

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



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CITES-RELATED APPROVED MOTIONS FROM THE IUCN WORLD CONSERVATION CONGRESS

This document has been submitted by the Secretariat on behalf of IUCN*, in relation to agenda items 13 on *Establishment of the rural communities committee of the Conference of the Parties*, 16 on *CITES and livelihoods*, 51 on *Trade and conservation of Anguillid eels*, 56 on *Sharks and Rays*, 57.2 on *Closure of domestic markets for elephant ivory*, 64 on *Pangolins*, 69 on *illegal trade in hornbills*, 75 on *Totoaba*, and 88 on *Proposals to Amend Appendices I and II*.

* *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

IUCN World Conservation Congress

1-10 September 2016

CITES-related approved motions (unedited version; provisional numbering)

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004 - Conservation of the Helmeted Hornbill (*Rhinoplax vigil*)

NOTING that the Helmeted Hornbill (*Rhinoplax vigil*) is found in Southeast Asia and listed on Appendix I of CITES;

ACKNOWLEDGING that there has been a recent sharp escalation in the killing of this species, driven by demand and perpetrated by criminal networks, which presents a clear and present threat to its survival in range states;

RECOGNISING that the killing of the species is driven by demand for its solid casque ('hornbill ivory') used in the manufacture of ornaments ('derivative items') that are available in parts of Asia through conventional retailers and online market places;

NOTING that urgently needed conservation action is being undertaken under the auspices of the IUCN Species Survival Commission through the Asia Species Action Partnership (ASAP) and that, in line with best-available scientific knowledge, BirdLife International, the Global Red List Authority on Birds, raised the species' threat status on the IUCN Red List from Near Threatened to Critically Endangered in November 2015;

RECALLING IUCN Resolution 5.027 *Conservation of tropical Asia's threatened species* (Jeju, 2012) and the concern expressed therein with regard to populations of large birds including hornbills;

NOTING that the species is further threatened by habitat loss;

RECOGNISING that the species is of cultural significance to local communities, provides key ecological functions, is a galvanising symbol in the conservation of Southeast Asia's tropical forests and that the trade represents a loss of national patrimony and resources;

RECOGNISING, in light of Aichi Target 12, that range states require urgent international action and support to supplement domestic efforts to prevent the extinction of the species and to ensure that its conservation status is improved and sustained;

ACKNOWLEDGING the current enforcement efforts of relevant states; and

RECOGNISING that support for such efforts should be premised on collaborative engagement and mutual respect;

The World Conservation Congress, at its session in Hawai'i, United States of America, 1-10 September 2016:

1. REQUESTS the Director General, Commissions and Members, where possible, through ASAP, its partners or other stakeholders/avenues, to participate in and/or support efforts to:

- a. monitor threat levels; identify *inter-alia* trade routes, networks, methodologies and participants; aid investigations, gather evidence and evaluate emerging trends;
- b. support and expand *in-situ* conservation;
- c. strengthen the role of and engage with local communities, conservationists and agencies and support enforcement action;

- d. raise awareness through increased communications, publicity, education, public engagement, and demand-reduction campaigns within remaining parts of the native range and end users;
 - e. provide technical advice, build capacity and facilitate knowledge sharing and cooperation amongst stakeholders; and
 - f. engage shops and online market places in containing, curtailing and/or seeking to eliminate the sale of derivative items;
2. REQUESTS the Director General to write to the Secretary General and Chair of the Standing Committee of CITES to request urgent steps to address the increased international trade in hornbill ivory;
 3. ENCOURAGES relevant governments to:
 - a. further enforcement to prevent illegal harvesting;
 - b. further enforcement to prevent the import, export, transit, carriage, display, sale and/or acquisition of hornbill ivory and derivative items;
 - c. address legislative, policy or enforcement gaps, prosecute participants at all levels of the trade network and enhance awareness of applicable laws; and
 - d. engage and cooperate with other relevant States in bringing enforcement action, evidence gathering and knowledge sharing; and
 4. URGES donor organisations to support conservation actions.

