

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



Seventy-fifth meeting of the Standing Committee  
Panama City (Panama), 13 November 2022

SUMMARY RECORD

Opening remarks of the Chair

The Chair welcomed the participants and gave an opening address.

Opening remarks of the Host Country

The Host Country welcomed participants to Panama for the 75th meeting of the Standing Committee before the 19th meeting of the Conference of the Parties, known as the CoP of the Americas.

Opening remarks of the Secretary-General

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

Procedural matters

1. Agenda

The Chair introduced document SC75 Doc. 1.

The Standing Committee adopted the provisional agenda in document SC75 Doc. 1.

There were no interventions.

2. Adoption of the Rules of Procedure

The Chair introduced document SC75 Doc. 2.

The Standing Committee noted the Rules of Procedure of the Standing Committee contained in the Annex to document SC75 Doc. 2.

There were no interventions.

3. Credentials

The Secretariat informed the Committee that Belgium, Canada, Ireland, Israel, Kuwait, Namibia, New Zealand, Spain and Switzerland had submitted their credentials.

The Standing Committee noted the report of the Secretariat.

There were no interventions.

#### 4. Admission of observers

The Secretariat introduced document SC75 Doc. 4 and noted that the following observers had expressed an interest in attending the meeting after the deadline of 15 September 2022: Convention on Biological Diversity, European Parliament, Gulf Cooperation Council, Inter-American Tropical Tuna Commission, CAMPFIRE Association, Japan Leather and Leather Goods Industries Association, Prevenir USAID, Thai Crocodile Farm Association, International Association of Violin and Bow Makers and LUSH Ltd.

The Standing Committee noted the list of organizations that had been invited to attend the meeting as contained in document SC75 Doc. 4.

There were no interventions.

#### Meetings of the Conference of the Parties

#### 5. Arrangements for the 19th meeting of the Conference of the Parties

##### 5.1 Election of officers

The Chair introduced agenda item 5.1. The selection panel established by the Standing Committee had identified the following nominees:

Chair of the Conference:	H.E. Mr. Milciades Concepción (Panama)
Alternate Chair of the Conference:	Ms. Shirley Binder (Panama)
Vice-Chairs of the Conference:	Ms. Patience Gandiwa (Zimbabwe) and Ms. Anna Wong (Singapore)
Committee I:	Mr. Vincent Fleming (United Kingdom of Great Britain and Northern Ireland)
Committee II:	Ms. Rhedyn Ollerenshaw (Australia)
Credentials Committee:	Ms. Hayat Mesbah (Morocco)

The Standing Committee confirmed the nominations to be recommended to the 19th meeting of the Conference of the Parties.

##### 7.2 Other matters

The Secretariat drew the attention of the Standing Committee and of the Parties to the revised working programme for the Conference of the Parties and the evening sessions scheduled for Committee I and Committee II.

The Standing Committee noted the oral update by the Secretariat.

#### 6. Standard disclosure form for Members of the Animals and Plants Committees

The Secretariat introduced document SC75 Doc. 6, inviting the Standing Committee to consider the revised Standard disclosure form for CITES declarations of interest contained in Annex 2 of the document, where the reference to the repealed Resolution Conf. 11.1 (Rev. CoP17) has been replaced with a reference to Resolution Conf. 18.2 on *Establishment of committees*.

Israel (Committee Member for Europe) noted that question 2 of the revised form asks about conflicts of interest, and remarked that, from experience, virtually all candidates have some sort of relationship to an institution involved in the harvest, breeding, propagation and trade of CITES-listed species, be it a government agency, university, etc. Israel considered that there would be no conflict of interest as long as the relationship was centred around research and/or *in situ* conservation, and suggested inserting “commercial” before “harvesting” in question 2 of the form; this amendment was supported by Mexico.

Canada (Committee Member for North America) expressed support for the form as shown in document SC75 Doc. 6; Canada, Indonesia, China and Kuwait (Committee Members for Asia), Peru (Committee

Member for Central and South America and the Caribbean) and the United States of America requested time to consider the amendment suggested by Israel.

Sustainable Use Coalition South Africa questioned why an interest in terms of commercial utilisation or harvest should be the only conflict of interest asked about in the form. The Chair clarified that Resolution 18.2 specifically defines a conflict of interest as a *financial* interest which could significantly impair an individual's impartiality, and that the Resolution notes that employment by itself does not automatically constitute a conflict of interest.

The Standing Committee agreed on the use of the *Standard disclosure form for CITES declarations of interest* contained in Annex 2 to document SC75 Doc. 6. The Standing Committee noted the proposed amendment by Israel to add the word "commercial" before "harvesting" in question 2 of the form as follows:

2. *Do you have, or have you had during the past four years, an employment or other professional relationship with any company, organization or institution directly involved in the commercial harvesting, breeding, propagation, domestic or international trade of specimens of CITES-listed species or directly representing the interests of any such entity?*

The Standing Committee agreed to consider the proposed amendment by Israel at its 77th meeting (SC77).

## Interpretation and implementation matters

### General compliance and enforcement

#### 7. Compliance matters

##### 7.1 Implementation of Article XIII and Resolution Conf. 14.3 (Rev. CoP18) on CITES compliance procedures

The Secretariat introduced document SC75 Doc. 7.1, providing an update on the activities carried out by the Secretariat to implement recommendations arising from SC74 on potential compliance matters. The Secretariat noted that a substantive report containing conclusions and findings of the missions carried out will be provided at SC77, once all information provided has been fully analysed, and expressed gratitude to the CITES Management Authorities of relevant Parties for their cooperation and invitations to carry out technical missions. In addition to the cases identified at SC74, the Secretariat noted that it had conducted a technical mission to Peru following a regional workshop on demand reduction to support CITES authorities in strengthening the implementation of CITES for sharks. As a result, a new recommendation had been added requesting that the Secretariat investigate trade in shark specimens between Ecuador and Peru and make recommendations to the Standing Committee.

Peru thanked the Secretariat for conducting their technical mission, noting that this had helped facilitate dialogue between the authorities of Peru and Ecuador and highlight the importance of joint action. Peru outlined measures introduced since the inclusion of selected shark species in Appendix II to ensure sustainable harvest, including, *inter alia*, the establishment of quotas, species-specific protections, and the establishment of authorised landing locations. Peru noted that they were committed to improving data on and knowledge of the shark value chain and called for importing countries to help to continue advancing the implementation of shark listings.

Israel (Committee Member for Europe) sought guidance on the procedure for adding issues identified with captive breeding of *Geochelone elegans* in Jordan (which is currently included in the Review of trade in animal specimens reported as produced in captivity) to the list of issues addressed in document SC75 Doc. 7.1, which Israel considered were approaching an Article XIII compliance issue. The Chair clarified that the trigger for inclusion in this list was for a Party to inform the Secretariat about their concerns.

The European Union noted that the Secretariat's technical mission to Spain and Germany had provided a valuable opportunity to explain and demonstrate how the provisions for captive breeding outlined in Resolution Conf. 10.16 (Rev.) on *Specimens of animal species bred in captivity* are met and expressed their readiness to continue cooperating and provide information to the Secretariat as necessary.

Viet Nam also thanked the Secretariat for conducting their technical mission, specifying that, because their annual report does not give detailed information on permit numbers from the Lao People's Democratic Republic, it gives the mistaken impression that imports of *Dalbergia cochinchinensis* from Lao PDR have been allowed since the trade suspension of this species from Lao PDR in force from 1 November 2018; Viet Nam stated that this is not the case.

Canada (Committee Member for North America), on behalf of the North American region, underscored the importance of keeping the CITES Animals and Plants committees informed and up to date on scientific issues arising from compliance procedures, and to consult with them as appropriate.

The International Iguana Foundation highlighted the importance of ensuring the legality of founder stock when issuing permits and certificates for specimens that have been bred in captivity. The Wildlife Conservation Society highlighted that they are working actively with Bangladesh to improve CITES compliance and announced that relevant compliance issues will be included in upcoming capacity building and training programmes on CITES conducted in the country.

The Standing Committee noted the information provided in document SC75 Doc. 7.1 and the oral updates provided by the European Union, Peru and Viet Nam. The Committee further noted the call made by the North American region for the Standing Committee to consult the scientific committees on any scientific aspects of potential compliance cases.

The Standing Committee requested the Secretariat to continue to keep close communication and strengthen its cooperation with the Parties involved in the potential cases, and to present its findings and recommendations to the 77th meeting of the Standing Committee (SC77).

Regarding trade in shark specimens between Ecuador and Peru, the Standing Committee requested the Secretariat to investigate this case further and make recommendations to the Standing Committee at SC77.

