of the Convention, and need to be broadly integrated;

NOTING with appreciation efforts by various national, regional and international organizations and initiatives to support Parties in the effective implementation of the Convention; and

ACKNOWLEDGING that CITES capacity-building efforts benefit from external funding, that improved coordination among donors is needed to make efficient and strategic use of limited resources, and that an integrated framework for capacity-building can provide a vehicle for more effective coordination;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. AGREES that full implementation of CITES requires the provision of adequate tools and resources and timely capacity building efforts;
2. INVITES Parties to:
 - a) support the capacity-building efforts of other Parties through sharing of information regarding capacity-building materials and efforts, translating materials into both the working languages and non-working languages of the Convention, offering advice related to CITES implementation, as appropriate, and providing of financial support for in-person training or training opportunities;
 - b) ensure the inclusion of capacity-building, including targeted, technical, enforcement and compliance assistance, in the bilateral and multilateral programmes of development aid in which they participate; and

- c) utilize the CITES Virtual College to support capacity-building activities and provide the Secretariat with inputs for the improvements of its services;
3. ENCOURAGES Parties to use the CITES implementation reports, as well as direct expression of interest, to inform the Secretariat about their capacity needs;
4. DIRECTS the Secretariat to:
 - a) seek external funding and provide capacity-building support to Parties, paying particular attention to the needs of Parties identified through compliance procedures, CITES implementation reports and direct expressions of interest, recently acceded Parties, and the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States;
 - b) cooperate with institutions and organizations in planning and delivering joint capacity-building activities of relevance to the Convention, including scholarships for in-person training or training opportunities;
 - c) collect information on capacity-building materials and efforts from Parties and others, and make these resources available to Parties through the CITES website; and
 - d) continue to undertake the revision and enhancement of the CITES website and of the CITES Virtual College, including selected online courses, to update the content and to improve their effectiveness in providing access to capacity-building resources to Parties.
5. INVITES Parties and relevant intergovernmental and non-governmental organizations, and other stakeholders to make funding available to the Secretariat for carrying out its capacity-building projects and activities, and provide appropriate materials that facilitate the capacity-building activities and efforts of Parties and the Secretariat; and
6. REPEALS Resolution Conf. 3.4 on *Technical cooperation*.

Proposed Decisions on Capacity-building

19.AA *Directed to the Parties*

Parties are invited to share ideas, experiences, and information related to the development of an integrated capacity-building framework aiming to guide Parties, the Secretariat and external partners, as appropriate, to identify capacity-building needs and to prioritize, plan, coordinate, implement, monitor and review the benefit of their capacity-building efforts for more effective implementation of the Convention.

19.BB *Directed to the Standing Committee*

The Standing Committee shall:

- a) continue the development of an integrated capacity-building framework, including a common language and clear definitions, to improve the implementation of the Convention, with inputs from the Animals and Plants Committees, the Finance and Budget Subcommittee, and the Secretariat;
- b) in doing so, ensure the representation of perspectives and contexts of different regions and stakeholders (including from Parties that fund and Parties that receive capacity-building support) and consider developing a mechanism for Parties to identify the specific needs that, if met, would allow them to achieve full capacity to implement CITES; and
- c) provide a draft integrated capacity-building framework (which may include conceptual models, tools and guidance), along with its recommendations, for consideration of the Conference of the Parties at its 20th meeting.

19.CC *Directed to the Animals and Plants Committees*

The Animals and Plants Committees shall engage in consultations with the Standing Committee, as called for in Decision 19.BB; and with the Secretariat as called for in Decision 19.DD.

19.DD *Directed to the Secretariat*

The Secretariat shall provide input to the Standing Committee and, subject to the availability of external funding and in consultation with the Standing Committee and the Animals and Plants Committees, organise technical workshops and regional consultations that would facilitate the implementation by the Standing Committee of Decision 19.BB.