

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

Species specific matters

Maintenance of the Appendices

Decision-making mechanism for a process of trade in ivory

REPORT OF THE STANDING COMMITTEE

1. This document has been prepared by the Standing Committee.*
2. At its 16th meeting (CoP16, Bangkok, 2013), the Conference of the Parties adopted Decision 16.55 on *Decision-making mechanism for a process of trade in ivory*, as follows:

Directed to the Standing Committee

The Standing Committee shall:

- a) *with the assistance of the Secretariat, propose for approval at the latest at the 17th meeting of the Conference of the Parties (CoP17) a decision-making mechanism for a process of trade in ivory under the auspices of the Conference of the Parties;*
 - b) *at its 64th meeting, establish a working group, composed of the Chair of the Standing Committee, specified key Party stakeholders and the Secretariat, to implement the instruction in paragraph a) of the present Decision. The working group shall work intersessionally and take into consideration relevant documents submitted at previous meetings of the Standing Committee and the findings and comments in document CoP16 Doc. 36 (Rev. 1), and consult additional experts or stakeholders, if considered necessary. The Standing Committee shall consider the findings and recommendations of the working group at its 65th meeting, decide on further actions as required, and agree on a final proposal at its 66th meeting for submission at CoP17; and*
 - c) *conduct its work on the development of a decision making mechanism in consultation with all African and Asian elephant range States and, to the extent possible, in both French and English.*
3. At its 64th meeting (SC64, Bangkok, March 2013), the Standing Committee established the Working Group on a Decision-Making Mechanism for a process of trade in ivory (DMM Working Group), as called for in Decision 16.55, with the following membership: Botswana, Burkina Faso, Cameroon, China, Congo, India, Japan, Kenya, Nigeria, Rwanda, South Africa, Thailand, United Kingdom of Great Britain and Northern Ireland, United States of America, the Chair of the Standing Committee (Norway; Chair of the DMM Working Group) and the Secretariat.
 4. At its 65th meeting (SC65, Geneva, July 2014), the Standing Committee reviewed document SC65 Doc. 42.3 on a decision-making mechanism for authorizing ivory trade. The Committee agreed that the DMM Working Group should continue to work intersessionally. It also requested the Secretariat, in

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collaboration with the United Nations Environment Programme, to prepare a background document, as mentioned in paragraph 8 of document SC65 Doc. 42.3, and make it available to the working group by January 2015 at the latest. The working group was invited to report on progress in the implementation of Decision 16.55 at the 66th meeting of the Standing Committee (SC66, Geneva, January 2016).

5. The background document for the DMM Working Group mentioned above, prepared by UNEP in consultation with the CITES Secretariat, was presented at SC66 in Annex 1 to document SC66 Doc. 47.4.1. Regrettably, it could not be produced by the proposed deadline of January 2015, but it was posted on the CITES website in November 2015 (two months prior to SC66), together with other documents to be considered at SC66.
6. At SC66, Benin, Burkina Faso, Ethiopia and Kenya submitted a proposal to the Standing Committee to suspend further discussion by the DMM Working Group under Decision 16.55, and for it to recommend to the Conference of the Parties that the mandate under Decision 16.55 not be extended (see document SC66 Doc. 47.4.2).
7. At SC66, the Standing Committee noted that the DMM Working Group had been unable to conclude its work under Decision 16.55, and agreed to seek advice from the Conference of the Parties at its 17th meeting whether the mandate under Decision 16.55 (and formerly Decision 14.77¹) should or should not be extended.

Recommendations

8. The Conference of the Parties is invited to decide whether the mandate directed to the Standing Committee in Decision 16.55 should be extended or not.

¹**Directed to the Standing Committee**

14.77 *The Standing Committee, assisted by the Secretariat, shall propose for approval at the latest at the 16th meeting of the Conference of the Parties a decision-making mechanism for a process of trade in ivory under the auspices of the Conference of the Parties.*

COMMENTS FROM THE SECRETARIAT

- A. The Secretariat supports the recommendation of the Standing Committee in paragraph 8 of the present document.
- B. The agreement to develop a *decision-making mechanism for a process of trade in ivory under the auspices of the Conference of the Parties* was adopted by the Conference of the Parties at its 14th meeting through Decision 14.77 (replaced by Decision 16.55). This Decision was part of a complex package of measures concerning African elephants that was adopted at CoP14 as proposed by the Parties of the African region [see documents CoP14 Inf. 61 and CoP14 Com. I Rep. 15 (Rev. 1)]. The package included the adoption of the following annotation to the listing of *Loxodonta africana* in Appendix II:
- h) no further proposals to allow trade in elephant ivory from populations already in Appendix II shall be submitted to the Conference of the Parties for the period from CoP14 and ending nine years from the date of the single sale of ivory that is to take place in accordance with provisions in paragraphs g) i), g) ii), g) iii), g) vi) and g) vii). In addition, such further proposals shall be dealt with in accordance with Decisions 14.77 and 14.78 (Rev. CoP15).*
- C. The single sales of ivory referred to in the annotation above took place on 28 October 2008 (Namibia), 31 October 2008 (Botswana), 3 November 2008 (Zimbabwe) and 6 November 2008 (South Africa). The nine-year period mentioned in the annotation expires on 6 November 2017. If Decision 16.55 (formerly Decision 14.77) is not implemented, proposals to allow trade in elephant ivory from populations already in Appendix II that are submitted after November 2017 would not be dealt with in accordance with specific procedures laid out in a decision-making mechanism for a process of trade in ivory adopted by the Conference of the Parties. Such proposals could be submitted to the Conference of the Parties in accordance with the relevant provisions of the Convention and existing Resolutions [including Article XV, and Resolutions Conf. 9.24 (Rev. CoP16) and Conf. 10.9].
- D. The estimated cost for implementing the work envisaged under Decision 16.55, if maintained, is indicated in Annex 1 to the present document.

TENTATIVE BUDGET AND SOURCE OF FUNDING
FOR THE IMPLEMENTATION OF DRAFT RESOLUTIONS OR DECISIONS

In Resolution Conf. 4.6 (Rev. CoP16) on *Submission of draft resolutions, draft decisions and other documents for meetings of the Conference of the Parties*, the Conference of the Parties decides that any draft resolutions or decisions submitted for consideration at a meeting of the Conference of the Parties that have budgetary and workload implications for the Secretariat or permanent committees must contain or be accompanied by a budget for the work involved and an indication of the source of funding. The Secretariat proposes the following tentative budget and source of funding.

If Decision 16.55 is maintained, the cost of implementation would relate to the translation of interim draft documents and correspondence, which could be covered by the normal Secretariat budget. If the work would require the production of a larger report or the conduct of a larger study, the costs could be around USD 15,000. The source of funding should be external.