## 7.2 Application of Article XIII: Reports of the Secretariat

### 7.2.1 Expedited application of Article XIII for West African rosewood *Pterocarpus erinaceus* for all range States

The Secretariat introduced document SC75 Doc. 7.2.1, noting that this case was a good example of how relevant scientific committees are consulted on relevant compliance matters. The Secretariat explained that, following an expedited Article XIII application process, a voluntary zero export quota for commercial trade in specimens of *Pterocarpus erinaceus* had been published on the CITES website for Benin, Burkina Faso, Côte d'Ivoire, Ghana, Niger, Senegal and Sierra Leone (Notification No. 2022/045); the expedited procedure pursuant to Article XIII is therefore not applicable to these Parties for the period of the duration of the zero-export quota published by the Secretariat, as well as Guinea for its pre-Convention stocks of specimens of *Pterocarpus erinaceus* which is the object of a separate decision, as set out in Notification to the Parties No. 2022/023.

For the remaining Parties (Cameroon, the Central African Republic, Chad, the Gambia, Guinea-Bissau, Mali and Togo), a recommendation to suspend trade in *P. erinaceus* has been in force since 28 March 2022 (date of Notification to the Parties No. 2022/021) and will remain in effect until Parties make a non-detriment finding (NDF) and provide evidence of adequate legal acquisition finding (LAF) to the satisfaction of the Secretariat, Standing Committee and Plants Committee Chairs, as appropriate.

The Secretariat noted that Mali had requested to be allowed to export an outstanding quantity of *P. erinaceus* (163 758 m<sup>3</sup>) harvested under annual export quotas for 2020 and 2021 and had submitted an accompanying NDF and LAF. However, following consultation with the Standing Committee and Plants Committee Chairs, the Secretariat did not consider the NDF and LAF to meet the required conditions. Senegal seized 124 containers of *P. erinaceus* originating from Mali and destined for China in August 2022; in exchanges with the Secretariat, Mali was noted to have explained that this timber was harvested under its 2020 and 2021 quotas and that it could not be exported before due to the suspension of exploitation and export in force in 2020 at the national level, as well as

verifications made by the administration on these stocks, and Mali's sanctions by ECOWAS between January and July 2022. The Secretariat noted that Mali was requesting authorization from the Standing Committee at its current meeting to export these stocks.

In addition, the Secretariat indicated that at the request of Sierra Leone, the Secretariat published a Notification to request technical and financial assistance to conduct a scientific assessment to make an NDF for *Pterocarpus erinaceus*. Switzerland offered to provide a financial assistance. The Secretariat reported that it requested additional information from the Management Authority of Sierra Leone on the current status of the development of the NDF to agree a roadmap for its completion with the Swiss funding. The Secretariat noted that Sierra Leone requested the Secretariat, the Standing Committee and the Plants Committee to consider its request to accept all rejected export permits that were issued for this species prior to Notification No. 2022/021. Sierra Leone submitted a letter, dated 15 September 2022, to the Secretariat requesting the Standing Committee to consider their request to export consignments of *Pterocarpus erinaceus* that were awaiting shipment as of 6 April 2022.

Sierra Leone noted that the consignment of 160 000 m<sup>3</sup> of *P. erinaceus* in question was legally harvested prior to the issuance of Notification to the Parties No. 2022/021, and that the request was made as a result of challenges in global shipping logistics. Sierra Leone therefore asked the Standing Committee to reconsider their request to be allowed to export this timber, emphasizing that not being able to export the consignment would have negative impacts on many livelihoods. Sierra Leone also provided an update on steps taken to improve forest management and ensure sustainability, including, *inter alia*, the establishment of a stand-alone Ministry of Environment to supervise forestry and wildlife; the completion of a review of the country's Forestry and Wildlife Acts; the appointment of a sole timber export agent; and an extensive national reforestation programme which includes the planting of *P. erinaceus* trees. Sierra Leone highlighted that they had shown commitment to the compliance procedure for *P. erinaceus* and replied to all communications from the Secretariat and remained committed to tackling illegal trade across the supply chain. Finally, Sierra Leone provided an update on progress made in the development of their NDF for *P. erinaceus* and stated that a draft preliminary report had been produced which will serve as a basis for international experts when conducting the NDF and LAF review report.

Mali explained that the shipment seized by Senegal had been sent there as a result of ECOWAS sanctions against Mali, which Mali considered to be illegal, and explained that documents justifying the harvest and export of this timber could be made available upon request. They additionally highlighted that no exports of *P. erinaceus* were allowed in 2022 and expressed support for the suspension of trade in the species. Mali stressed that not being allowed to export the outstanding quantities of *P. erinaceus* harvested as part of the 2020 and 2021 quotas would have a major impact on the livelihoods of those working in the timber industry and highlighted that the companies involved had already had to shoulder the costs associated with storing the shipments for an extended period of time. Mali requested the Standing Committee to reconsider their request to be allowed to export this timber.

Belgium (Committee Member for Europe, speaking on behalf of the European Union and its Member States) expressed support for the document's recommendations, and encouraged those range States that have not published a zero export quota to provide adequate NDFs and LAFs or to publish a zero export quota. Regarding the requests of Sierra Leone and Mali, Belgium expressed support for the conclusions of the CITES Secretariat, noting that an adequate NDF and LAF were not in place at the moment of harvest.

Sierra Leone concurred that an NDF was not in place at the time of harvest but highlighted that they were in the process of conducting baseline surveys to establish one, and that going forward levels of harvest will be scientifically determined. Mali argued that an NDF was submitted to justify the harvest of the 163 758 m<sup>3</sup> of *P. erinaceus* in question, however neither of which was considered by the Secretariat in consultation with the Chairs of the Standing Committee and of the Plants Committee, to provide a satisfying justification. Mali expressed willingness to learn from others to improve its NDFs in future, noting that no

training had been received on this issue. Mali noted that the decision to reclassify *P. erinaceus* as a partially protected species in the country was based upon its high abundance.

Considering the discussions, the Committee took note of the desire of both Mali and Sierra Leone to have an expedited consideration of their request in the future to be allowed to export the concerned their stockpiles harvested prior to the issuance of Notification to the Parties No. 2022/021. The Committee:

1. instructed the Secretariat to publish a Notification to the Parties to replace Notification No. 2022/045 of 8 June 2022, recommending that the Parties maintain the suspension of commercial trade in specimens of the species *Pterocarpus erinaceus* from Cameroon, the Central African Republic, Chad, the Gambia, Guinea-Bissau, Mali and Togo according to the expedited compliance procedure pursuant to Article XIII, until the following conditions are met:
  - a) The Party concerned makes scientifically based non-detriment findings for trade in the species in their countries to the satisfaction of the Secretariat and the Chair of the Plants Committee, having regard to Resolution Conf. 16.7 (Rev. CoP17) and based on the outcomes of the Review of Significant Trade process for this species; and
  - b) The Party provides evidence of adequate legal acquisition findings to the satisfaction of the Secretariat and the Chair of the Standing Committee, having regard to Resolution Conf. 18.7 (Rev. CoP18).
2. noted that the Review of Significant Trade process for *Pterocarpus erinaceus* and the resulting recommendations are covered in a separate document (SC75 Doc. 8).
3. requested that all CITES permits and certificates for *Pterocarpus erinaceus* be verified by the Secretariat prior to acceptance by importing Parties.
4. invited Parties to exercise due diligence [see Resolution Conf. 11.3 (Rev. CoP18)] and to not authorise the transit or import of any specimen if there is reason to believe that it is traded in contravention of the laws of any country involved in the transaction, or if there is reason to believe that the specimen accompanied by a CITES document may not have been traded in accordance with the provisions of the Convention.
5. requested Cameroon, the Central African Republic, Chad, the Gambia, Guinea-Bissau, Mali and Togo to report on progress made in the implementation of recommendations 1 a) and b) 90 days before its 77th meeting, in order for the Secretariat to convey this report and any recommendations it may have to the 77th meeting of the Standing Committee.
6. instructed the Secretariat to provide, subject to external funding and upon request, capacity-building and training specific to the making of Non-Detriment Findings and Legal Acquisition Findings in accordance with the provisions of the Convention to Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Côte d'Ivoire, the Gambia, Ghana, Guinea, Guinea Bissau, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo.
7. encouraged Parties affected by illegal trade in *Pterocarpus erinaceus*, to actively pursue the full implementation of the decisions on *Wildlife crime enforcement support in West and Central Africa* and the *Task Force on illegal trade in specimens of CITES-listed tree species* to be adopted at CoP19, as relevant to addressing illegal trade in *Pterocarpus erinaceus* and applicable to them in their role as source, transit or destination country.

#### 7.2.2 Application of Article XIII in the Lao People's Democratic Republic

The Secretariat introduced document SC75 Doc. 7.2.2, noting that at SC74 the Standing Committee had agreed a set of revised recommendations, addressed mainly to the Lao

People's Democratic Republic (Lao PDR), and agreed to review progress made by the country at its 77th meeting. The Committee had also invited the Secretariat to submit any relevant progress to the present meeting. In response to an invitation from the Secretariat, a progress report on the implementation of the recommendations agreed at SC74 was provided by Lao PDR in September 2022, and in October 2022 the Secretary General undertook a mission to the country and met, *inter alia*, with the Minister of Agriculture and Forestry. The Secretariat noted that, while good progress was being made in some areas, for example on non-detriment findings for *Dalbergia* spp., there were areas where implementation could be accelerated, such as the transformation of wildlife farms and legislation for the implementation of the Convention.

