

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 seventh session of Committee II

28 September 2016: 14h00 - 17h30

Chair: J. Barzdo (Switzerland)

Secretariat: J. Scanlon
B. Janse van Rensburg
P. Jonsson
D. Morgan
C. Nobbe

Rapporteurs: J. Caldwell
F. Davis
J. McAlpine
B. Price

Interpretation and implementation matters

General compliance and enforcement

28. Prohibiting, preventing and countering corruption facilitating activities conducted in violation of the Convention

The European Union presented the draft resolution in the Annex to document CoP17 Doc. 28, amended as follows. They proposed replacing “FACILITATING” with “WHICH FACILITATES” in the title; in the seventh preambular paragraph of the draft resolution, replacing “15 of the 182” with “a large number of”; in paragraph 9, inserting “NOTING that chapter II on prevention of UNCAC provides States Parties with broad and effective options to prevent corruption” after “wildlife sector”; in operational paragraph 2, deleting of “as criminal offences”; in operational paragraph 3, replacing “fully” with “effectively”; in operational paragraph 8, replacing “adopt zero tolerance policies towards” with “adopt efficient policies against”; in operational paragraph 9, inserting “as appropriate and” before “upon request”; and in operational paragraph 12, inserting after “Parties” “, to the best of their abilities”. They also added a further operational paragraph: 15. REQUESTS the Standing Committee, with support from the Secretariat, to ensure close cooperation of CITES with UNCAC and UNTOC.

The draft resolution, with these amendments, was agreed.

Strategic matters

17. Livelihoods and food security

Antigua and Barbuda introduced document CoP17 Doc. 17 proposing a draft resolution on livelihoods and food security.

Japan, Namibia, St. Kitts and Nevis and Zimbabwe supported the draft resolution. Japan noted that they had a number of small proposed amendments, which they could pass on to the proponents.

The United States of America believed the draft resolution was outside the purview of CITES. They suggested the proponents consider presenting a revised version for consideration at the 18th meeting of the Conference of the Parties. The European Union and its member States, supported by Canada, China, India, Malawi, Norway and South Africa, believed that Resolution 16.6 on *CITES and livelihoods* already provided relevant guidance and that it was not good practice to incorporate objectives of other organizations into CITES resolutions. China believed it was important to take all issues, including the ones highlighted by the draft resolution, into account when proposing amendments to the Appendices. They suggested it might be appropriate for the Standing Committee to consider the matter further.

The Chair asked the proponents and China to develop a draft decision directed to the Standing Committee to that effect, for consideration at a subsequent session.

Interpretation and implementation matters

General compliance and enforcement

29. Combating wildlife cybercrime

Kenya introduced document CoP17 Doc. 29 proposing a three-part decision on “Combating wildlife cybercrime”, contained in its Annex. The document also contained a draft decision proposed by the Secretariat, who had also proposed deletion of Decision 15.57. Kenya proposed the following two additional draft decisions:

Directed to the Secretariat:

The Secretariat shall report on its discussion with INTERPOL and ICCWC at the 69th and 70th meetings of the Standing Committee and subsequently at the 18th meeting of the Conference of the Parties.

Directed to the Standing Committee:

The Standing Committee shall consider the Secretariat's report, as well as any other information presented to the Standing Committee and, if necessary, make recommendations for consideration by the Parties at the 18th meeting of the Conference of the Parties.

Based on the comments from the Secretariat, Kenya further proposed amending the proposal to replace reference to the working group on wildlife cybercrime in two draft decisions with reference to a workshop. They noted the Secretariat's proposed amended version of draft decision 17.C in the Annex to document CoP17 Doc. 49 and, supported by the Syrian Arab Republic, suggested it be included here. The European Union also supported this, but proposed deleting the words “, in particular cheetah, where appropriate”.

Costa Rica, the European Union, Guinea, Indonesia, Israel, Liberia, Malaysia, Maldives, Nigeria, Senegal, South Africa, INTERPOL, the International Fund for Animal Welfare (IFAW) and TRAFFIC agreed cybercrime was a growing problem and supported Kenya's proposals. Indonesia, with support from Costa Rica and TRAFFIC, emphasized the necessity of amending national legislation in line with this new form of crime. TRAFFIC further noted a shifting trend from online retailers to social media platforms. Senegal and Nigeria requested support with capacity-building to help them address the problem.

The European Union opposed the deletion of Decision 15.57 on the basis that the Standing Committee Working group on e-commerce had not made enough progress on this issue, and further noted that they did not think that the term cybercrime was sufficiently specific and would prefer “illegal online trade in wildlife”.

The draft decisions in document CoP17 Doc. 29 and its Annex as well as the two new draft decisions proposed by Kenya and draft decision 17.C in the Annex to document CoP17 Doc. 49, as amended by the European Union, were agreed. It was also agreed to retain Decision 15.57.

30. Wildlife crime enforcement support in West and Central Africa¹

Senegal introduced document CoP17 Doc. 30, the Annex to which contained a number of draft decisions, some addressing enforcement and some demand reduction. In its comments in the document, the

¹ Agenda items 18.2 and 30 are based on a single working document with two distinct parts.

