

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 II

27 September 2016: 14h10 – 17h30

Chair: J. Barzdo (Switzerland)

Secretariat: S. Flensburg  
D. Morgan  
J – C. Vasquez

Rapporteurs: J. Caldwell  
P. Cremona  
F. Davis  
C. Rutherford

**Species specific matters**

16. CITES and livelihoods

South Africa introduced document CoP17 Doc. 16 on behalf of the co-Chairs of the Working group on CITES and livelihoods (China and Peru). The document recommended deletion of Decisions 16.17 to 16.25 on the grounds that these had been implemented, and proposed a series of draft decisions for adoption, set out in Annex 1. The document also contained amendments suggested by the Secretariat to draft decision 17.AA and Resolution Conf. 16.6 on *CITES and livelihoods*. South Africa indicated their agreement with the Secretariat's suggestions and noted that the workshop due to be held in South Africa in July 2016 had been rescheduled to November 2016.

The European Union and the United States of America agreed with the recommendation to delete Decisions 16.17 to 16.25. The International Union for Conservation of Nature (IUCN) believed that the rapid assessments referred to in Decisions 16.17 and 16.19 had not yet completed and that these Decisions should therefore be retained.

Brazil, China, the European Union, New Zealand, Peru and South Africa broadly supported the draft decisions in the document, including the proposed amendments by the Secretariat to the draft decisions and to Resolution Conf. 16.6. Further amendments to the text of the draft decisions and to Resolution Conf. 16.6 were proposed by Brazil, China, the European Union and Peru. The European Union noted that there was a general need for harmonized terminology in relation to communities throughout Convention documents, given inconsistent use of the terms "rural", "local" and "indigenous". The United States considered that other fora might be more appropriate for in-depth discussions on livelihoods. Peru believed that livelihood issues were within the scope of the Convention.

The Chair asked Parties who had spoken to forward their proposed amendments to the Secretariat for incorporation into revised texts for consideration at a later session.

## **Strategic matters**

### 17. Livelihoods and food security

Côte d'Ivoire announced that they were withdrawing as a proponent for document CoP17 Doc. 17. Saint Kitts and Nevis advised that one of the other proponents, Antigua and Barbuda, had only just arrived at the meeting and needed more time to prepare to speak.

The Chair adjourned the discussion on agenda item 17.

## **Interpretation and implementation matters**

### Existing Resolutions and Decisions

#### 21. Review of Resolutions and Decisions

The Secretariat introduced document CoP17 Doc. 21 (Rev. 1), which contained proposed amendments to Resolution Conf. 12.6 (Rev. CoP16) on *Conservation and management of sharks*, Resolution Conf. 12.4 on *Cooperation between CITES and the Commission for the Conservation of Antarctic Marine Living Resources regarding trade in toothfish* and Resolution Conf. 4.6 (Rev. CoP16) on *Submission of draft resolutions, draft decisions and other documents for meetings of the Conference of the Parties* together with the maintenance of Decision 14.19 and the deletion of the decisions in the list of *Decisions of the Conference of the Parties to CITES superseded after its 16th meeting (Bangkok, 2013)*, but not deleted on the CITES website. The Annex to the document contained a list of Decisions not covered in other CoP17 documents, proposed for amendment, retention or deletion.

The deletion of the Decisions in the list of *Decisions of the Conference of the Parties to CITES superseded after its 16th meeting (CoP16)*, but not deleted, was agreed.

Regarding Decision 14.19 on Review of Resolutions, the United States of America requested the insertion of “and Decisions” after all references to “Resolutions” in the Decision, including in the title. With this amendment, the maintenance of Decision 14.19 was agreed.

The United States recommended retaining an amended version of Decision 16.58 on Physical inspection of timber shipments, as they considered that it was still relevant. With the replacement of “65th meeting” with “69th meeting”, the retention of this Decision was agreed.

Argentina, Australia, the Bahamas, Brazil, Chile, Colombia, Costa Rica, the European Union and its member States, India, Mexico, New Zealand, the United States of America and the Animal Welfare Institute opposed the deletion of Decision 14.81 on Great whales, on the basis that the International Whaling Commission was the primary forum for consideration of this issue. Antigua and Barbuda, Iceland, Japan and Norway supported the deletion of this Decision, on the basis that CITES was an independent body and that decisions should be based on the available scientific evidence. The Chair, observing that there appeared to be a majority against deleting the Decision, asked those in favour of deletion whether they were prepared to accept the majority view. They assented and retention of the Decision was agreed.

India opposed the deletion of Decisions 14.82 to 14.85 on Grey parrot (*Psittacus erithacus*) on the basis that certain parts had not yet been fully implemented; the United States supported this view in the case of Decision 14.83. The European Union and its member States and South Africa considered that new decisions relating to this species might be warranted. The retention of Decisions 14.82 to 14.85 was agreed.

The retention of Decision 16.53, and the incorporation of its provisions in Resolution Conf. 16.7 when this Resolution is amended, was agreed. The deletion of Decisions 16.1, 16.26, 16.27, 16.76, 16.77, 16.125 and 16.126 was agreed.

The proposed amendments to Resolution Conf. 12.6 (Rev. CoP16) and Resolution Conf. 12.4 were agreed.