Lao PDR shared that since the Secretary General's visit in October 2022, the Prime Minister's Decree on CITES compliance had been endorsed. Lao PDR also noted that since October 2022 it had received the results of a DNA analysis of tigers in captive facilities and thanked Malaysia for its assistance. Interpretation of the results was underway, and the results would support the management of tigers in captive-breeding facilities. Lao PDR emphasized that it remained committed to the implementation of the recommendations of the Standing Committee and expressed its gratitude to the Secretariat, Parties and non-governmental organizations for the continuing support and assistance provided.

Ireland (Committee Member for Europe, speaking on behalf of the European Union and its Member States) expressed appreciation for the progress made on the NDF for *Dalbergia* spp. and the subsequent request to the Secretariat to publish a zero export quota for specimens of sources A, W and Y for the years 2022 and 2023. However, they remained concerned with ongoing delays in the implementation of other recommendations, noting in particular the lack of national legislation implementing the Convention, and urged Lao PDR to implement all recommendations included in document SC75 Doc. 7.2.2. Indonesia (Committee Member for Asia) and Thailand voiced their appreciation for the efforts made by Lao PDR to implement the recommendations of SC74. Regarding law enforcement, Thailand offered support to Lao PDR to tackle illegal wildlife trade by sharing experiences and knowledge to improve management.

The Environmental Investigation Agency, speaking also on behalf of Four Paws, Species Survival Network and Born Free Foundation, requested the Secretariat to ask the Lao PDR to report to SC77 on the enforcement measures taken to counter the criminal enterprises involved in wildlife trafficking that control tiger and bear farms in the country.

The Standing Committee noted document SC75 Doc. 7.2.2 and the additional information provided orally by the Lao People's Democratic Republic. The Standing Committee further agreed to reiterate the recommendations made at its 74th meeting. The Standing Committee urged the Lao People's Democratic Republic to finalize and issue the decree in line with the comments made by the Secretariat without delay.

The Standing Committee agreed to consider a recommendation to suspend trade in specimens of all CITES-listed species for commercial purposes at its 77th meeting if progress on the implementation of the recommendations is considered insufficient.

The Standing Committee requested the Lao People's Democratic Republic be requested to submit a report by 31 July 2023 rather than by 28 February 2023 on progress on the implementation of the recommendations of the Standing Committee from September 2022 to June 2023 in order for the Secretariat to report on progress and presents its recommendations to the 77th meeting of the Standing Committee.

### 7.2.3 Application of Article XIII in the Democratic Republic of the Congo

The Secretariat introduced document SC75 Doc. 7.2.3, highlighting that the Democratic Republic of the Congo (DRC) had recalled its intention to put an end to trade in stockpiles of pangolin scales and destroy its remaining stockpiles, and that significant progress had been made in tackling illegal trade in pangolins and ivory. The Secretariat thanked Parties, partners and donors for the technical and financial support provided to the DRC for their implementation of the Standing Committee recommendations.

Belgium (Committee Member for Europe, speaking on behalf of the European Union and its Member States) congratulated DRC on progress made on the recommendations so far, but considered that further action is required given ongoing high levels of illegal trade. Belgium expressed support for the document's recommendations but suggested the retention of SC74 recommendation e) on illegal trade with two small amendments; to replace the word "intensify" with "continue its", and to add the sentence "These actions should become incorporated in the work of the DRC".

The United States of America expressed support for this suggestion, with an amendment to replace "in the work" with "into the national measures", to read "These actions should become incorporated into the national measures of the Democratic Republic of the Congo".

Humane Society International (speaking also on behalf of the Pan African Sanctuary Alliance, Pro Wildlife, Species Survival Network and Wildlife Conservation Society) praised the progress made by DRC and expressed support for the reinstatement of SC74 recommendation f) on illegal trade but argued that the focus of the decision should be expanded to include grey parrots and protected primate species.

Based on document SC75 Doc. 7.2.3 (Rev. 1) and the discussions including the proposed amendments by the European Union and its Member States and the United States of America, the Standing Committee recommended the following:

*Regarding quota setting and management*

- a) The Democratic Republic of the Congo (DRC) shall continue to strengthen its Scientific Authorities by building capacity and allocating sufficient modern resources for the making of the non-detriment findings and the setting of annual export quotas based on the best available science, particularly considering the species of wild fauna and flora in the Democratic Republic of the Congo that are currently included in the Review of Significant Trade process.

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

- b) Parties shall maintain the suspension of trade in specimens of the species *Psittacus erithacus* from the Democratic Republic of the Congo pending compliance with the recommendations made at the 69th meeting of the Standing Committee (SC69, Geneva, November 2017).

*Regarding trade in pangolin stockpiles*

- c) Parties shall not authorize trade of specimens from stockpiles of *Manis* spp. held in the Democratic Republic of the Congo, in accordance with the guidance provided by the Conference of the Parties at its 18th meeting (CoP18, Geneva, 2019).

*Regarding compliance assistance*

- d) Parties, partners and donors are encouraged to provide coordinated financial, technical and logistical support to the Democratic Republic of the Congo to support the implementation of the above recommendations with a particular focus on scientific-related assistance.

*Regarding reporting*

- e) The Standing Committee requested the Democratic Republic of the Congo should report to the Secretariat on progress made on the implementation of these recommendations by 31 December 2022, in order for the Secretariat to convey its report and its comments to the 77th meeting of the Standing Committee.

### *Regarding illegal trade*

- f) The Democratic Republic of the Congo shall continue its efforts to conduct analyses of available information to map organized crime groups active in the country and convene multi-disciplinary investigative teams involving all relevant authorities, to work in close collaboration with local authorities in key identified areas, and initiate intelligence-driven operations and investigations, with a particular focus on pangolins and ivory. These actions should become incorporated into the national measures of the Democratic Republic of the Congo.

#### 7.2.4 Application of Article XIII in Guinea

The Secretariat provided an oral update on the Article XIII compliance case for Guinea. The Secretariat reminded the Standing Committee that, at its 74th meeting, it had reviewed a series of recommendations concerning exports of pre-Convention specimens of *Pterocarpus erinaceus*, national legislation, management and issuance of CITES permits and certificates, and implementation of the Convention and combatting fraud, and requested Guinea to submit a report to the Secretariat on implementation for SC77. Although no report was provided by Guinea for SC75, the Secretariat wished to draw attention to the progress made to date, including the signing of a CAP (Compliance Assistance Programme) agreement between Guinea and the Secretariat.

Regarding the export of a stockpile of pre-Convention specimens of *Pterocarpus erinaceus*, the Standing Committee had agreed to exceptionally allow the export of a maximum volume of 14000 m<sup>3</sup>. Due to delays resulting from the COVID-19 pandemic and the coup d'état of September 2021, the Standing Committee, at its last meeting, had agreed to extend the deadline for this export to 13 November 2022. The Secretariat reported having maintained regular contact with Guinea regarding the export of this stockpile, and in May 2022, Guinea provided an updated list of the members of the monitoring commission for the export of the stockpile. In addition, at the request of the Guinean authorities, several meetings have taken place with the transport companies involved in the export, as these were reticent to carry out the export due to the recommendation to suspend commercial trade in *Pterocarpus erinaceus* as a result of the expedited Article XIII procedure for West African rosewood for all ranges States. At the last update, 95 containers (corresponding to approximately 1600 m<sup>3</sup>) were loaded, controlled and sealed, and arrived in Conakry. The Secretariat also directed attention to a written update provided by Guinea the previous day, which was available as information document SC75 Inf. 2.

Morocco (Committee Member for Africa), on behalf of Guinea, provided an update on the progress of the export of the stockpile of pre-Convention specimens of *Pterocarpus erinaceus*, based on the written update submitted by Guinea. The report clarified that a monitoring commission, made up of police agents and customs agents, had been put in place, and that consequently work on progressing the export had resumed in September and October 2022 at different sites, with 95 containers (1681.23 m<sup>3</sup>) loaded, controlled and sealed and the remainder of the stockpile expected to be exported before the deadline. The report also stated that given the social and political changes occurring in the country, the fight against wildlife crime was a major challenge requiring significant attention, but that authorities had reiterated their support for the protection of nature and new institutions had been set up. In order to remedy the difficulties remaining in combatting wildlife crime, the report provided a number of recommendations, including the lifting of the trade suspension that has been in place since 2013, the acceleration of the financing for the CAP programme and its implementation, and the organization of training workshops for forestry officials in order to improve their effectiveness in the field.

The Standing Committee noted the oral report of the Secretariat and the additional information provided by Morocco on behalf of Guinea.