Secretariat had recommended adoption of amended versions of four of those addressing enforcement. Senegal indicated that it supported the Secretariat's recommendation.

The Chair indicated that the draft decisions relating to demand reduction would be discussed under agenda item 18.2.

Cameroon, Guinea, Liberia, Niger and Nigeria supported the proposal.

The draft decisions 17.AA, 17.EE, the second 17.FF and 17.HH, as amended by the Secretariat in document CoP17 Doc. 30, were agreed.

31. Implementation and enforcement of the Convention as it relates to the trade in species listed in Appendix I

The United States of America introduced document CoP17 Doc. 31 submitted by the Standing Committee and containing proposed amendments to Resolution Conf. 12.8 (Rev. CoP13) on *Review of Significant Trade in Specimens of Appendix-II species* and Resolution Conf. 11.3 (Rev. CoP16) on *Compliance and enforcement*. In the document the Secretariat had recommended that Decision 16.39 be deleted.

The amendments to Resolution 12.8 (Rev. CoP13) and Resolution Conf. 11.3 (Rev. CoP16) in document CoP17 Doc. 31 were agreed, as was deletion of Decision 16.39.

Strategic matters

18. Demand reduction

The Chair proposed the following documents be considered together:

18.1 Demand reduction strategies to combat illegal trade in CITES-listed species

and

18.2 Development of CITES demand-reduction guidelines

The United States of America introduced document CoP17 Doc. 18.1, the Annex to which contained a draft resolution on demand-reduction strategies to combat illegal trade in CITES-listed species. In the document, the Secretariat had proposed an additional preambular paragraph to the draft resolution.

Document CoP17 Doc. 18.2 was introduced by Senegal. The Chair indicated that the discussion was only considering the draft decisions on demand reduction in the Annex to the document, because the draft decisions on enforcement had been considered under agenda item 30.

China emphasized the importance of demand reduction activities. Chile, Colombia, the European Union, Kenya, Nigeria, Viet Nam, Humane Society International, IFAW and TRAFFIC, speaking also on behalf of the World Wildlife Fund, supported the draft resolution and decisions.

Botswana and Zimbabwe supported the draft resolution in the Annex to document CoP17 Doc. 18.1, conditional on the inclusion of the following preambular text: 'Legal trade can be vital to rural livelihoods and consequently important to *in situ* conservation and that demand reduction campaigns must distinguish between legal and illegal trade'.

The United States of America agreed with this proposed amendment with the addition of the words 'and sustainable' after both mentions of the word 'legal'. The United States of America also proposed text to be added to the end of paragraph d) following "...ecosystems in which they exist" to read 'as well as raise awareness of broader impacts of wildlife trafficking on livelihoods and sustainable development'.

South Africa recognized that while conservation needed coordinated efforts to manage demand, they saw little evidence of demand reduction strategies being effective and stressed the need for further multidisciplinary research to ensure that interventions went beyond awareness-raising. They did not support the adoption of the draft Resolution in document CoP17 Doc. 18.1, but expressed support for the amended draft decisions in document CoP17 18.2, provided these indicated that demand reduction should focus on illegal trade.

The draft resolution in the Annex to document CoP17 Doc. 18.1 was agreed, as amended by the Secretariat in the document and with the additional amendments proposed by Botswana and Zimbabwe and the United States of America.

The draft decisions in Document CoP17 Doc.18.2 were agreed as amended by the Secretariat in paragraph C of their comments in the document.

Interpretation and implementation matters

General compliance and enforcement

34. Disposal of illegally traded and confiscated specimens of Appendix-I, -II and -III species

Switzerland introduced document CoP17 Doc. 34. Annex 2 of the document contained a consolidated and revised version of Resolution Conf. 9.9 on *Confiscation of specimens exported or re-exported in violation of the Convention*, Resolution Conf. 9.10 (Rev. CoP15) on *Disposal of and accumulated specimens* and Resolution Conf. 10.7 (Rev. CoP15) on *Disposal of confiscated live specimens of species included in the Appendices*. Annex 3 contained two draft decisions. Proposed amendments to the proposed resolution and decisions by the Secretariat were included in the document.

The European Union expressed support for the draft resolution presented in Annex 2, but did not support the draft decisions proposed in Annex 3.

New Zealand welcomed the consolidated Resolution and proposed adding at the end of the paragraph beginning 'CONFIRMS': 'taking into account the need for measures necessary to ensure such specimens are not re-entered into illegal trade.'

Costa Rica, Israel and South Africa supported the proposed resolution and draft decisions, as amended by the Secretariat. The United States of America, supported by Switzerland, also supported these with the exception of the deletion of the reference to the 69th meeting of the Standing Committee in the draft decision directed to the Standing Committee, as they felt it was important to retain the deadline.

Humane Society International, IFAW, Species Survival Network and World Animal Protection asked to participate in the working group referred to in the document, if established.

The draft resolution in Annex 2 and the draft decisions in Annex 3 of document CoP17 Doc. 34 as amended by the Secretariat in the document, with the exception of the deletion of "at its 69th meeting" in the draft decision directed to the Standing Committee, and by New Zealand were agreed.

The meeting was adjourned at 17h30.