005 - Promotion of Anguillid eels as flagship species for aquatic conservation

CONCERNED by the decline in recruitment, populations and escapement of northern temperate anguillid eel species during the past four decades, such that they are at critically low levels, and by the dearth of knowledge relating to all anguillid eel species, particularly those found in the tropics;

RECOGNISING the species' complex catadromous, panmictic life-cycles that can involve extended migrations across multiple jurisdictions in both marine and freshwater environments, and exposure to anthropogenic threats associated with these ecosystems;

ACKNOWLEDGING that threats such as climate change, barriers to migration, pollution, development and unsustainable exploitation and illegal trade threaten anguillid eels globally and similar threats have significant impacts on thousands of other aquatic species that are resident in both marine and freshwater ecosystems;

APPRECIATING that conservation focused on anguillid eels will have huge benefits for aquatic ecosystems at appropriate scales, including other aquatic flora and fauna, many of which are even more poorly understood than anguillids, and potentially at risk;

ACKNOWLEDGING that by promoting anguillid eels as flagship species for aquatic conservation and connectivity conservation and addressing the threats that impact them, progress towards achieving Aichi Targets 1, 4, 5, 6, 8, 12, 14 and 19, the objectives of both the Convention on Migratory Species (CMS) and the United Nations Watercourses Convention (UNWC) and IUCN Resolutions 4.062 *Enhancing ecological networks and connectivity conservation areas* (Barcelona, 2008) and 5.056 *Enhancing connectivity conservation through international networking of best practice management* (Jeju, 2012) would be met; and

APPLAUDING the efforts of IUCN Members to address the threats in the aquatic environment, particularly freshwater habitats which, despite providing essential ecosystem services, are understudied and suffer from limited and under-funded conservation work;

The World Conservation Congress, at its session in Hawai'i, United States of America, 1-10 September 2016:

1. URGES species range states and signatories to the Convention on the Conservation Biological Diversity (CBD), the Convention on International Trade in Endangered Species of Wild Animals and Plants (CITES), the Convention on Migratory Species (CMS) and the UNWC to recognise and promote anguillid eels as flagship species for aquatic conservation, for the benefit of this taxon, aquatic environments and the flora and fauna that inhabit them;
2. CALLS ON species range states and signatories to the CBD, CMS and UNWC to vocally support, and facilitate in a coordinated fashion, the fundraising, advocacy, research, and species action plans of scientists, managers and policy-makers engaged in anguillid eel conservation, from the local to the global level, for the benefit of the species and associated critical, connected ecosystems from the high seas to the sources of inland waters; and
3. PLEDGES TO foster a climate that will strengthen the ongoing efforts of the IUCN Species Survival Commission (SSC) and its extended network of collaborators and further facilitate achieving the objectives of the SSC 2017-2020 strategy through identifying, and capitalising upon all available opportunities to act for the benefit of the anguillids.

007 - Closure of domestic markets for elephant ivory

ALARMED that the illegal killing of elephants and trade in their ivory remains a major problem across much of Africa, threatens the survival of many populations of savannah and forest elephants, and undermines the ecological integrity of savannah and forest ecosystems;

DEEPLY CONCERNED that the illegal killing of elephants and illegal elephant ivory trade threatens national security, undermines sustainable economic development in elephant range states including local communities that benefit from healthy wildlife populations, and is a serious risk to the lives of those charged with the protection of elephants and other species;

NOTING that any elephant ivory supply, including legal domestic markets, creates opportunities for the laundering of illegal elephant ivory under the guise of legality;

WELCOMING the joint commitments announced September 2015 by US President Obama and Chinese President Xi to combat wildlife trafficking, including the commitment to "enact nearly complete bans on ivory import and export...and to take significant and timely steps to halt the domestic commercial trade of ivory" and welcoming the prohibition of domestic elephant ivory trade by the US in July 2016 and France in August 2016;

NOTING the Cotonou Declaration of 2015 of 25 African elephant range States which (among many issues) agreed to "support all proposals and actions at international and national levels to close domestic ivory markets worldwide" and acknowledging positive actions taken by a range of countries;

TAKING NOTE OF the African Elephant Action Plan and the African Elephant Fund, as an African-led initiative (with all 37 African elephant range states in support), which calls for addressing all key conservation issues for the African elephant, including the illegal killing and illicit trade in elephant ivory; and the Elephant Protection Initiative, as an African-led initiative (with 14 member countries to date), which calls for *inter alia* the closure of domestic markets for elephant ivory;

ACKNOWLEDGING that many range and consumer states have already announced that they have taken, are taking, or intend to take legislative and regulatory steps to close their legal domestic markets for elephant ivory; and

RECOGNISING IUCN's longstanding role in providing sound technical and scientific analyses, and supporting processes designed to conserve elephants notably for their ecological and societal benefits;

The World Conservation Congress, at its session in Hawai'i, United States of America, 1-10 September 2016:

1. CALLS ON the Director General to promote this Resolution, and encourage governments globally to close their domestic markets for elephant ivory as a matter of urgency;
2. REQUESTS the Commissions, especially the Species Survival Commission, the World Commission on Environmental Law, and other organisations with appropriate expertise, to provide relevant technical, legal and trade advice on the implementation of this resolution to governments upon request on the issue of closing domestic markets for elephant ivory;

