

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



Seventeenth meeting of the Conference of the Parties
Johannesburg (South Africa), 24 September – 5 October 2016

Summary record of the fifth session of Committee I

27 September 2016: 14h00 - 17h30

Chair: K. Gaynor (Ireland)

Secretariat: T. De Meulenaer
J. Stahl

Rapporteurs: J. Gray
M. Groves
E. King
B. Price

Interpretation and implementation matters

General compliance and enforcement

33. Evaluation of the Review of Significant Trade

The Chairs of the Animals Committee and the Nomenclature specialist for flora introduced document CoP17 Doc. 33 which proposed revisions to Resolution Conf. 12.8 (Rev. CoP13) on *Review of Significant Trade in specimens of Appendix II species*, including three new annexes, four draft decisions, additional information for the Secretariat to include in the initial letter to selected range States, and guidance on the formulation of recommendations for the Review of Significant Trade. They drew the Parties' attention to the additional amendments to Resolution Conf. 12.8 (Rev. CoP13) proposed in paragraph 34 of the document and the editorial amendments proposed by the Secretariat in their comments in the document.

The European Union noted that document CoP17 Doc. 31, due to be discussed by Committee II, included an additional recommendation to amend the preambular text of Resolution Conf. 12.8 (Rev. CoP13) and sought clarification as to whether that proposal could also be considered here, given its relevance. The Chair indicated that it could not, as it had yet to be discussed by Committee II.

The European Union and its member States, Israel, New Zealand and the United States of America supported the revisions put forward in the document. Israel proposed replacing "simple" with "straightforward" in the proposed penultimate preambular paragraph of the revised version of Resolution Conf. 12.8 (Rev. CoP13) in Annex 1 of document CoP17 Doc. 33.

Cameroon, supporting the revisions, noted that they were pleased that the draft decision allowed for capacity building for the mechanism.

The United Nations Environment Programme (UNEP) noted that UNEP-WCMC welcomed the proposed revisions and amendments put forward in the document. Humane Society International (HSI) noted their support for the majority of the recommended changes.

The Committee accepted the recommendations in document CoP17 Doc. 33, including the amendments proposed by the Secretariat and Israel, and agreed to delete Decision 13.67 (Rev. CoP14). It endorsed the

guidance contained in Annexes 3, 4 and 5 of the document. The amendment to the preamble proposed in document CoP17 Doc. 31 would be decided upon later in the meeting.

Species specific matters

78. Sharing existing written science-based rationales and scientific information for non-detriment findings made for trade in CITES-listed species

Australia introduced document CoP17 Doc. 78 addressing the implementation of Resolution Conf. 16.7 on *Non-detriment findings* (NDF). The Annex to the document contained proposed amendments to Resolution Conf. 16.7 encouraging Parties to share written records of science-based rationale and information for NDFs which would then be made public by the CITES Secretariat.

Belize, Colombia, Costa Rica, Egypt, the European Union and its member States, Japan, Mexico, Peru, Senegal, and the United States of America supported the document. Japan proposed the addition of “where possible” at the end of proposed paragraph c) i) in the revised version of Resolution Conf. 16.7.

Belize, Costa Rica, Egypt and Peru highlighted the challenges faced by Parties when making NDFs and the need for practical and scientific support to Parties. The Chair noted the Parties’ concerns, and recommended that the Secretariat continue to work bilaterally with Parties. The Secretariat reiterated that assisting Parties to make NDFs remained a high priority.

The Committee accepted the proposed amendments to Resolution Conf. 16.7 as set out in document CoP17 Doc. 78 and as proposed by Japan.

80. CITES Appendix III – an added-value for the conservation of threatened wildlife with restricted distribution

The European Union, speaking also on behalf of its member States, introduced document CoP17 Doc. 80 highlighting reasons for range States to make use of CITES Appendix III and ways to assist them in doing so. It proposed three draft decisions, one of which related to the commissioning of a report to identify threatened species with restricted distribution. The European Union noted the comments of the Secretariat on their proposals and indicated willingness to redraft the decisions to take account of these comments.

