

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

SUMMARY

WEDNESDAY 9 MARCH
EVENING

39. Closure of domestic ivory markets: Report of the Secretariat SC74 Doc. 39

The Committee:

- a) noted document SC74 Doc. 39 and the reports submitted by Australia, the European Union, Hong Kong Special Administrative Region of China, Israel, Japan, New Zealand, South Africa, Thailand, the United Kingdom of Great Britain and Northern Ireland and Zimbabwe;
- b) encouraged Parties to pay particular attention to the provisions contained in paragraphs 12 and 13 of Resolution Conf. 11.3 (Rev. CoP18) on *Compliance and enforcement* in addressing illegal ivory trade;
- c) requested the Secretariat to include a reminder to Parties about the provisions in paragraph 9 of Resolution Conf. 10.10 (Rev. CoP18) on *Trade in elephant specimens* in the Notification it issues annually to remind Parties about the provisions in Resolution Conf 10.10 (Rev. CoP18) relating to the marking, inventories and security of elephant ivory stocks;
- d) requested the Secretariat to assist the Standing Committee in its reporting to the Conference of the Parties as provided for in paragraph 19 of Resolution Conf. 10.10 (Rev. CoP18), and to include the information contained in document SC74 Doc. 39 in the report called for in Decision 18.119, paragraph b);
- e) invited the Conference of the Parties to agree that Decisions 18.117 to 18.119 can be renewed and requested the Secretariat to submit these revised Decisions to CoP19; and .
- f) noted the suggestion by the European Union to invite the Secretariat and TRAFFIC to engage the MIKE ETIS Technical Advisory Group in preparing the ETIS report to CoP19 to advise whether an analysis of ivory seizures connected to Parties with legal domestic markets for commercial trade in ivory could be undertaken and to include such an analysis in the report, if feasible.

12. Review of the ETIS programme: Report of the Secretariat.....SC74 Doc. 12

The Committee requested the MIKE and ETIS Subgroup meeting in the margins of the present meeting to consider the proposed amendments to Annex 3 to document SC74 Doc. 12 by China, the proposed changes to section 2 of Annex 4 by China, Singapore and TRAFFIC and to section 5 of Annex 4 by Singapore, the proposed amendments to Annex 5 by Belgium and China, the deadline for submission of seizure data; and to report later in the meeting.

The Committee requested the Secretariat, TRAFFIC and the MIKE-ETIS Technical Advisory Group, with oversight by the MIKE-ETIS Subgroup, to prioritize the recommendations in Annexes 1 and 2 and prepare

a costed action plan for the implementation of prioritized recommendations, to be included in the report to CoP19.

The Committee requested the Secretariat to, based on the further work done as outlined above, draft recommendations as required by Decision 18.20 on behalf of the Committee and in consultation with the Standing Committee Chair, for consideration at CoP19.

13. MIKE and ETIS programmes: Report of the Secretariat.....SC74 Doc. 13

The Committee:

- a) noted that three multi-year projects managed by the Secretariat in support of the MIKE programme will come to an end in 2023 (European Union-funded CRWCP project in Africa), 2024 (European Union-funded MIKES+ project in Africa) and 2023 (US-funded project in Southeast Asia);
- b) noted that the Secretariat has not been able to secure funds to support MIKE implementation in south Asia;
- c) noted and supported the approaches that the Secretariat proposes to address the financial and operational sustainability of the MIKE programme;
- d) requested the Secretariat to provide a report to the 77th meeting of the Standing Committee on the resources secured to support the implementation of the MIKE programme in Africa and Asia, with any relevant recommendations in this regard;
- e) encouraged donors and Parties to provide funds to the Secretariat to support MIKE implementation in Africa and Asia; and
- f) agreed to submit to CoP19 the following draft decisions:

19.AA Directed to the Parties

All Parties, governmental, intergovernmental, non-governmental organizations, donors and other entities are encouraged to support elephant range States and the Secretariat in their efforts to implement the MIKE and ETIS programmes as mandated in Resolution Conf. 10.10 (Rev. CoP18) on *Trade in elephant specimens*, and the Secretariat in the implementation of Decision 19.BB.