#### 7.2.5 Application of Article XIII in Nigeria

The Secretariat introduced document SC75 Doc. 7.2.5, particularly acknowledging progress made by Nigeria regarding the handling and disposal of seized stockpiles of

CITES-listed species and on legislation and law enforcement and welcoming the establishment of a specialist illegal wildlife trade customs officer.

Nigeria acknowledged the scale of the wildlife crime crisis in the country and noted that this was a serious concern for its government. They announced the launch of the National Strategy on Wildlife and Forest Crime in Nigeria 2022 – 2026 and noted that they had worked to establish a wildlife law enforcement task force, which is hoped to be operational by early 2023. Nigeria particularly highlighted that much progress has been made towards tackling illegal trade in rosewood, noting that, since the trade suspension put in place for *P. erinaceus*, no export permits had been issued. Strong support was expressed for the recommendation that all potential transit and destination countries of shipments of illegal specimens of *P. erinaceus* from Nigeria take appropriate measures to ensure that such timber is not illegally transported or traded. Nigeria hoped that the initiatives outlined in its report (contained in the document's Annex) demonstrated their commitment to tackling crime and increasing compliance; however, they noted that the resources required to do this were significant, and looked forward to discussions on how this can be addressed.

Belgium (Committee Member for Europe, speaking on behalf of the European Union and its Member States) acknowledged the progress made by Nigeria on these matters, and expressed support for the document's recommendations.

Taking into consideration the information provided in document SC75 Doc. 7.2.5, the update provided by Nigeria and the comments made by members of the Standing Committee, the following recommendations were made:

1. *Regarding trade in specimens of Pterocarpus erinaceus*

- a) Parties shall maintain the suspension of trade in specimens of the species *Pterocarpus erinaceus* from Nigeria pending compliance with the recommendations made at the 70th meeting of the Standing Committee (SC70, Sochi, October 2018), renewed at its 74th meeting (SC74, Lyon, March 2022), in alignment with the expedited Article XIII process and the outcomes of the Review of Significant Trade.
- b) The Committee instructed the Secretariat to publish a Notification to the Parties to replace [Notification to the Parties No. 2018/084](#).
- c) The Committee encouraged all potential transit and destination countries of shipments of illegal specimens of *P. erinaceus* from Nigeria to take appropriate measures to ensure that such timber is not illegally transported or traded, including prohibiting entry, seizing such specimens upon arrival and applying appropriate sanctions against traffickers in accordance with the provisions of the Convention.
- d) The Committee invited the importing Parties to share with the Secretariat the administrative, legislative and enforcement arrangements put in place to sanction illegal trade in specimens of this species, including any relevant due diligence measure to verify legality and ensure sustainability; and encourages those Parties to consider inviting the Secretariat to conduct technical missions in order to strengthen cooperation between range States and importing countries and identify further recommendations to ensure that timber trade is conducted in accordance with the Convention.

2. *Regarding legislation and law enforcement*

- e) Nigeria shall strengthen the regulatory framework in relation to forestry management, including forestry legislation at the State level, to avoid any loopholes that may be generated by the distribution of competences between Federal and State levels.

- f) Nigeria shall continue implementing a strategy to counter corruption linked to illegal wildlife trade at all levels, including anti-bribery policies, and intensify efforts to ensure full implementation of Resolution Conf. 17.6 on *Prohibiting, preventing, detecting and countering corruption, which facilitates activities conducted in violation of the Convention*. The strategy should protect officials responsible for the implementation and enforcement of CITES from undue pressure, obstruction and threats.
  - g) Nigeria shall establish a national platform for enforcement cooperation and coordination between relevant authorities to strengthen the control of trade in CITES-listed species and to combat transnational organized wildlife crime, in line with Resolution Conf. 11.3 (Rev. CoP18) on *Compliance and enforcement*.
  - h) Nigeria shall scale up efforts to map out organized crime groups involved in illegal wildlife trade and operating in the country. Nigeria shall convene multi-disciplinary investigative teams involving all relevant authorities. These teams will work in close collaboration with local authorities in key identified areas, and initiate intelligence-driven operations and investigations, with a particular focus on pangolins and ivory.
3. *Regarding issuance of export permits and information systems*
- i) Nigeria shall establish an efficient and secure information system, preferably an electronic system (resources permitting), to facilitate the issuance of permits and certificates, and the verification of all CITES provisions applicable to the specimens to be exported.
  - j) Nigeria shall 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.
4. *Handling and disposal of seized stockpiles CITES-listed species*
- k) Nigeria shall clearly define the competences of, and the division of labour between, relevant institutions to ensure that adequate control measures are put in place to secure storage facilities for seized stocks of all CITES-listed species.
5. *Collaboration with Nigeria*
- l) The Committee thanked Parties, ICCWC partners, members of the civil society and cooperation agencies that are providing financial, technical and logistical support to Nigeria and invited them to coordinate further with the CITES Secretariat to avoid duplication and align activities to the extent possible with the recommendations of the Standing Committee.
6. *Monitoring progress*
- m) The Secretariat shall remain in close contact with Nigeria; monitor the Party's progress in the implementation of recommendations of the Standing Committee; and bring any matters of concern to the attention of the Committee.
  - n) The Committee requested Nigeria to report on progress made in the implementation of recommendations e) to k) by the document deadline of its 77th meeting, in order for the Secretariat to convey this report and its comments, as well as recommended follow-up measures in case of continued non-compliance, to the 77th meeting of the Standing Committee.

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

#### 7.3.1 Report of Madagascar

and

#### 7.3.2 Report of the Secretariat

Madagascar introduced document SC75 Doc. 7.3.1, summarising progress on the implementation of Decision 18.96. Madagascar highlighted *inter alia* work on the development of non-detriment findings (NDFs) for three *Dalbergia* species; training of law enforcement officers on the identification of these timbers; working with its Ministry of Justice to ensure full enforcement of laws pertaining to illegal harvest and trade; improved border patrols; and the establishment of an anti-corruption unit.

Regarding stockpiles, Madagascar explained that they were currently working on the use of seized stocks at the national level and had recruited three national consultants to assist in: (i) developing a marking system to strengthen control and traceability of stocks before any validated use at the national level, (ii) providing legal assistance in order to access these stocks, and (iii) proposing a utilization plan. Regarding the export of handicrafts from *Dalbergia* spp., Madagascar reported that they will implement all the necessary control measures for the application of annotation #15.

The Secretariat introduced document SC75 Doc. 7.3.2, containing an update on progress made on the recommendations pertaining to Malagasy ebonies (*Diospyros* spp.) and palisanders and rosewoods (*Dalbergia* spp.) made at SC74. The Secretariat highlighted the significant advances made by Madagascar regarding the scientific aspects of Decision 18.96 but considered that weaker progress has been made regarding the governance aspects of this decision. Finally, the Secretariat provided an update on a sale by auction of a stockpile of *Dalbergia* spp. conducted in Sri Lanka in April 2022.

Ireland (Committee Member for Europe, speaking on behalf of the European Union and its Member States) commended Madagascar on progress made in fulfilling Decision 18.96, particularly in relation to advancing the scientific aspects of the work. Ireland noted that concerns remained regarding officially controlled stockpiles, but that they looked forward to progress on this matter. Canada, speaking on behalf of the North American region, agreed that the recommendations of the Standing Committee and the Decisions of the Conference of the Parties with regard to Madagascar should be aligned.

The Standing Committee noted the report by Madagascar in document SC75 Doc. 7.3.1 and the report of the Secretariat in document SC75 Doc. 7.3.2.

#### 7.4 National ivory action plans process: Report of the Secretariat

The Secretariat introduced document SC75 Doc 7.4, including recommendations pertaining to the inclusion of new Parties in the National Ivory Action Plans (NIAP) process, and progress made by Parties currently subject to the NIAP process.

Belgium and Ireland (Committee Members for Europe, speaking on behalf of the European Union and its Member States) expressed support for the document's recommendations, and especially thanked South Sudan – a non-Party – for their engagement with the Secretariat and TRAFFIC. Belgium urged all Parties to report appropriately to the relevant Standing Committee meetings in accordance with the agreed NIAP guidelines. Belgium encouraged Angola to provide further details on the implementation of actions C.1, C.3 and C.5. Belgium also expressed concern that the Democratic Republic of the Congo (DRC) has moved from being a Category C Party to a Category A Party and urged DRC to step up efforts in fighting illegal ivory trade to reverse this development. Given concerns about the escalation of illegal trade in ivory in Nigeria, Belgium encouraged the country to resume reporting to ETIS and to urgently progress its NIAP implementation. Belgium commended Ethiopia for achieving their NIAP but queried whether the draft amendment to Ethiopia's Wildlife Act has passed into law. For Togo, Belgium expressed concern that 7 out of 21 actions in the NIAP are not yet commenced and encouraged Togo to complete the implementation of their NIAP with a greater sense of urgency. In addition, Belgium called for NIAP Parties to strengthen international cooperation to disrupt transnational criminal networks.