The United States of America, supported by Japan and Peru, did not support the draft decisions. They noted that it was the right of the Parties to decide whether to list their native species in Appendix III, and questioned the utility of creating a list of candidate Appendix-III species. These concerns were echoed by Canada. Pakistan welcomed the proposals, but insisted that the listing process should be simplified.

The European Union, speaking on behalf of its member States, acknowledging the concerns expressed by Parties, withdrew draft decisions 17.X1 and 17.X2, and proposed to revise draft decision 17.X3.

Canada, Egypt, Japan, New Zealand, and the United States of America supported the revised proposal from the European Union. New Zealand, supported by Canada and Japan, suggested a further decision directing the Secretariat to prepare a report identifying each Party’s legal provisions for complying with and enforcing the provisions of Appendix-III.

The World Wildlife Fund (WWF) felt there was merit in the Secretariat producing a short document on the legal requirements for countries to list species in Appendix III.

The Chair proposed the formation of a small drafting group to produce a single draft decision incorporating the decisions proposed by the European Union and New Zealand. The drafting group was to be chaired by the European Union and include Canada, Egypt, Japan, New Zealand, the United States of America and WWF.

69. Illegal trade in the helmeted hornbill (*Rhinoplax vigil*)

Indonesia introduced document CoP17 Doc. 69, which contained a draft resolution on the conservation of and control of trade in the helmeted hornbill. The Chair then invited the Secretariat to introduce its comments contained in the document, which suggested draft decisions reflecting the operational part of the draft resolution, as an alternative way forward.

China, the European Union, Japan, Malaysia, Switzerland, Thailand and the United States of America, supported by Humane Society International (HSI), Indonesian Hornbill Conservation Society and Wildlife Conservation Society (WCS), welcomed additional protective measures for the helmeted hornbill. The European Union, Japan, Malaysia and Switzerland expressed a preference for the draft decisions proposed by the Secretariat. China was of the opinion that both demand and supply issues needed to be addressed and proposed additional text accordingly.

The Chair, noting no conclusion had been reached regarding the choice between the draft resolution or draft decisions, established a working group to resolve this matter and report back at a subsequent session. The group comprised China, the European Union, Indonesia (Chair), Japan, Malaysia, Switzerland, Thailand, the United States of America, HSI, Indonesian Hornbill Conservation Society and WCS.

39. Hunting trophies

39.1 Hunting trophies of species listed in Appendix I or II

The Chair asked that documents CoP17 Docs 39.1 and 39.2, submitted by the European Union and South Africa respectively, be considered together as they both related to trophy hunting. In introducing their document, the European Union explained they believed it was time for CITES to have a clear framework on hunting trophies and that they had worked with South Africa to produce a new proposal for Parties to consider, set out in document CoP17 Inf. 68. This document effectively replaced documents CoP17 Docs 39.1 and 39.2, with the exception of the draft decisions relating to lion hunting trophies in Annex 4 of document CoP17 Doc. 39.1. The European Union proposed that these be considered at the same time as the *Panthera leo* proposal under agenda item 88. South Africa drew the Committee's attention to document CoP17 Inf. 73, containing additional draft decisions regarding lion conservation.

Botswana, Brazil, Burkina Faso, Canada, China, Kenya, Namibia, Norway, Pakistan, Senegal, Tajikistan, Zimbabwe, China Wildlife Conservation Association, Conservation Alliance of Kenya, Humane Society International, International Wildlife Management Consortium and the Namibian Association for CBNRM Support Organizations all commented on document CoP17 Inf. 68, in particular on the matter of whether rhino horn or elephant ivory contained in hunting trophies should require export permits or re-export certificates in the context of CITES hunting trophy requirements.

In view of the diversity of opinions of both a conceptual and technical nature, a large number of textual changes requested, and the fact that some Parties did not have access to document CoP17 Inf. 68, the Chair proposed establishing a drafting group, using document CoP17 Inf. 68 as a basis to generate new text for the Committee's consideration. The group would be co-chaired by the European Union and South Africa and include Botswana, Canada, Kenya, Namibia, the United States of America, Zimbabwe, the Conservation Alliance of Kenya and Humane Society International.