19.BB Directed to the Secretariat

The Secretariat shall

- a) pursue the following approaches to address the financial and operational sustainability of the MIKE programme:
 - i) prepare proposals for support to the MIKE programme for consideration by donors;
 - ii) further explore alternative options to secure support from alternative funding sources, such as the private sector and through crowdfunding; and
 - iii) continue to enhance operational performances, including improvements to the MIKE Online Database and online training, and identifying and implementing cost-effective approaches to deliver on MIKE objectives; and
- b) provide the Standing Committee with a report on the activities it has undertaken and the results thereof, including funding secured to support the implementation of the MIKE and ETIS programmes.

19.CC Directed to the Standing Committee

The Standing Committee shall review the report by the Secretariat in terms of Decision 19.BB and make recommendations, as appropriate, for consideration at the 20th meeting of the Conference of Parties.

38. Domestic markets for frequently illegally traded specimens:
Report of the Secretariat SC74 Doc. 38

The Committee:

- a) noted the study, the information contained therein and the comments made by Parties and agreed that Decisions 17.87 (Rev. CoP18) and 17.88 (Rev. CoP18) have been implemented and can be deleted;
- b) agreed to propose to CoP19 the following amendments to Resolution Conf. 11.3 (Rev. CoP18) on *Compliance and enforcement*:
 - i) move subparagraph 12 a) to become a new subparagraph 15 e) so that it addresses trade in specimens of species included in Appendix I more broadly and not only in the context of online trade;
 - ii) include a new amended subparagraph in paragraph 15 as follows:
 - x) review and amend national legislation, as necessary, to enable authorities to take action in cases that are connected to international illegal trade in fauna and flora and where evidence of legal acquisition of specimens of species included in Appendix I cannot be provided by the owner, to the extent that it is practicable to require such evidence;
 - iii) include a new subparagraph 15 r) as follows:
 - r) ensure that legislative provisions cover online trade and that national agencies responsible for wildlife law enforcement be made aware of the challenges raised by online trade and provided with adequate means to tackle it;
- c) agreed to submit the following amended draft decision, for consideration by CoP19:

19.AA Directed to the Standing Committee

The Standing Committee, with the assistance of the Secretariat, shall:

- a) explore whether further non-binding guidance is needed on the implementation of the Convention with respect to possession of specimens of species included in Appendix I, including species that have been transferred from Appendix II to Appendix I, as well as specimens of species included in Appendix II subject to a zero export quota, to help address illegal international trade and, if so, request the Secretariat to prepare draft guidance for its endorsement;
- b) consider whether additional recommendations related to the possession of specimens of species included in Appendix I, including species that have been transferred from Appendix II to Appendix I, as well as specimens of species included in Appendix II subject to a zero export quota, in relevant Resolutions are warranted to address illegal international trade in such specimens; and
- c) make recommendations for consideration at the 20th meeting of the Conference of the Parties, including appropriate revisions to existing Resolutions, to strengthen the regulation of possession of specimens of species included in Appendix I, including species that have been transferred from Appendix II to Appendix I, as well as specimens of species included in Appendix II subject to a zero export quota, to help address illegal international trade in such specimens.

34. Demand reduction to combat illegal trade: Report of the Secretariat..... SC74 Doc. 34

The Committee agreed to submit to CoP19 the draft *CITES guidance on demand reduction strategies to combat illegal trade in CITES-listed species* in Annex 3 to document SC74 Doc. 34.

The Committee agreed to submit to CoP19 the following draft decisions:

Directed to the Secretariat

19.AA The Secretariat shall, subject to external funding:

- a) organize translation of the *Guidance on demand reduction strategies to combat illegal trade in CITES-listed species* into French and Spanish;
- b) organize regional training seminars on the use of the Guidance;
- c) organize pilot projects to promote the use of Guidance for selected species and countries, with necessary adaptation to suit local context when appropriate;
- d) support all interested Parties in implementing demand-reduction strategies to combat illegal trade in CITES-listed species and provide necessary technical support including the use of the guidance; and
- e) report on the progress made in the implementation of this decision to the Standing Committee.

Directed to the Standing Committee

19.BB The Standing Committee shall review the report of the Secretariat on the implementation of Decision 19.AA and make recommendations as appropriate to the Conference of the Parties.

Directed to Parties

19.CC Parties are encouraged to translate the *Guidance on demand reduction strategies to combat illegal trade in CITES-listed species* into local languages and share their experience in the implementation of the *Guidance*.

The Committee agreed to submit to CoP19 the following draft amendments to Resolution Conf. 17.4 on *Demand reduction strategies to combat illegal trade in CITES-listed species* to CoP19.