Israel (Committee Member for Europe), supported by Kenya (Alternate Committee Member for Africa), expressed support for all of the document's recommendations except for the recommendation not to include China in the NIAP process. Israel noted that paragraph 6 of Annex 1 to document SC75 Doc. 7.4, as well as the ETIS report in document CoP19 Doc. 66.6, note that China is still a primary destination for illegal ivory.

The Democratic Republic of the Congo noted that they are currently a transit rather than a source country of ivory and argued that they had been treated more harshly than other transit countries, especially considering the progress they had achieved as recognized in document SC75 Doc. 7.2.3.

The Environmental Investigation Agency (speaking also on behalf on the Born Free Foundation, Center for Biological Diversity, David Shepherd Wildlife Foundation, Eurogroup for Animals, Pan African Sanctuary Alliance, Pro Wildlife, Robin des Bois, Species Survival Network, Wildlife Conservation Society and World Wide Fund for Nature) commended the progress made by Parties currently subject to the NIAP process, and expressed support for the comments of Belgium and Ireland. However, concerns were raised regarding a lack of progress in prioritising cooperation to tackle transnational criminal groups.

Implementation of Step 1 of the *Guidelines to the National Ivory Action Plans (NIAP) process: Identification of Parties to participate in the NIAP process*

**China**

- a) The Standing Committee:
  - i) agreed to not include China in the NIAP process;
  - ii) welcomed China's continued efforts to respond to and address illegal trade in ivory, and encourage China to remain vigilant and closely review trends to ensure that the activities and measures implemented respond effectively to illegal trade in ivory as it affects China; and
  - iii) requested the Secretariat, in accordance with Resolution Conf. 10.10 (Rev. CoP18), to continue to monitor illegal trade in ivory as it relates to China, and to bring any matters of concern that may arise to the attention of the Committee.

**South Sudan**

- b) The Standing Committee:
  - i) agreed to not include South Sudan in the NIAP process; and
  - ii) requested the Secretariat, in accordance with Resolution Conf. 10.10 (Rev. CoP18), to continue to monitor illegal trade in ivory as it relates to South Sudan, and to bring any matters of concern that may arise to the attention of the Committee.

Parties that did not report to the 74th meeting of the Standing Committee (SC74, Lyon, March 2022) in accordance with the *Guidelines*

**Angola**

- c) The Standing Committee:
  - i) agreed an overall rating of 'limited progress', in line with Step 4 paragraph e) of the *Guidelines*; and
  - ii) welcomed the progress made by Angola since SC70 and encourage the Party to build upon this to fully implement its NIAP.

**Cameroon**

- d) The Standing Committee:

- i) agreed an overall rating of 'limited progress', in line with Step 4 paragraph e) of the *Guidelines*, and
- ii) encouraged Cameroon to intensify its efforts to seek funding for the effective implementation of its NIAP.

#### **Democratic Republic of the Congo**

e) The Standing Committee:

- i) agreed an overall rating of 'partial progress', in line with Step 4 paragraph e) of the *Guidelines*;
- ii) noted that the DRC moved to the category of highest prominence under the NIAP process and is identified as a Category A Party;
- iii) requested the Democratic Republic of the Congo to enhance efforts to progress the implementation of its NIAP as a matter of priority between SC75 and SC77;
- iv) requested the Democratic Republic of the Congo to prioritize the implementation of the actions under pillars C on information related to crimes and E on law enforcement operations; and
- v) at SC77, if not satisfied with timely progress in the implementation of NIAP actions by the DRC, agreed to make recommendations as appropriate, which may include recommendations in accordance with Resolution Conf. 14.3 (Rev. CoP18) on *CITES compliance procedures*.

#### **Mozambique**

f) The Standing Committee:

- i) agreed an overall rating of 'partial progress', in line with Step 4 paragraph e) of the *Guidelines*; and
- ii) encouraged Mozambique to take note of the information about Vietnamese crime syndicates operating from the country and to further strengthen its engagement with Viet Nam, undertaking joint operations and further strengthening information and intelligence exchange, drawing upon relevant agreements signed with Viet Nam, as appropriate.

#### **Nigeria**

g) The Standing Committee:

- i) agreed an overall rating of 'partial progress', in line with Step 4 paragraph e) of the *Guidelines*;
- ii) noted the concerns regarding the escalation of illegal trade in ivory as it affects Nigeria, as detailed in paragraph 35 of Annex 2 to document SC75 Doc. 7.4; and
- iii) encouraged Nigeria to urgently progress its NIAP implementation, including through considering the actions in its NIAP when advancing the implementation of the National Strategy on Wildlife and Forest Crime in Nigeria 2022 – 2026.

#### **Togo**

h) The Standing Committee:

- i) agreed an overall rating of 'limited progress', in line with Step 4 paragraph e) of the *Guidelines*;

- ii) noted that seven out of the 21 actions in Togo's NIAP are rated as 'not commenced'; and encourage Togo to move ahead with the overall implementation of its NIAP with a sense of greater urgency.

#### Parties that 'achieved' their NIAPs

##### **Ethiopia**

- i) The Standing Committee:
  - i) agreed an overall rating of 'achieved' in line with Step 4, paragraph e), of the *Guidelines*, and commend Ethiopia for achieving its NIAP;
  - ii) encouraged Ethiopia to complete the implementation of any NIAP actions that have not yet been 'achieved';
  - iii) agreed that Ethiopia exit the NIAP process in accordance with Step 5 of the *Guidelines*; and
  - iv) requested the Secretariat, in accordance with Resolution Conf. 10.10 (Rev. CoP18), to continue to monitor illegal trade in ivory as it relates to Ethiopia, and to bring any matters of concern that may arise to the attention of the Committee.

#### 7.5 Totoaba (*Totoaba macdonaldi*): Report of the Secretariat

The Secretariat introduced document SC75 Doc. 7.5, containing a summary of matters of concern identified during its second mission to Mexico to evaluate progress on the implementation of Decision 18.293. The Secretariat highlighted that the situation in the Upper Gulf of California is complex and multifactorial, and that Mexico was deploying substantial resources to prevent illegal fishing and trafficking. Nevertheless, issues remain, including a lack of clarity among different institutions about the implementation of the *Agreement regulating gears, systems, methods, techniques and schedules for the performance of fishing activities with smaller and larger vessels in Mexican Marine Zones in the Northern Gulf of California and establishing landing sites, as well as the use of monitoring systems for such vessels*, and a lenient approach to illegal fishers.

Mexico considered that the recommendation contained in the document to prepare a compliance action plan, and to introduce a trade suspension if this action plan is not completed by a specific deadline, would be to the detriment of thousands of local and indigenous communities that comply with the Convention in Mexico. Mexico argued that a trade suspension would be inappropriate, because according to Resolution Conf. 14.3 (Rev. CoP18) on *CITES compliance procedures*, a trade suspension can only be put in place when there is a persistent issue of non-compliance and the Party in question shows no intention of achieving compliance. Mexico stated that this is not the case and provided a summary of recent activities carried out aiming to combat illegal fishing, including, *inter alia*, a number of recent convictions against individuals in possession of totoaba swim bladders; the installation of concrete blocks with hooks in the zero-tolerance areas to discourage the use of gillnets; and projects to encourage local communities to move away from using banned nets. Mexico emphasized that the problem of illegal trade in totoaba swim bladders was not just Mexico's, and transit and destination countries were not sufficiently playing their part in tackling illegal trade. Mexico agreed only with recommendations a) i) and ii) of the document and requested the deletion of all other recommendations. Mexico also emphasized the importance of the exchange of information between Parties and the promotion of measures to eliminate illegal trade, such as the urgency of having the collaboration of the countries of transit and destination and not only the design of national action plans.

Mexico additionally provided an oral update on progress made concerning the destruction of totoaba swim bladders stockpiled by Earth Ocean Farms. Mexico explained that the protocol on the destruction of swim bladders, presented to the CITES Management Authority of Mexico as an amendment to the facility's management plan, involved disintegration of swim bladders after dehydration, and mixing the powder with other fish residues to produce fish meal. The protocol means that residue from the swim bladders can't be extracted.

Belgium (Committee Member for Europe, speaking on behalf of the European Union and its Member States), supported by the Dominican Republic (Committee Member for Central and South America and the Caribbean), Israel (Committee Member for Europe) New Zealand (Committee Member for

Oceania), Peru (Committee Member for Central and South America and the Caribbean), Nigeria, the United Kingdom of Great Britain and Northern Ireland and the United States of America acknowledged the engagement and efforts shown by Mexico on this issue, agreed that the situation in the Gulf of California was complex and multifaceted, but supported more action and the Secretariat's proposal. Belgium, Israel and Nigeria noted that illegal fishing levels still appeared to be high. Belgium urged Mexico to step up enforcement and develop an ambitious compliance action plan.