Maintenance of the Appendices

82. Periodic review of the Appendices

82.1 Revision of Resolution Conf. 14.8 (Rev. CoP16) on *Periodic Review of species included in Appendices I and II*

The Chair of the Animals Committee, speaking on behalf of the acting Chair of the Plants Committee, introduced document CoP17 Doc. 82.1 drawing attention to the recommended revisions of Resolution Conf. 14.8 (Rev. CoP16) in Annex 1 to the document. Responding to the comments from the Secretariat in the document, she explained that these revisions were intended to clarify the manner and purpose of Periodic Reviews of the Appendices, not to accelerate them, and that the Reviews were intended to be undertaken every second meeting of the Conference of the Parties. She agreed with the content of paragraphs C and D of the Secretariat's comments in the document.

China, the European Union and the United States of America supported the document in general. The European Union accepted all amendments put forward by the Secretariat, but the United States stated that it did not prefer the Secretariat's version of the third preambular paragraph, beginning "Acknowledging that, in undertaking a successful periodic review...".

The Committee agreed to the revisions to the Resolution as presented in Annex 1 to document CoP17 Doc. 82.1, with substitution of the versions of paragraphs b) and h) in the Secretariat's comments in the document.

85. Extinct or possibly extinct species

The United Kingdom of Great Britain and Northern Ireland, on behalf of the Chair of the Standing Committee, introduced document CoP17 Doc. 85, which contained in its Annex proposed amendments to Resolution Conf. 9.24 (Rev. CoP16) on *Criteria for amendment of Appendices I and II* as it applied to species that were either extinct or possibly extinct. They indicated that Decisions 16.164 and 16.165, which had led to the proposed revisions of the Resolution, had now been implemented and so could be deleted.

China supported the document. New Zealand also generally supported the document, but suggested an amendment to the proposed amendment to Annex 5 of Resolution Conf. 9.24 (Rev. CoP16). These were to replace each instance of "taxon" with "species" and to delete the phrases "It complies with the following definition, which reads:" and "A taxon is presumed Extinct when" and to insert the words "or when", so that the relevant portion of text would read: "A species is considered to be 'extinct' when there is no reasonable doubt that the last individual has died or when exhaustive surveys in known and/or..."

The Committee approved the revisions to Resolution Conf. 9.24 (Rev. CoP16) in the Annex to document CoP17 Doc. 85, as amended by New Zealand, and the deletion of Decisions 16.164 and 16.165.

79. Implementation of the CITES Strategic Vision: 2008-2020

Brazil introduced document CoP17 Doc. 79 regarding implementation of the *CITES Strategic Vision: 2008-2020*. The Annex to the document contained five draft decisions. The document also contained four alternative draft decisions, in paragraph E of the Secretariat's comments. Brazil stated that it could accept the Secretariat's comments in their entirety, including the alternative draft decisions.

Argentina fully supported the document, underlining its commitment to meeting goals 3 and 4 of the *CITES Strategic Vision 2008-2020* and target 12 of the Aichi Biodiversity Targets and elaborating on its cooperative efforts with Brazil in the conservation of the Appendix-I listed Lear's Macaw (*Anodorhynchus leari*). The Dominican Republic also supported the intent of the document.

Chile, Colombia, the European Union, Japan and Uruguay supported the alternative decisions put forward by the Secretariat. Japan suggested an amendment to the first draft decision 17.XX *Directed to the Secretariat* in paragraph E to read:

"...with an indication of conservation priorities based on levels of threats caused by trade and resource availability to address these threats, for consideration by the Animals and Plants Committees, following consultation with range States..."

The United States believed that it was premature to seek external funding as outlined in paragraphs F and G of the Secretariat's comments in the document. Brazil, however, believed that it was important to start fund-raising immediately.

The Committee accepted the four draft decisions in paragraph E of document CoP17 Doc. 79 with the amendment suggested by Japan.

The meeting was adjourned at 18h25.