RECOGNIZING that poaching and illegal trade are decimating some ~~wildlife populations and driving numerous CITES-listed species~~ and driving them toward extinction;

FURTHER RECOGNIZING that wildlife trafficking contributes to damage to ecosystems and rural livelihoods, ~~including those based on ecotourism~~, undermines good governance and the rule of law and, in some cases, threatens national stability and security and requires enhanced regional cooperation and coordination in response;

[...]

RECOGNIZING the *CITES guidance on demand-reduction strategies to combat illegal trade in CITES-listed species*;

~~RECOGNIZING the demand reduction initiatives by many countries, organizations and inter-governmental bodies, including the Asia-Pacific Economic Cooperation (APEC) demand reduction workshop organized by the governments of the United States of America and Viet Nam and the workshop on demand-side strategies for curbing illegal trade in ivory in Hangzhou, China, organized by the government of China and the CITES Secretariat;~~

[...]

3. ALSO URGES Parties to make full use of the *CITES guidance on demand-reduction strategies to combat illegal trade in CITES-listed species* in their efforts to reduce demand for illegally acquired wildlife and their products through the 5-step approach in order to achieve behaviour change of the consumers;

66. Marine turtles (Cheloniidae spp. and Dermochelyidae spp.)

66.1 Report of the Secretariat SC74 Doc. 66.1

and

66.2 Report of the Animals Committee SC74 Doc. 66.2

The Committee agreed to submit to CoP19 the following amended draft decisions:

19.AA Directed to the Parties

Parties are encouraged to:

- a) ~~develop robust and standardized frameworks for determining the sustainable use of marine turtles that are science-based, integrate~~ based on the best scientific advice available and may include, but are not limited to, a determination of suitable offtake levels, take into account the needs of traditional subsistence users, account for existing use in other States sharing the marine turtle(s) stocks, and account for national enforcement capacity taking into consideration the advice, resolutions, conservation and management measures of relevant bodies including competent fisheries authorities and experts, as appropriate;
- b) work with their fisheries communities to ensure that there is effective documentation at the national level of marine turtle fisheries by-catch and mortality that can inform conservation and management measures taking into consideration the advice, resolutions, conservation and management measures of relevant bodies including competent fisheries authorities and experts, as appropriate;
- c) where marine turtles hatchery establishments exist, develop science-based operational protocols for marine turtle hatchery establishments to ensure that they provide conservation value to marine turtle populations;
- d) share holistic regional marine turtle survival probability models and their output and other information to assess sustainability of current harvest and by-catch levels while taking into account other threats to the population across their range (number of turtles of different age classes taken from populations), limitations of source rookeries (number of turtles recruited per year), natural survival probabilities, and marine turtle biology taking into consideration the advice, resolutions, conservation and management measures of relevant bodies including competent fisheries authorities and experts, as appropriate;
- e) share knowledge of bycatch mitigation strategies, including exclusion devices and safe handling practices, that have proven to be effective at reducing bycatch and/or bycatch mortality;
- ef) undertake as appropriate research that can support the development of protection and conservation measures for marine turtle foraging, nesting and migratory areas; and
- fg) report on the implementation of paragraphs a) to e) to the Secretariat, for subsequent reporting to the Animals and Standing Committees, as appropriate.

19.BB Directed to the Secretariat

The Secretariat shall:

- a) based on analysis of the annual illegal trade reports, bring to the attention of the Animals and Standing Committees, as appropriate, any significant changes in the illegal trade of marine turtles;
- b) liaise with the Secretariat of the Convention on the Conservation of Migratory Species of Wild Animals (CMS), its Indian Ocean and South-East Asia Marine Turtle Memorandum of Understanding (IOSEA) on the conservation and management of marine turtles, as outlined in the CMS-CITES Joint Work Programme 2021-2025; and
- c) report on the implementation of paragraphs a) to f) of Decision 19.AA to the Animals and Standing Committees, as appropriate.

19.CC Directed to the Animals Committee

The Animals Committee shall consider any reports from Decision 19.AA and 19.BB paragraph a) brought to its attention by the Secretariat, and make recommendations, as appropriate, including on the possible need for incorporation of the substantive content of Decision 19.AA and 19.BB and any other relevant measures into a new resolution on marine turtles which should also incorporate any relevant provisions of Resolution Conf 9.20 (Rev.) on *Guidelines for evaluating marine turtle ranching proposals submitted pursuant to Resolution Conf. 11.16 (Rev. CoP15)*.