The Dominican Republic, Israel, New Zealand, Nigeria, Peru, the United Kingdom of Great Britain and Northern Ireland, and the United States of America expressed support for the decisions as drafted in the document. Canada, speaking as an individual Party, explained that they were conscious that the concerns to be addressed by the compliance action plan (illegal fishing in Mexico) was arguably beyond the scope of the Convention. Given the critical situation of the vaquita, Canada supported the recommendation for Mexico to produce an action plan but did not support recommendation b) i) in paragraph 52, considering this to be disproportionate. Canada suggested amending the recommendation: and provided the following text: "b) i) assess the adequacy of Mexico's compliance action plan submitted in accordance with recommendation a) iv) and provide advice and guidance on any necessary improvements, as appropriate, to ensure its immediate and effective implementation; and".

Belgium, Canada (speaking as an individual Party), and Peru welcomed the destruction of totoaba swim bladder stockpile accumulated at the Earth Ocean Farms facility, with the United Kingdom of Great Britain and Northern Ireland urging the stockpile to be destroyed as soon as possible. Israel queried whether the fish meal produced as part of the swim bladder destruction process would still be used by traditional medicine practitioners that use swim bladder powders or extracts.

The Animal Welfare Institute (speaking also on behalf of the Center for Biological Diversity, Environmental Investigation Agency US, Environmental Investigation Agency UK, Natural Resources Defense Council, Born Free Foundation, Eurogroup for Animals, Pro Wildlife, Earthtrust International, Species Survival Network and Robin des Bois) argued that Mexico was continuing to fail to stop illegal fishing with gillnets for totoaba and other species, and that vaquita numbers have continued to decline as a result.

Based on the discussions and consideration of the information and recommendations provided in document SC75 Doc. 7.5, the Standing Committee:

a) requested Mexico to:

- i) urgently address inconsistencies in the implementation of the different aspects of the [Agreement regulating gears, systems, methods, techniques and schedules for the performance of fishing activities with smaller and larger vessels in Mexican Marine Zones in the Northern Gulf of California and establishing landing sites, as well as the use of monitoring systems for such vessels](#) (the Agreement"), with a specific focus on addressing the matters of concern identified during the mission of the Secretariat to Mexico as outlined in document SC75 Doc. 7.5;
- ii) through the Intergovernmental Group on Sustainability in the Upper Gulf of California (GIS), put in place transparent and comprehensive protocols that will facilitate consistent interpretation and implementation of all aspects of "the Agreement" by the different authorities concerned, and ensure effective oversight regarding activities to enable the identification of areas for improvement and the implementation of corrective measures where needed, as well as to facilitate adapting responses based on any newly identified trends;
- iii) in accordance with paragraph 29.h) of Resolution Conf. 14.3 (Rev. CoP18) on *CITES compliance procedures*, and in consultation with the Secretariat, prepare a compliance action plan focusing on the implementation of the provisions of any decisions directed to Mexico to be agreed at CoP19, and recommendation a) i) and ii) agreed at SC75. The compliance action plan should:
  - A) clearly outline the actions to be implemented and the steps that will be taken by Mexico to urgently progress implementation, in particular addressing the measures and activities that will be put in place to effectively prevent illegal fishers and

unauthorized vessels from entering the vaquita refuge and zero-tolerance areas and maintain them as gillnet net-free zones;

- B) outline the timeframe for implementation of each step and when it should be fully achieved; and
  - C) include milestones to enable assessment of satisfactory implementation;
  - iv) finalize its compliance action plan described in recommendation a) iii), taking into consideration any inputs provided by the Secretariat, submit its finalized compliance action plan to the Secretariat no later than 28 February 2023, and immediately commence implementation of the plan upon confirmation of adequacy by the Secretariat; and
  - v) submit a report on progress with the implementation of its compliance action plan to the Secretariat 90 days in advance of the 77th meeting of the Standing Committee, for it to be made available to the Committee for consideration.
- b) requested the Secretariat to:
- i) assess the adequacy of Mexico's compliance action plan submitted in accordance with recommendation a) iv). If a finalized compliance action plan considered adequate by the Secretariat is not submitted by the 28 February 2023 deadline, the Secretariat shall publish a Notification to the Parties recommending a suspension of trade with Mexico, which will remain in effect until a compliance action plan assessed as adequate by the Secretariat is received; and
  - ii) monitor implementation of the compliance action plan by Mexico, and make the report submitted by Mexico to SC77 in accordance with recommendation a) v) available to the Committee together with any recommendations the Secretariat may have.
- c) The Standing Committee agreed to review Mexico's progress with the implementation of its compliance action plan at SC77 and to, in the absence of sufficient progress, consider compliance measures in accordance with Resolution Conf. 14.3 (Rev. CoP18).
- d) The Standing Committee noted the oral report by Mexico on the destruction of totoaba swim bladders from captive bred totoaba processed by Earth Ocean Farms.

#### 8. Review of Significant Trade in specimens of Appendix-II species

The Secretariat introduced document SC75 Doc. 8, containing an update and recommendations relating to four fauna and three flora species/country combinations. Noting that the Review of Significant Trade (RST) has become more complex, the Secretariat announced that work has been completed on an interactive RST tracking system, which will be launched at CoP19.

Regarding Algeria, Morocco, Tunisia/ *Anguilla anguilla*, Ireland (Committee Member for Europe, speaking on behalf of the European Union and its Member States) and Canada (Committee Member for North America) expressed support for the recommendations contained in the document for Algeria, Morocco and Tunisia. However, Canada, on behalf of the North American region, raised two concerns regarding trade in *A. anguilla* from Morocco that were brought to the attention of the Animals Committee but are not addressed in the current document. First, Morocco should provide an NDF to the IUCN anguillid specialist group for review before a decision is made on whether the remaining recommendations have been implemented or are no longer relevant. Secondly, Canada queried the inclusion in the CITES Trade Database of a record from 2020 for 19.84 tons of source W *A. anguilla* exported from Morocco to South Korea, reported by South Korea only. Canada asked Morocco to clarify the source of this trade.

Morocco considered that their approach to eel management was precautionary and noted that the first results of its population monitoring studies to update their stock assessment were expected in December 2022.

The anguillid specialist group commended the Parties' engagement in the regional programme of the General Fisheries Commission for the Mediterranean and noted that, overall, all three countries had made good progress with data collection and the implementation of management structures. However, a

fundamental need was identified for production of formal NDFs using relevant data by all three Parties to justify export quotas. The anguillid specialist group noted that it is available to advise and support this process as needed.

Regarding *Pterocarpus santalinus*/ India, Ireland commended India on their work to date on this species and expressed support for the Secretariat's suggestion for India to provide an update on the remaining credit of the one-time export of confiscated *P. santalinus* specimens, as well as that of any additional exports of confiscated specimens, in time for SC77. India noted that this species/country combination had been included in the RST for 17 years, despite the submission of three NDFs for the species. India considered that they had provided an update on the remaining credit of the one-time export of confiscated specimens, and that by doing so they had completed all outstanding recommendations; it was therefore unclear to India why this species/country combination was recommended to be retained in the process and it urged the Standing Committee to remove the combination from the RST at this meeting. Canada (Committee Member for North America), on behalf of the North American region, recalled that India reported at SC74 that they would not export any wild-sourced *Pterocarpus santalinus* for five years and recommended that this information is noted on the CITES website alongside India's export quota.

Regarding *Nardostachys grandiflora*/ Nepal, Nepal noted that the country was well known for its community-based forest management programmes and welcomed the recommendation to remove this species/country combination from the RST. Ireland acknowledged progress made by Nepal but disagreed with its removal from the RST process. Ireland noted that the species has been categorised as Critically Endangered since 2020 and did not consider that Nepal has proven that its high harvest volume is based on scientifically sound inventory. Ireland considered that Nepal should be retained in the RST. TRAFFIC provided an update on a project funded by the United Kingdom of Great Britain and Northern Ireland on use and trade of *N. grandiflora* in Nepal, noting that the species is essential to the livelihoods of an estimated 15,000 people in Nepal and that enabling trade will provide an important incentive for ongoing conservation of the species.

Regarding *Bulnesia sarmientoi*/ Paraguay, Ireland, supported by Belgium, disagreed with the removal of the species/country combination from the process. Ireland acknowledged progress made by Paraguay but noted that growth rates of this slow growing species were not considered in Paraguay's management plans and that harvestable stock estimates were therefore not accurate, potentially leading to unsustainable harvest rates and cutting cycles. Ireland considered that Paraguay should be retained in the RST. Canada (Committee Member for North America), on behalf of the North American region, noted that Paraguay's quotas for 2022 were established by weight, and that it would be difficult to track usage of the quota when trade data is reported by volume. They additionally raised concerns that the consultation process with the Plants Committee during the present intersessional period had been hurried and inadequate and suggested a discussion on this matter takes place at PC26.