3. URGES the governments of countries in which there is a legal domestic market for elephant ivory, or any domestic commerce in elephant ivory, to make all necessary legislative and regulatory efforts to close their domestic markets for commercial trade in raw or worked elephant ivory;
4. CALLS ON IUCN Members to take advantage of CITES COP 17, to be held in Johannesburg, South Africa in September 2016, to send an unambiguous message that elephants are protected globally and that in the face of extensive poaching, buying elephant ivory is harmful and unacceptable;
5. CALLS ON all governments, intergovernmental organisations, and non-governmental organisations to provide technical expertise and funding to states' governments and other entities engaged in combating wildlife trafficking to implement this Resolution, including clarifying definitions of closure appropriate to the national context, improving and implementing methods of tracing elephant ivory provenance and date of harvest, and building capacity for enforcement; and
6. ENCOURAGES cross-border (transboundary) conservation projects focused on elephants, through policy and strategic development programmes, to contribute to strict compliance with bans on domestic markets for elephant ivory nationally and across boundaries.

011 - Greater protection needed for all pangolin species

RECOGNISING pangolins as evolutionarily distinct and ecologically important species;

CONCERNED that all eight species of pangolins, family Manidae, have been assessed and categorised on the IUCN Red List of Threatened Species as Critically Endangered, Endangered or Vulnerable, due to the combined effects of overexploitation, illegal trade and habitat degradation;

CONCERNED that global and domestic protection measures and conservation attention have to date been inadequate and not prevented declines of pangolin populations;

ALSO RECOGNISING that pangolin populations are vulnerable to over-exploitation due to their low reproductive rates and ease of capture;

FURTHER RECOGNISING that in recent years the illegal trade in pangolin specimens, parts and derivatives has increased significantly to meet international demand including the emergence of intercontinental trade all around the world;

RECOGNISING the efforts of the IUCN Species Survival Commission (SSC) Pangolin Specialist Group on behalf of all eight species of pangolins;

RECALLING that the Ninth meeting of the Conference of Parties to the Convention in International Trade in Endangered Species of Wild Fauna and Flora (CITES COP9), held in Fort Lauderdale, USA in 1994, decided to include all species of pangolins in CITES Appendix II, and that CITES COP11, held in Gigir, Kenya in 2000 decided to amend this listing with a zero annual export quota for wild specimens traded for primarily commercial purposes for the four Asian pangolin species; and

CONCERNED that despite the Appendix II listing and zero annual export quota for Asian pangolin species, there is evidence that all eight pangolin species are declining due to international trade, most of which is illegal;

The World Conservation Congress, at its session in Hawai'i, United States of America, 1-10 September 2016:

1. URGES all IUCN Members to support transferring all eight pangolin species from Appendix II to Appendix I of CITES at the 17th meeting of the Conference of Parties (COP17) to CITES, to be held in Johannesburg, South Africa in September 2016, in order to contribute to the conservation and sustainability of wild populations through control of the international trade in pangolins and their parts and products¹;
2. URGES Governments to prevent the usage of pangolin products from illegal source through education and strict monitoring; and
3. URGES all IUCN Members, pangolin range states and other stakeholders to support efforts to tackle all threats to pangolins through increased protection and law enforcement, conservation research, awareness raising, education, and other actions commensurate to mitigating the threats and

¹ It is hereby affirmed that the support of the Congress for the inclusion of these species in CITES Appendix I does not in any way prejudice the independence, or determine the findings, of the IUCN/TRAFFIC Analyses of Proposals to Amend the CITES Appendices.

successfully delivering pangolin conservation, including through the IUCN SSC Pangolin Specialist Group Conservation Action Plan.

Unedited Final Text

013 - Actions to avert the extinction of the vaquita porpoise (*Phocoena sinus*)

NOTING that the IUCN Red List classifies vaquita, a porpoise endemic to Mexico, as Critically Endangered;

RECALLING Resolution 19.61 *By-Catch of Non-Target Species* (Buenos Aires, 1994) expressing concern that bycatch rates threaten the vaquita's survival;

RECALLING Resolution 4.025 *Avoiding extinction of the Vaquita Porpoise* *Phocoena sinus* (Barcelona, 2008) urging establishment of a gillnet exclusion zone covering Mexico's vaquita refuge, promotion of vaquita-safe fishing and adequate monitoring and surveillance;

CONCERNED that the 7th meeting of the International Committee for the Recovery of the Vaquita (CIRVA) (2016) found the vaquita in imminent danger of extinction with an abundance estimate of *around 60 individuals* and recommended that Mexico permanently ban gillnet fishing throughout the vaquita's range and use all available tools to stop illegal fishing and trade in totoaba (*Totoaba macdonaldi*);