In relation to the Secretariat's comment in paragraph 17 of document CoP17 Doc. 21 (Rev.1), the United States proposed the following amendments to Resolution Conf. 4.6 (Rev. CoP16) under “DIRECTS the

Secretariat further”: replacing the word “revising” with “reviewing” in paragraph c), and inserting a new paragraph d) to read

d) In preparation for each meeting of the Conference of the Parties, the Secretariat shall prepare a list of Decisions that are not anticipated to be subject to discussion under other agenda items at the meeting, for the purpose of allowing Parties to determine whether those Decisions should be deleted or retained.

The Chair asked the Secretariat to compile a revised version of the text of Resolution Conf. 4.6 (Rev. CoP16) incorporating the proposed amendments for consideration at a later session.

The Committee endorsed the Secretariat’s approach outlined in paragraph 17 of the document.

The Chair suggested that agenda Items 40 and 57.4 be discussed together.

#### Trade control and traceability

#### 40. International trade in live Appendix-II animals to appropriate and acceptable destinations

The United States of America introduced document CoP17 Doc.40 proposing a revision to Resolution Conf. 11.20 on *Definition of the term ‘appropriate and acceptable destinations’*, set out in the Annex to the document. In response to paragraph C in comments from the Secretariat in the document, they clarified that they were not asserting that guidelines were not being followed by Parties, but that they considered these guidelines to be insufficient, observing that the use of animals in sport-hunting activities outside range States was being considered by some ventures and that allowing commercial trade in parts and products of animals exported under an appropriate and acceptable destinations annotation will fuel demand and will contribute to poaching of elephants and rhinos. In response to paragraph G, they noted that there were numerous instances where terms in annotations needed further definition and/or explanation to clarify their application.

#### **Species specific matters**

#### 57. Elephants

#### 57.4 Trade in live elephants: Proposed revision of Resolution Conf. 10.10 (Rev. CoP16) on *Trade in elephant specimens*

Mali, on behalf of the proponents, introduced document CoP17 Doc. 57.4 proposing a revision to Resolution Conf. 10.10 (Rev. CoP16) on *Trade in Elephant Specimens* in order to restrict trade in African elephants taken from the wild to transfers for *in situ* conservation purposes only.

Ethiopia, Israel, Kenya, Togo and Uganda supported the proposed revision to Resolution Conf. 10.10 (Rev. CoP16).

China, speaking of their experience in importing rhinoceroses, supported the proposed revisions to Resolution Conf. 11.20 (Rev. CoP10). The European Union and its member States could support most of the proposed revisions to this Resolution, but had reservations regarding conditions relating to zoos and the destination of offspring. Japan had some reservations about the wording of the proposed changes to Resolution Conf. 11.20 (Rev. CoP10).

China and the European Union and its member States did not support the proposed amendments to Resolution 10.10 (Rev. CoP16). South Africa, supported by Botswana, Namibia, Senegal, Swaziland and Zimbabwe, did not support the proposals in either document. IUCN and Safari Club International shared the concerns of the southern African range States that a ban on sport hunting of offspring would be excessively restrictive, the latter pointing out that South Africa and Zimbabwe used sport hunting to fund conservation measures.

Humane Society International, speaking also on behalf of Animal Welfare Institute, David Shepherd Wildlife Trust, Fondation Franz Weber, Pro Wildlife and Vulcan Inc. & Paul G. Allen Family Foundation, noted that CITES did cover animal welfare issues and fully supported the proposed revisions to Resolution 10.10 (Rev. CoP16). Born Free Foundation, speaking also on behalf of Species Survival Network, did not support removal of any elephants from the wild.

The United States of America acknowledged feedback particularly with regard to the consideration of sport hunting in range States.

The Chair asked the proponents of documents CoP17 Doc. 40 and CoP17 Doc. 57.4 to meet in order to attempt to come up with a revised text.

### General compliance and enforcement

#### 22. National laws for implementation of the Convention

The Secretariat introduced document CoP17 Doc. 22 outlining progress made on the National Legislation Project since CoP16 and presenting seven draft decisions, included in Annex 1 to the document. It thanked the European Union, Japan, Norway, the United Kingdom of Great Britain and Northern Ireland, the United States of America and the United Nations Environment Programme for providing financial assistance. It further reported that a French-speaking lawyer had been hired to provide support particularly to the Francophone African Parties.

Bahrain, Chad, Chile, Guyana, India, Kenya, Liberia, Saint Lucia, the United Republic of Tanzania and the Bolivarian Republic of Venezuela provided updates on progress. Mauritius thanked the Secretariat for assistance in moving its legislation into Category 1, while Sri Lanka expressed concern that their legislation was still rated as Category 3 as they believed they had fully implemented CITES regulations.

The European Union and its member States supported the recommendations and draft decisions.

TRAFFIC was concerned that some Category 1 legislation contained loopholes, particularly regarding Appendix-I taxa in non-range States, and asked Parties to be diligent in finding and closing these.

The United States of America believed the National Legislation Project was critical to CITES implementation and supported the Secretariat's recommendation that Parties failing to provide adequate legislation before the 70th meeting of the Standing Committee may be subject to appropriate measures, including suspension of trade in CITES species. They proposed several changes to the draft decisions. In response to requests from Canada who also proposed changes to the draft decision and the European Union, the Chair asked the United States and Canada to submit these for the Secretariat to circulate as an in-session document.

The Secretary General mentioned recent staff changes in the Secretariat that enhance implementation of the project.

The meeting was adjourned at 17h30.