19.DD Directed to the Standing Committee

The Standing Committee shall consider any reports from Decision 19.AA and 19.BB paragraph a) brought to its attention by the Secretariat and any recommendations from the Animals Committee, and make recommendations, as appropriate.

The Committee reminded Parties to include marine turtle confiscation and seizure date in their annual illegal trade report.

The Committee agreed to propose to CoP19 the renewal of Decision 18.217.

67. Sharks and rays (Elasmobranchii spp.)

67.1 Legal acquisition findings and control and monitoring of stockpiles of shark parts and derivatives: Report of the working group..... SC74 Doc. 67.1

67.2 Report of the Secretariat..... SC74 Doc. 67.2

and

67.3 Report of the Animals Committee..... SC74 Doc. 67.3

The Committee agreed to submit to CoP19 the following amended draft decisions:

19.XX1 Directed to Secretariat

Subject to external funding, the Secretariat shall liaise with relevant RFMO/As to identify opportunities for capacity building with the same organizations, possibly in the form of attending meetings (where the RFMO/A permits such attendance) or by directly liaising with the Secretariat of the organization to provide this information to its membership and/or the provision of training. The aim of this exercise would be to share information to improve the knowledge of CITES in the workings of each relevant RFMO/A.

19.XX2 Directed to Standing Committee

The Standing Committee shall:

- a) develop guidance on the making of legal acquisition findings, and related assessments for trade in sharks caught on the high seas (including introductions from the sea) for CITES-listed shark species in the context of the implementation of Resolution Conf. 18.7 on Legal acquisition findings and its annexes 1 and 2. This guidance should include detailed descriptions and related graphics on specific scenarios regarding trade in CITES-listed shark species;
- b) develop new guidance or identify existing guidance on the control and monitoring of stockpiles of shark parts and derivatives, in particular for specimens caught prior to the inclusion of the species in Appendix II; ~~and~~
- c) report its findings under Decision ~~18.224 (Rev. CoP19)~~, 19.XX2 paragraphs a), and b), d) and e) to the ~~19th~~ 20th meeting of the Conference of the Parties;
- d) prepare information to support engagement with and capacity building of RFMO/As and include this information within the guidance called for by Decision 19.XX2 paragraph a); and
- e) review the FAO's guidance on Catch Document Schemes, pending publication (FAO, 2022. Understanding and implementing catch documentation schemes - A guide for national authorities. FAO Technical Guidelines for Responsible Fisheries No. 14. Rome.), guidance the CITES Parties have agreed on traceability, relevant documents on the Secretariat's website on traceability (https://cites.org/eng/prog/Cross-cutting_issues/traceability) and include relevant information within the guidance called for by Decision 19.XX2 paragraph a).

19.XX3 Directed to Parties

The Parties shall consider if they are likely to be key beneficiaries from the guidance document(s) provided by Decision 19.XX2 paragraphs a) and b); if so, the same Parties are strongly encouraged to participate in any Standing Committee working groups established to address Decision 19.XX2.

The Committee agreed to submit to CoP19 the draft decisions in Annex 1 to document SC74 Doc. 67.2:

Directed to Parties

19.AA Parties are encouraged to:

- a) provide brief information (with an executive summary not exceeding 200 words, if the report exceeds four pages) to the Secretariat, in particular on any national management measures that prohibit commercial take or trade, and respond to the Notification called for in Decision 19.CC;
- b) in accordance with their national legislation, provide a brief report (with an executive summary not exceeding 200 words, if the report exceeds four pages) to the Secretariat about the assessment of stockpiles of shark parts and derivatives for CITES-listed species stored and obtained before the entry into force of the inclusion in CITES in order to control and monitor their trade, if applicable;
- c) respond to the Notification called for in Decision 19.CC and share available national conversion factors used when estimating live catch weight by species, fishery, and product form for more accurate reporting of shark and ray trade data by Parties and indicate whether and how these are used in the development of their non-detriment findings;

- d) inspect, to the extent possible under their national legislation, shipments of shark parts and derivatives in transit or being transhipped, to verify presence of CITES-listed species and verify the presence of a valid CITES permit or certificate as required under the Convention or to obtain satisfactory proof of its existence;
- e) continue to support the implementation of the Convention for sharks, including by providing funding for the implementation of Decisions 19.BB, 19.DD and 19.EE, and consider seconding staff members with expertise in fisheries and the sustainable management of aquatic resources to the Secretariat; and
- f) actively collaborate to combat illegal trafficking in sharks and ray products by developing mechanisms for coordination between source, transit, and destination countries.