THANKING the President of Mexico for expanding the vaquita protected area, establishing a twoyear gillnet ban, increasing inspections and surveillance, and compensating fishing communities;

ALARMED that the 6th meeting of CIRVA (2015) estimated an annual rate of decline of 31% from 2011 to 2014 and recommended that Mexico make the gillnet ban permanent;

RECOGNISING the concern of the International Whaling Commission and its Scientific Committee's endorsement of the CIRVA recommendations at its 66th meeting;

NOTING that the Expedition Vaquita 2015 survey in late 2015 preliminarily concluded that it will take at least 40 years to rebuild the population to 2008 levels;

CONCERNED that the demand for and illegal trade in totoaba drives fishing activities that kill vaquitas;

RECOGNISING the effects on fishing communities from the elimination of gillnets;

NOTING that the Official Mexican Standard (NOM-002-SAG/PESC-2013) provides for a 3-year period to remove shrimp gillnets and transition to vaquita-safe shrimp trawls;

CONCERNED that illegal fishing continues; and

FURTHER CONCERNED that research on vaquita-safe fishing has been lacking;

The World Conservation Congress, at its session in Hawai'i, United States of America, 1-10 September 2016:

1. REQUESTS the Director General and the Species Survival Commission to provide, as far as possible, technical and scientific help to Mexico in order to prevent the vaquita's extinction;
2. URGES the Mexican Government to:

- a. make permanent the gillnet ban throughout the entire vaquita range;
 - b. expedite implementation of the Official Mexican Standard NOM-002-SAG/PESC-2013 and the use of small shrimp trawls as an alternative to gillnets throughout the Upper Gulf of California shrimp fishery;
 - c. increase funding for, and expedite research on, additional technologies and techniques for catching finfish to facilitate and hasten the implementation of gillnet alternatives in these fisheries and establish an international review panel to evaluate the design and implementation of this programme; and
 - d. review current compensation programmes to ensure full compensation to fishermen and communities supporting vaquita-safe alternatives;
3. CALLS ON all organisations, states, sponsors, gear manufacturers and seafood importers to support the Mexican Government, provide technical and financial support for eliminating gillnets and promote economic alternatives and means of fishing that are vaquita safe; and
 4. URGES all governments and competent international organisations, especially the Convention on International Trade in Endangered Species (CITES) and INTERPOL, to assist any and all countries where totoaba products are found in markets or in transit, including Mexico, the United States and other countries, in combating the illegal international trade in totoaba products.

018 - Monitoring and management of unselective, unsustainable and unmonitored (UUU) fisheries

RECOGNISING that marine biodiversity and ecosystems are essential for a healthy planet, food security and many livelihoods;

CONSCIOUS that marine biodiversity is declining, threats to marine biodiversity are increasing, marine ecosystems are being degraded, and that 'unselective, unsustainable and unmonitored' (UUU) fisheries increasingly threaten marine populations;

NOTING that the 2030 Agenda for Sustainable Development recognises the importance of conserving the oceans, seas and marine resources and ensuring that all use is sustainable;

NOTING the expansion of UUU fisheries, mainly using bottom trawl fishing gear, which include non-selective fisheries that take small demersal fish and invertebrates formerly regarded as bycatch or 'trash' species and discarded, but which now are retained for fishmeal, other animal feed, and processed human food products such as surimi and fish paste, and that management is needed for sustainability;

ACKNOWLEDGING our obligation to conserve natural resources and avoid adverse impacts on threatened species and ecosystems, consistent with the United Nations Convention on the Law of the Sea and the Convention on Biological Diversity;

RECOGNISING that the growing demand for aquaculture products is leading to an increase in the use of marine life for feed, much from unmanaged wild populations;

EMPHASISING the need urgently to address the problems of food security, ecological impacts, fleet overcapacity, overfishing, unsustainable and damaging fishing and processing methods in areas within and outside national jurisdiction, and that human use must not compromise underlying natural systems;

ACKNOWLEDGING that little information is available on the biological, economic or social consequences of indiscriminate removal of myriad marine species through UUU fishing; and

DEEPLY CONCERNED that UUU fisheries could severely threaten marine biodiversity and marine ecosystems as well as undermining long-term food security;

The World Conservation Congress, at its session in Hawai'i, United States of America, 1-10 September 2016:

1. REQUESTS the IUCN Species Survival Commission (SSC) to analyse and report on this topic;
2. CALLS ON IUCN Commissions to consider social, economic and ecological issues around UUU fisheries in their work;
3. CALLS ON coastal and fishing States, and economic integration entities and other authorities and Regional Fisheries Management Organisations to:

- a. implement data collection, monitoring and reporting on the scale, geographic coverage, and catch composition of UUU fisheries;
 - b. integrate marine biodiversity and ecosystem considerations into national and regional regulation of fishing activities and to take precautionary action to protect the environment, vulnerable marine ecosystems and ecosystem functioning;
 - c. ensure protection of species taken in UUU fisheries that are or may become threatened;
 - d. research alternative feeds for aquaculture and animal farming that do not depend so heavily on wild-caught marine life; and
 - e. evaluate the long-term socio-economic costs and benefits and ecological impacts of UUU fisheries and their products;
4. ENCOURAGES coastal States and other competent authorities to take evidence-based measures to reduce the impacts of UUU fisheries, especially bottom trawl fisheries, including spatial or temporal limits on catch or fishing effort, controls on methods and practices of fishing that are wasteful or destructive of ecosystems, and special measures for the protection of vulnerable marine species and habitats, as well as monitoring, control and surveillance;
 5. ENCOURAGES funding and development assistance agencies to assist with monitoring of UUU fisheries in areas where local resources are insufficient; and
 6. URGES NGOs and other organisations to raise awareness about UUU fisheries through their networks and to consider this issue in their planning and strategic development.

022 - Recognising, understanding and enhancing the role of indigenous peoples and local communities in tackling the illegal wildlife trade crisis

RECALLING the resolutions of inter alia the IUCN World Conservation Congress that emphasise both the vital role of indigenous peoples and local communities in the conservation of wildlife and biodiversity and that their needs, concerns, and priorities should be considered in conservation policies, legislation and actions;

ACKNOWLEDGING that the illegal wildlife trade (IWT) in a wide range of taxa is of great concern, increasingly involves organised crime, and requires urgent action, including increased deterrence and enforcement efforts along the length of the value chain from poachers in the field to traders and transporters of illegal wildlife products, the reduction of consumer demand, and improved governance, particularly reduction of government corruption;

RECOGNISING the essential role of indigenous peoples and local communities as sentinels of change and illegal activity within their environment;

RECOGNISING that while some (past and current) responses to IWT contribute to improved local livelihoods and security, in other instances they may inadvertently have collateral and negative impacts on indigenous peoples and local communities living with wildlife, and thus influence their willingness to contribute tangibly to combating IWT in the long term;

FURTHER RECOGNISING that a sustainable long-term solution to IWT requires an integrated, coherent response built on the recognition that indigenous peoples and local communities that live with wildlife have a key role to play in conserving wildlife, and that these peoples and communities should be engaged (including through outreach and education) and incentivised through financial and non-financial benefits in combating IWT;

ACKNOWLEDGING that the IUCN World Parks Congress (2014) recognised the strong relationship between conservation (including reduced IWT), secure territorial rights and governance systems of indigenous peoples and local communities;

FURTHER ACKNOWLEDGING that CITES (notably, Resolution Conf. 16.6 on Livelihoods), the African Elephant Action Plan (2010), the African Elephant Summit (2013), the London Declaration (2014), the Kasane Declaration (2015), the Brazzaville Declaration (2015), United Nations General Assembly Resolution 69/314 (2015) and Target 15.c of the Sustainable Development Goals (2015) recognise the important role of indigenous peoples and local communities in combating IWT; and

STRESSING Strategic Goal D and Target 18 of the Aichi Biodiversity Targets under the Convention on Biological Diversity, which emphasise incorporating the knowledge, innovation, and practices of indigenous peoples and local communities in conservation;

The World Conservation Congress, at its session in Hawai'i, United States of America, 1-10 September 2016:

1. URGES the Director General to work with State and Non-State Members, Commissions, Regional Offices and International Organisations to:

a. recognise the critical role of indigenous peoples and local communities that live with wildlife as full partners in planning, making and implementing decisions and interventions to address IWT, including through means of their traditional knowledge and the rules and regulations they strive to have respected in their conserved territories and areas (ICCAs);

b. ensure that this need to engage and incentivise indigenous peoples and local communities is fully respected and reflected in IUCN and other relevant interventions and decisions, through means such as education and awareness-raising; recognition and/or strengthening of collective rights and responsibilities for governance, management and stewardship (including through, as appropriate, devolution or co-management arrangements); joint enforcement by indigenous and local communities and the state; and enhancing benefits from sustainable consumptive and non-consumptive use of wildlife or alternative livelihood opportunities as relevant and effective;

c. promote the development of a conceptual and planning framework to guide decisions, interventions and investments from international institutions, related organisations and governments on combating IWT in ways that engage and benefit indigenous peoples and local communities while promoting conservation and sustainable utilisation of biodiversity resources;

d. support the collection of evidence to strengthen the engagement of indigenous peoples and local communities in combating IWT in ways that adhere to previous IUCN resolutions, and to the targets, strategic goals and policy commitments listed below; and

e. promote opportunities for indigenous peoples and local communities to engage as equal partners in wildlife conservation and management decisions, including through establishing mechanisms for formal and structured consultation in relation to the decisions of multilateral environmental agreements; and