The Standing Committee noted paragraphs 26 to 31 of document SC75 Doc. 8 and the comments of North America on the intersessional decision-making of the Plants Committee. The Standing made the following recommendations relating to the country / species combinations:

#### **Guyana/ *Ara ararauna***

- a) The Standing Committee:
- i) welcomed the progress made by Guyana in undertaking this study;
  - ii) invited Guyana to clarify how the data from the survey was used to determine the sustainable level of offtake and the proposed export quota; and address the concerns by the Animals Committee in its review of the study (see Annex 2 to document SC75 Doc. 8); and
  - iii) invited Guyana to submit a new non-detriment finding, based on survey data, for review by the Animals Committee, three months before the documentation deadline for SC77.

#### **Algeria/ *Anguilla anguilla***

- b) The Standing Committee:
- i) instructed Algeria to maintain its current annual export quota for *A. anguilla* of 8,000 kg wild-taken adult eels and 0 glass eels, until it provides a justification for any revised quota, demonstrating how the change is conservative, based on estimates of sustainable off-take that make use of best

available scientific information, to the Secretariat and the Chair of the Animals Committee, for their agreement;

- ii) agreed that recommendations e) and f) have been implemented;
- iii) commended Algeria for the progress made to date in implementing the remaining recommendations d) and g) to l); and
- iv) invited Algeria to provide an update on the implementation of the outstanding recommendations three months before the documentation deadline for SC77.

#### **Morocco/ *Anguilla anguilla***

c) The Standing Committee:

- i) commended Morocco for the considerable progress it has made and the measures it has put in place to manage the species and ensure a strong traceability system is in place;
- ii) instructed Morocco to maintain its current quotas of 500,000 kg of live adult eels [raised in aquaculture based on a harvest of 2t of glass eels], 5,500 kg of wild-taken adult eels and 0 live glass eel [fingerlings] of *A. anguilla* until it provides a justification for any increased quota, demonstrating how the change is conservative, based on estimates of sustainable off-take that make use of best available scientific information, to the Secretariat and the Chair of the Animals Committee, for their agreement. In this regard, Morocco should clarify how the proposed increase in the harvest quota for glass eels of 2 tonnes to 4 tonnes will only yield an additional 100 tonnes of adult eels from the farms and share the results of its stock assessment studies when they become available;
- iii) invited Morocco to provide an update on the implementation of the outstanding recommendations three months before the documentation deadline for SC77; and
- iv) noted the concerns raised by the North American region and requested the Secretariat to follow up on these concerns.

#### **Tunisia/ *Anguilla anguilla***

d) The Standing Committee:

- i) commended Tunisia for the considerable progress made to date in implementing recommendations c) to l);
- ii) instructed Tunisia to maintain its current quota for *A. anguilla* of 90,000 kg of eels, where export is restricted to specimens greater than 30cm in length and 0 glass eels, until it provides a justification for any increased quota, demonstrating how the change is conservative, based on estimates of sustainable off-take that make use of best available scientific information, to the Secretariat and the Chair of the Animals Committee, for their agreement; and
- iii) invited Tunisia to provide an update on the implementation of the outstanding recommendations three months before the documentation deadline for SC77.

#### **India/ *Pterocarpus santalinus***

e) The Standing Committee:

- i) commended India on the completion of the implementation of recommendations a) and b) of the Plants Committee; and,
- ii) encouraged India to provide an update on the remaining credit of the one-time export of *Pterocarpus santalinus* from confiscated specimens (source code "1"), as well of that of any additional exports of confiscated specimens, in time for the matter to be considered at SC77.

#### **Nepal/ *Nardostachys grandiflora***

- f) The Standing Committee agreed that Nepal has complied with all recommendations for *Nardostachys grandiflora* and can be removed from the RST process.

**Paraguay/ *Bulnesia sarmientoi***

- g) The Standing Committee:
- i) commended Paraguay in its commitment to formulate NDFs and precautionary export quotas for *Bulnesia sarmientoi*;
  - ii) agreed that Paraguay has complied with all recommendations for *Bulnesia sarmientoi* and can be removed from the RST process.

9. Illegal trade in Asian big cats (Felidae spp.) [Decisions 18.108 and 18.109]

The Secretariat introduced document SC75 Doc. 9, summarizing progress on Decisions 18.102, 18.108 and 18.109 that direct the Secretariat to undertake missions to Parties in whose territories there are facilities keeping Asian big cats in captivity which may be of concern. The Secretariat thanked the United Kingdom of Great Britain and Northern Ireland for providing funding for the Secretariat to undertake these missions. The Secretariat highlighted that it has prepared terms of reference for missions to the Lao People's Democratic Republic, Thailand and Viet Nam that will be undertaken in January 2023. Furthermore, it was noted that a continuation of Decisions 18.102, 18.108 and 18.109 is proposed in document CoP19 Doc. 68.

Ireland (Committee Member for Europe, speaking on behalf of the European Union and its Member States) expressed support for the document's recommendations and welcomed the reports on the facilities of concern.

The United States of America urged all Parties concerned to respond to the questionnaire designed by the Secretariat to obtain information on the situation concerning facilities of potential concern in a timely manner. They welcomed the input of stakeholders including experienced non-Party observers to the mission terms of reference and recommended that experts in the administration of big cat sanctuaries should also be consulted.

India, supported by Nepal, expressed support for time-bound recommendations on this matter at SC75 and CoP19, voicing concern at the delay in action regarding Asian big cats and noting that Decision 14.69 was adopted in 2007, yet remains to be fully implemented. India additionally recommended that relevant consumer countries be encouraged to take action to combat trade in big cats and their derivatives.

The Standing Committee noted document SC75 Doc. 9 and encouraged Viet Nam to respond to the request of the Secretariat to complete a questionnaire in order to provide an update on the situation for facilities of possible concern in advance of a possible mission. The Standing Committee noted the comments made by the United States of America on the terms of reference for missions to Parties within whose territories there are facilities of concern keeping Asian big cats in captivity.

Regulation of trade

10. Revised Guidelines for the preparation and submission of CITES annual reports and Guidelines for the preparation and submission of CITES annual illegal trade reports

The Secretariat introduced document SC75 Doc. 10, containing proposed revisions to five trade term codes. It was noted that a trade term code for handicraft products was not included in the recommendations, as it did not seem necessary to accurately capture trade in vicuña products. Furthermore, this new trade term could lead to confusion regarding the appropriate term code for trade in other products, such as ivory and wood products.

Peru (Committee Member for Central and South America and the Caribbean) noted that Argentina, Chile, Ecuador and Peru supported the recommendations of the Secretariat, but considered that guanaco should not be deleted from the examples of the hair trade term code. Peru also noted that they were working on a proposal for a new term code for thread to be presented at SC77.

Canada agreed there was not a convincing argument for a new term for handicraft products; they additionally suggested adding other species to the list of examples of hair (for example *Ursus* or *Panthera*),

or removing the examples entirely. Finally, Canada suggested deleting the text “e.g. This includes plant fibre, but includes strings of tennis rackets or fibre coming from the shearing of live vicuñas” and replacing it with the text “– e.g. fibre coming from the shearing of live vicunas. It also includes fibres from animal intestines used to make strings for tennis rackets.”

Mexico, supported by New Zealand (Committee Member for Oceania) considered that continuing to use the term code FIN for wet fins may lead to confusion, and suggested that the code FFN be used for wet fins instead.

The Standing Committee agreed the following changes to the *Guidelines for the preparation and submission of CITES annual reports* and *Guidelines for the preparation and submission of CITES annual illegal trade reports*:

Description	Trade term code	Preferred unit	Alternative unit	Explanation
baleen	BAL	kg	no.	<del>whalebone</del> elastic sheets of keratin that hang from the upper jaw of baleen whales (Mysticeti) and allow them to feed
fibre	FIB	kg	M	<u>natural fibres: generic term for several types of material of natural (i.e. plant or animal) origin. Animal fibre can usually be spun and woven and is usually very fine and has good flexibility. – e.g. fibre coming from the shearing of live vicunas. It also includes fibres from animal intestines used to make strings for tennis rackets. plant fibre, but includes strings of tennis rackets or fibre coming from the shearing of live vicuñas.</u>
<u>fin (dried)</u>	<u>DFN</u>	<u>kg</u>		<u>dried fins and parts of fins (including flippers)</u>
fin (wet)	<del>FIN</del> <u>FFN</u>	kg		fresh, <u>chilled or frozen or dried</u> fins and parts of fins (including flippers)
hair	HAI	kg	g	hair – includes all animal hair, e.g. of elephant, yak, <del>vicuña</del> , guanaco

The Standing Committee invited the Secretariat to liaise with Peru on its proposal to include a new trade term code for thread and with Canada on its proposal to add further examples for animal hair in the explanation for hair.

The Standing Committee noted that the Secretariat will publish the new version of the two *Guidelines* with an update to the official name of Turkey, now known as Türkiye.