Directed to Secretariat

19.BB Subject to external funding, the Secretariat shall continue to provide capacity-building assistance for implementing Appendix-II shark and ray listings to Parties upon request.

19.CC The Secretariat shall:

- a) issue a Notification to the Parties, inviting Parties to:
 - i) provide concise (with 200 word executive summary, if the report exceeds four pages) new information on their shark and ray conservation and management activities, in particular:
 - A. the making of non-detriment findings;
 - B. the making of legal acquisition findings;
 - C. the identification and monitoring of CITES-listed shark-products in trade, in source, transit, and consumer Parties; and
 - D. recording stockpiles of commercial and/or pre-Convention shark parts and derivatives for CITES Appendix-II elasmobranch species and controlling the entry of these stocks into trade;
 - ii) share with the Secretariat their NDFs and conversion factors used when estimating catch live weight through converting recorded shark landings and trade, where available, to post in the sharks and rays web portal; and
 - iii) highlight any questions, concerns or difficulties Parties are having in writing or submitting documentation on authorized trade data (e.g. which units are used in reporting trade) for the CITES Trade Database;
- b) provide information from the CITES Trade Database on commercial trade in CITES-listed sharks and rays since 2010, sorted by species and, if possible, by product;
- c) invite non-Party, intergovernmental organizations and non-governmental organization observers to support Parties by providing concise information related to the above;
- d) disseminate new or existing guidance identified by the Standing Committee on the control and monitoring of stockpiles of shark parts and derivatives pursuant to Decision 19.GG, paragraph b); and
- e) collate this information for the consideration of the Animals Committee and the Standing Committee.

- 19.DD** The Secretariat shall, subject to external funding, and in collaboration with relevant organizations and experts:
- a) conduct a study to investigate the apparent mismatch between the trade in products of CITES-listed sharks recorded in the CITES Trade Database and what would be expected against the information available on catches of listed species; and
 - b) bring the results of the study in paragraph a) and any proposed solutions to resolve this issue in the future to the attention of the Animals Committee or Standing Committee, as appropriate.

19.EE The Secretariat, subject to external funding, is requested to collaborate closely with the Food and Agriculture Organization of the United Nations (FAO) to:

- a) verify that information about Parties' shark management measures is correctly reflected in the shark measures database developed by FAO (<http://www.fao.org/ipoa-sharks/database-of-measures/en/>) and if not, support FAO in correcting the information;
- b) compile clear imagery of wet and dried unprocessed shark fins (particularly, but not exclusively, those from CITES-listed species) along with related species level taxonomic information to facilitate refinement of iSharkFin software developed by FAO;
- c) conduct a study analysing the trade in non-fin shark products of CITES-listed species, including the level of species mixing in trade products and recommendations on how to address any implementation challenges arising from the mixing that may be identified; and
- d) bring the results of activities in paragraphs a) to c) to the attention of the Animals Committee or Standing Committee, as appropriate.

Directed to the Animals Committee

19.FF The Animals Committee, in collaboration with relevant organisations and experts, shall:

- a) continue to develop guidance to support the making of non-detriment findings (NDFs) for CITES-listed shark species, in particular in data-poor, multi-species, small-scale/artisanal, and non-target (by-catch) situations, and for shared and migratory stocks, and introduction from the sea; and
- b) report the outcomes of its work under this Decision to the 20th meeting of the Conference of the Parties.

Directed to the Standing Committee

19.GG The Standing Committee shall consider:

- a) developing guidance on the making of legal acquisition findings, and related assessments for introductions from the sea for CITES-listed shark species in the context of the implementation of Resolution Conf. 18.7 on *Legal acquisition findings*;
- b) developing new guidance or identifying existing guidance on the control and monitoring of stockpiles of shark parts and derivatives, in particular for specimens caught prior to the inclusion of the species in Appendix II; and
- c) report its findings under this Decision to the 20th meeting of the Conference of the Parties.

Directed to the Standing Committee and the Animals Committee

19.HH The Animals Committee and Standing Committee shall analyse and review the results of any of the activities under Decisions 19.AA and 19.GG and with the support of the Secretariat, prepare a joint report for the 20th meeting of the Conference of the Parties on the implementation of these Decisions.

The Committee requested that the Chair of the Standing Committee and the Chair of the Animals Committee work with the Secretariat and the Animal Committee's lead on the agenda item to merge the draft decisions on sharks and finalize a single joint report to be submitted to CoP19.