2. CALLS ON all governments, intergovernmental bodies, conservation and development agencies and IUCN partners to implement their respective political commitments to multinational efforts to combat wildlife trafficking, including in particular strengthening the role of indigenous peoples and local communities in relation to governing, managing and conserving wildlife and combating IWT, in, *inter alia*, the London Declaration (2014), the Kasane Declaration (2015), the Brazzaville Declaration (2015), United Nations General Assembly Resolution 69/314 (2015), Target 15.c of the Sustainable Development Goals (2015) and Aichi Biodiversity Targets Strategic Goal D and Target 18.

023 - Improving the conservation and management of the silky shark, the thresher sharks and mobula rays

ALARMED that the IUCN Shark Specialist Group estimates that one-quarter of shark species (sharks, skates, rays, chimaeras) are threatened with extinction, primarily due to overfishing;

AWARE that sharks play an integral role in marine ecosystems, and that many sharks have lifehistory characteristics that make them intrinsically susceptible to overfishing;

RECALLING Recommendation 5.144 *Conservation and management of threatened sharks* (Jeju, 2012), which recommended that Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) should consider inclusion on CITES Appendices of shark species that are subject to international trade;

CONCERNED that silky shark (*Carcharhinus falciformis*), thresher sharks (*Alopias* spp.) and mobula rays (*Mobula* spp.) are intrinsically susceptible to overfishing, traded internationally, and at great risk for population depletion due to insufficient controls on exploitation;

RECALLING that listing of species on CITES Appendix II does not prohibit trade, but rather ensures trade is controlled in order to avoid use incompatible with these species' survival;

COMMENDING the CITES Parties that sponsored and supported the listings of the porbeagle shark (*Lamna nasus*), oceanic whitetip shark (*Carcharhinus longimanus*), scalloped hammerhead shark (*Sphyrna lewini*), smooth hammerhead shark (*Sphyrna zygaena*) and great hammerhead shark (*Sphyrna mokarran*), and both species of manta ray (*Manta* spp.) on Appendix II at the 16th meeting of the Conference of the Parties (CITES COP16, Bangkok, 2013);

RECOGNISING the global collective effort undertaken by the CITES Parties and Secretariat, the United Nations Food and Agriculture Organization, and nonprofit organisations to ensure that countries have the tools needed to fully implement these listings and that only sustainable trade in these species continues; and

APPLAUDING the Governments of Sri Lanka, the Maldives and Fiji for proposing the Appendix II listings of silky shark, thresher sharks and mobula rays, respectively, at CITES COP17 (Johannesburg, September 2016);

The World Conservation Congress, at its session in Hawai'i, United States of America, 1-10 September 2016:

1. REQUESTS all CITES Parties to support the inclusion of the silky shark (*Carcharhinus falciformis*), bigeye thresher shark (*Alopias superciliosus*), common thresher shark (*Alopias vulpinus*), pelagic thresher shark (*Alopias pelagicus*), and nine species of mobula rays (*Mobula* spp.) on Appendix II of CITES to ensure international trade in their products does not threaten their survival and sustainability, and, where needed, allow for the recovery of these species' populations, taking into

account the status of the species in the IUCN Red List of Threatened Species and other relevant information²; and

2. URGES all shark and ray range States, market states, fishing States, other entities, and relevant Regional Fisheries Management Organisations to take into consideration all available sources of scientific data, advice, and assessments, including the IUCN Red List of Threatened Species, and to adopt environmentally precautionary, science-based management measures with strong monitoring and enforcement controls to prevent illegal, unreported and unregulated (IUU) fishing, and to ensure that overfishing of silky shark, thresher sharks, and mobula rays does not occur and their populations are at sustainable levels.

² see end of first operative paragraph: It is hereby affirmed that the support of the Congress for the inclusion of these species in CITES Appendix II does not in any way prejudice the independence, or determine the findings, of the IUCN/TRAFFIC Analyses of Proposals to Amend the CITES Appendices.