#### Exemptions and special trade provisions

##### 11. Review of trade in animal specimens reported as produced in captivity

The Secretariat introduced document SC75 Doc. 11, noting that the Secretariat’s recommendation was that both species/country combinations in question (*Geochelone elegans*/ Jordan and *Testudo hermanni*/ North Macedonia) could be removed from the process. The Secretariat highlighted that, since the publication of document SC75 Doc. 11, Jordan had confirmed that no facilities in the country currently held specimens of *G. elegans*.

Regarding *G. elegans*/ Jordan, Israel (Committee Member for Europe) noted that they were concerned about smuggling of the similar species *Testudo graeca* to Jordan and did not consider that the facility that had been breeding *G. elegans* in Jordan had answered all the questions raised. Israel considered that the Secretariat should be directed to gain clarification on the issues raised in paragraphs 9 to 13 of the document and should present its findings to SC77. They additionally recommended that Jordan establish a zero export quota for *T. graeca* from all sources. Belgium (Committee Member for Europe, speaking on behalf of the European Union and its Member States) agreed that the species/country combination should be retained in the review, echoing concerns about the apparent disappearance of the specimens previously reported to

have been held by the only breeding facility for *G. elegans* in Jordan. The United States of America also expressed support for continuing to consult with Jordan to gain further details on the status of this facility.

Regarding *T. hermanni*/ North Macedonia, Belgium, Israel, the United Kingdom of Great Britain and Northern Ireland and the United States of America expressed concern with paragraphs 19 and 20 of the document outlining the Secretariat's view on the retroactivity of treaties. Some of these Parties raised concerns that the interpretation as it stands would set a dangerous precedent, and considered that the case could not be concluded without further information from North Macedonia about how legal acquisition finding for exports of *T. hermanni* are made.

Lewis and Clark- Global Law Alliance for Animals and the Environment (speaking also on behalf of the Animal Welfare Institute, Born Free, Eurogroup for Animals, Pro Wildlife, Robin des Bois, and Species Survival Network) echoed concerns about the interpretation of the principle of non-retroactivity, considering that the principle has been misapplied in several CITES contexts.

The Standing Committee agreed to retain *Geochelone elegans*/ Jordan in the Review of trade in animal specimens reported as produced in captivity and requested the Secretariat to continue to consult with Jordan about the stock of specimens held in that facility, including about the species included in that stock and to provide a report to SC77.

The Standing Committee further agreed to retain *Testudo hermanni*/ North Macedonia in the Review of trade in animal specimens reported as produced in captivity and requested North Macedonia to provide further information on how it is meeting its Legal Acquisition Finding requirement on current trade by measures it took to ensure legality of its founder stock.

The Standing Committee noted the comments made by Parties and observer organizations on the legal evaluation provided in paragraph 19 and 20 of document SC75 Doc. 11 and invited the Secretariat to provide updated views on this issue at SC77.

#### Species specific matters<sup>1</sup>

##### 12. Eels (*Anguilla* spp.)

The Secretariat introduced document SC75 Doc. 12, recalling that, at SC74, it had reported on the implementation of Decisions 18.197 and 18.198. This report had included a summary of Parties' responses to a questionnaire on the status, management and trade in eels, information on illegal trade, including an analysis of seizure data and a summary of a case study in the 2<sup>nd</sup> World Wildlife Crime report, and a further study on the *Status of use and trade of anguillid eels*. The Secretariat informed the Standing Committee that it had prepared a set of draft recommendations in paragraph 16 of document SC75 Doc. 12 for consideration.

Ireland (Committee Member for Europe, speaking on behalf of the European Union and its Member States) and the United Kingdom of Great Britain and Northern Ireland expressed support for the document's recommendations. Ireland noted the recommendations represented an important step in efforts to tackle illegal trade in European eels, while the United Kingdom of Great Britain and Northern Ireland, supported by IUCN and the Zoological Society of London (ZSL), encouraged all relevant parties that had not yet responded to Notification to the Parties No. 2021/018 to do so to enable a complete picture of the status, management and trade in eels. IUCN, speaking also on behalf of ZSL, also encouraged Parties to consider the International Council for the Exploration of the Sea (ICES) advice of zero catch of the European eel when discussing the decisions relating anguillid eels proposed in document CoP19 Doc. 61.

The Standing Committee:

- a) encouraged Parties affected by illegal trade in European eel as source, transit and destination country, to initiate targeted special operations focusing on illegal trade in European eel, where not yet done;
- b) requested the Secretariat to encourage ICCWC to include European eel as a target species during global law enforcement operations to address wildlife crime, and encouraged Parties affected by illegal trade in European eel to participate in such operations;

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<sup>1</sup> List in alphabetical order of scientific names.

- c) encouraged Parties affected by illegal trade in European eel to deploy forensic applications in the fight against this illegal trade, and to identify key points in the supply chain where DNA sampling and testing can be undertaken to ensure that species are accurately declared, and any illegal trade detected;
- d) encouraged Parties to pursue strong and deterrent penalties for offenders involved in illegal trade in European eel, taking into consideration the provisions of paragraphs 15. e) to h) in Resolution Conf. 11.3 (Rev. Cop18) on *Compliance and enforcement*;
- e) encouraged Parties with aquaculture facilities producing European eel specimens for export to implement strict measures to regulate the activities of such facilities, including undertaking regular audits to monitor sources of supply;
- f) encouraged Parties with aquaculture facilities producing European eel specimens for export to review their national management practices and controls for such facilities to ensure that they are adequate to prevent specimens from illegal sources of supply from being laundered into legal trade, and to ensure that management practices and controls are adapted when needed to respond to any newly identified trends;
- g) encouraged Parties who did not respond to Notification to the Parties No. 2020/018, and were identified in Annex 4 to document SC74 Doc. 64.1 as being important in the global trade in European eel, in particular China, Egypt and Turkey, to provide a response to the follow up Notification seeking information on eel trade that will be issued by the Secretariat after CoP19;
- h) encouraged Parties to communicate to the Secretariat information on best practices identified in relation to overcoming management and enforcement challenges specific to European eel harvest and trade, including legal acquisition findings and traceability, for this information to be made available to other Parties;
- i) encouraged Parties when recording data on *Anguilla* eel species to record to the species level (rather than recording as *Anguilla* spp.) and to differentiate between juvenile (glass eels) and larger size live eels, to improve accurate trade monitoring for all *Anguilla* eel species;
- j) encouraged Parties to scale up efforts to ensure that they apply the correct tariff codes for *Anguilla* species; and where glass eels are imported and subsequently grown in aquaculture facilities, Parties are encouraged to include the species name and country of origin of the glass eels on their re-export declarations; and
- k) encouraged Parties to use the descriptions for specimen codes provided in the [Guidelines for the Preparation and Submission of CITES Annual Reports](#) and in the [Guidelines for the preparation and submission of CITES annual illegal trade reports](#), to standardize reporting and facilitate better data that could be drawn upon, including to support the design of appropriate law enforcement responses.

13. African lions (*Panthera leo*) [Decision 18.246]

The Secretariat introduced document SC75 Doc. 13, providing an update on the production of a report on legal and illegal trade in lions and other big cats to better understand trends, linkages between trade in different species, and the commodities in trade which contain, or claim to contain, such specimens. The Secretariat thanked the Netherlands and the United Kingdom of Great Britain and Northern Ireland for the funding to commission this research; it was noted that, while the report was not available in time for SC74, document CoP19 Doc. 72 confirms that it will be made available for consideration by the CITES Big Cats Task Force.

The United Republic of Tanzania and Zimbabwe outlined some anomalies in the report, including in relation to trophy quota figures and the source of traded individuals (wild or captive-bred). The United Republic of Tanzania recommended that the report be sent to the Animals Committee for their review and for recommendations to be made to SC77; the Chair noted that CoP19 discussions would be the best place to address this point.

The Standing Committee noted document SC75 Doc. 13 (Rev. 1) and its annexes.

**Concluding items**

14. Any other business

There were no interventions.

15. Determination of the time and venue of the 76th meeting

The Standing Committee noted that its 76th meeting would be held immediately after the close of CoP19, on 25 November 2022.

16. Closing remarks

Mexico took the floor to request that its statement be included in an Annex to the summary record.

The Secretary General, Committee Members, Parties and observer organisations thanked Ms Carolina Caceres, for her contribution to CITES during her two terms as Standing Committee Chair. The Chair reflected on the past six years and thanked everyone that made it possible for her to fulfil the role as chair of the Standing Committee. She furthermore thanked the members of the Standing Committee and all observers for their participation and closed the meeting at 17h00.

Statement by Mexico

Mexico states that it disagrees with the Committee's decision to adopt the recommendations made by the Secretariat regarding the preparation of an action plan for totoaba, and in case such plan is not prepared or approved, for compliance measures to be considered, without the Committee having previously reviewed the progress made in the preparation and implementation of the plan. We will take up this issue at the meeting of the Conference of the Parties.

We respectfully request that this statement be included in the summary report of this meeting..