084 - Improving the means to fight environmental crime

CONSIDERING that environmental crime is a serious and growing international problem, which has devastating and grave effects that are environmental, social and economic in nature and that such crime is often linked with mafias and armed groups that threaten the security of countries;

FURTHER CONSIDERING that environmental crime covers a wide range of illegal actions such as the illegal killing of wildlife, the use of poisoned baits, illegal habitat destruction, illegal trade in wildlife, illicit trade in geological heritage (fossils, minerals, rocks and meteorites), destruction of places of geological interest, the emission or discharge of substances into air, water or soil, the illegal trade in ozone-depleting substances, or the illegal shipment or dumping of waste, sometimes carried out by criminal organisations in different territorial ambits;

RECOGNISING that Law 42/2007 on Natural Heritage and Biodiversity of Spain is a pioneer in the protection of geodiversity in that country and has served as an example for others, but that neither it, nor the recent amendment, includes effects on geodiversity and geological heritage in Title VI on infractions and sanctions;

RECALLING IUCN Resolution 4.040 *Conservation of geodiversity and geological heritage* (2008, Barcelona), which says that geological heritage constitutes a natural heritage with cultural, aesthetic, landscape, economic and/or intrinsic value and should be preserved and transmitted to future generations;

RECALLING ALSO the pioneering trend established with the approval by the Council of Europe in 2004 of Recommendation Rec(2004)3 'conservation of the geological heritage and areas of special geological interest', and its call for cooperation among international organisations, scientific institutions and NGOs in the field of geological heritage conservation, and participation in geological conservation programmes, to be strengthened;

TRULY WORRIED by the fact that, according to the report by INTERPOL and the United Nations Environment Programme (UNEP), environmental crime has become one of the most critical illegal activities, the worldwide scale of which is without precedent, and that alongside the trafficking of people or drugs and forgery, the monetary value of all organised environmental crime is estimated as being between USD 70 billion and USD 213 billion each year;

CONCERNED that these actions rarely result in the serious prosecution or punishment of perpetrators and that sentences are infrequent and not truly deterrent, resulting in a general sense of impunity being felt both by violators and society in general;

RECALLING that, if they are well defined, proportionate and implemented effectively, criminal sanctions can prevent damage being inflicted on nature;

RECOGNISING United Nations General Assembly Resolution 69/314 *Tackling Illicit Trafficking in Wildlife*, adopted on 30 July 2015, which encouraged Member States to adopt effective measures to prevent and combat the serious problem posed by environmental crime;

ALSO RECOGNISING Spain's initiative, leading to the creation of national public prosecution authorities devoted to the prosecution of environmental offences, the Italian Parliament's initiative involving the inclusion of environmental damage into the penal code, and France's commitment to

reinforcing criminal sanctions regarding the environment and to include environmental damage in the civil code;

WELCOMING WITH SATISFACTION Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on *the protection of the environment through criminal law*, which constitutes a first step towards the standardisation of European criminal law protection;

WELCOMING the explicit recognition of the crime of ecocide by a number of States, such as the USA, Russia and Colombia;

ALSO WELCOMING Resolution 5.129 *Courts and access to justice* (Jeju 2012) that calls for strengthening of the linkages between courts, access to justice and the environment;

NOTING that many institutions, non-governmental organisations (NGOs), judges, prosecutors and law enforcement agents have devoted significant efforts to cooperating with each other at subnational, national, regional and global levels and that these initiatives have led to the creation of a series of networks to fight against environmental crime;

RECOGNISING that networking to combat environmental crime contributes to cooperation and coordination between the various stakeholders involved in the enforcement of environmental legislation so that a higher and more consistent level of environmental protection is achieved, developing and maintaining the ability to detect, investigate and prosecute environmental crime, and also contributes to a consistent approach in the implementation of environmental legislation, providing a feedback mechanism to policy makers and legislators on the practical implementation of policies and legislation;

FURTHER RECOGNISING that environmental networks contribute to the exchange of information, practices, procedures, legislation, training and a number of resources in order that they might be harmonised or improved;

ARGUING that while in many crimes, besides a possible public accusation, there are affected third parties with a particular interest in pursuing legal action against the offender and that, in the case of environmental crime, environmental NGOs and local communities can hold such interest in pursuing legal action and contributing expertise;

CONCERNED that in many States the legal status of NGOs and local communities to be able to pursue legal action against environmental crime is not formally or legally recognised; and

CONSIDERING that in many States all responsibility with regard to the prosecution of environmental crime falls exclusively within the mandate of the ministries dealing with tax revenue or other fiscal matters and that these bodies are usually overloaded with work and not necessarily knowledgeable or proficient in environmental matters;

The World Conservation Congress, at its session in Hawai‘i, United States of America, 1-10 September 2016:

1. ASKS the Director General to urge State Members to use all means necessary to reduce the impunity with which crimes against wild fauna and flora and geological heritage are committed, and especially to:

- a. give legal recognition to the role environmental NGOs and local communities can play in court in cases of environmental crime, especially crimes involving harm to flora, fauna and geological heritage;
 - b. promote actively the legal role of environmental NGOs and that of local communities in cases of environmental crime, especially crimes involving harm to flora, fauna and geological heritage;
 - c. adopt ongoing training systems and, if possible specialisation, for their prosecution services in the area of environmental affairs and, more specifically, crimes against wild fauna and flora and geological heritage;
 - d. ensure the collaboration of IUCN with existing networks fighting against environmental crime; and
 - e. encourage networking between different agencies and stakeholders involved in the fight against environmental crime, allocating sufficient means and facilities to such networks for their optimal performance;
2. ASKS the World Commission on Environmental Law to continue its work and to provide its expertise in this area to governmental and non-governmental organisations in order to facilitate the implementation of dissuasive, effective and proportionate criminal sanctions;
 3. ASKS Members to support the strengthening of environmental criminal law and its effective implementation at both national and international levels; and
 4. ASKS governments and legislators in each country to:
 - a. define, adopt and implement appropriate criminal sanctions proportionate to the different types of environmental damage;
 - b. adapt judicial investigatory powers to the specificities of environmental crime, and enhance the competencies of the criminal courts responsible to implement environmental criminal law with transparency and accountability;
 - c. strengthen actions aimed at raising the awareness of the potential perpetrators of environmental damage as well the means, the material resources, training and coordination of the various public and private stakeholders involved in cracking down on environmental damage; and
 - d. incorporate into local legislation, across international, bilateral or multilateral treaties, punitive measures to punish environmental crimes committed by transnational corporations.

103- Vicuña (*Vicugna vicugna*) conservation and the illegal trade in its fibre

RECALLING that IUCN warned countries attending the United Nations Conference on the Human Environment (Stockholm Conference) about the danger of the uncontrolled international trade in numerous species of wild fauna and flora, and this gave rise to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which now has 182 Parties;

AWARE of the importance of the vicuña as a successful example of the recovery of a species that was on the brink of extinction as a result of the efforts made by the States within its range, CITES and other international organisations;

RECOGNISING the importance of the sustainable use of the vicuña based on the live shearing of animals for the benefit of and use by High Andean communities and given the cultural and economic value of this species for these people;

RECALLING that the vicuña populations in Peru, Plurinational State of Bolivia, Ecuador, the First Region of Chile and in Argentina, the wild populations in the provinces of Jujuy and Catamarca; and the captive populations in the provinces of Jujuy, Salta, Catamarca, La Rioja and San Juan, are currently listed in Appendix II of CITES;

CONCERNED by the alarming increase in vicuña poaching, reflected in the report drawn up by the South American Camelid Specialist Group (GECS SSC/IUCN) and in the resolutions adopted at the last meeting of the Convention for the Conservation and Management of the Vicuña (Chile 2015);

RECOGNISING the steps taken and efforts made by the States within the species' range to control and reduce poaching and illegal trade in the fibre;

AWARE that the traceability of vicuña fibre is a practice that is almost non-existent in its primary and successive exports/imports since it is turned into fabrics and manufactured products; and

RECOGNISING the urgent need for international support in order to help States within the species' range in the protection of the vicuña, its habitat and to guarantee the benefit derived from the sustainable use of the species for the High Andean communities;

The World Conservation Congress, at its session in Hawai'i, United States of America, 1-10 September 2016:

1. CALLS ON the Director General, the Commissions and Members to do their utmost to support efforts to:

- a. ensure that the Parties to CITES that have vicuña fibre and products derived from the fibre identify, mark and register them appropriately, for the purpose of traceability, adopting and applying the relevant legislation with extensive controls, in order to prevent the illegal trade in these items; and
- b. ensure that States within the range, importing countries as well as consumers increase their collaboration seeking information exchange mechanisms for the effective application of the regulations currently in force, which include international, regional and national mechanisms;

2. RECOMMENDS the CITES Secretariat:

- a. based on observations received from the States within the range, to draw up recommendations and draft decisions in this regard, submitting them for the consideration of the Animals Committee, the Standing Committee and the Conference of the Parties, as appropriate; and
- b. to facilitate access to financial assistance to the States within the vicuña's range and to GECS SSC/IUCN in order to develop and implement national and regional management and conservation plans and measures to eliminate illegal trade and promote the sustainable use of the species;
3. URGES countries within the species' range and countries that import clothes made of vicuña fibre to organise communication, awareness-raising and capacity-building activities etc. with all sectors in order to stop the illegal trade in the fibre; and
4. CALLS ON the signatories to the Convention for the Conservation and Management of the Vicuña, the International Consortium on Combating Wildlife Crime as well as GECS SSC/IUCN to establish the synergies necessary in order to guarantee the sustainable use and conservation of the species and the monitoring of this motion.

Unedited Final Text