

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

REVIEW OF RESOLUTION CONF. 10.9 ON
CONSIDERATION OF PROPOSALS FOR THE TRANSFER
OF AFRICAN ELEPHANT POPULATIONS FROM APPENDIX I TO APPENDIX II

1. This document has been prepared by the Standing Committee.*
2. At its 16th meeting (CoP16, Bangkok, 2013), after considering document CoP16 Doc. 73 (Rev. 1), the Conference of the Parties adopted the following decision:

Directed to the Standing Committee

16.160 The Standing Committee shall establish a working group to review Resolution Conf. 10.9 as appropriate, and present its proposals at the 17th meeting of the Conference of the Parties. The working group shall work in collaboration and consultation with all African elephant range States. To the extent possible, the working group will operate in English and French.

3. At its 65th meeting (SC65, Geneva, July 2014), the Standing Committee established an intersessional working group to review Resolution Conf. 10.9. It was mandated to take into account the proposal made in document CoP16 Doc. 73 (Rev. 1), and the Secretariat's comments in the same document, and to report to the Committee at its 66th meeting (SC66, Geneva, January 2016). The membership of the working group was as follows: Botswana (Chair), Cameroon, Côte D'Ivoire, Kenya, Namibia, Niger, South Africa, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Zimbabwe, IUCN, Environmental Investigation Agency, Humane Society International, IFAW, IWMC-World Conservation Trust, Pro Wildlife, Safari Club International, Species Survival Network, Wildlife Conservation Society, WWF and Zoological Society of London.
4. At SC66, Botswana explained that the working group had not been able to conduct its business because of resource constraints and difficulties with translations, and that more time would be needed to address the mandate and involve all elephant range States. Regret was expressed that no working document had been prepared on the issue.
5. The Standing Committee agreed to propose to the Conference of the Parties at its 17th meeting the continuation of Decision 16.160 until the 18th meeting of the Conference of the Parties.

Recommendation

6. The Standing Committee recommends that the Conference of the Parties adopt the amendments to Decision 16.160 shown below (deletions shown in ~~strikeout~~; new text underlined):

* *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.*

Directed to the Standing Committee

16.160 (Rev. CoP17)

The Standing Committee shall establish a working group to review Resolution Conf. 10.9 as appropriate, and present its proposals at the ~~17th~~ 18th meeting of the Conference of the Parties. The working group shall work in collaboration and consultation with all African elephant range States. To the extent possible, the working group will operate in English and French.

COMMENTS FROM THE SECRETARIAT

- A. Resolution Conf. 10.9 has been in effect for more than 19 years, and the Secretariat concurs with the recommendation of the Standing Committee in paragraph 6 to review it. Such a review should include an assessment of whether Resolution Conf. 10.9 is still necessary and should be retained; if so for what purpose; and whether its provisions, or some of them, could be incorporated into Resolution Conf. 9.24 (Rev. CoP16) on *Criteria for amendment of Appendices I and II*. In its comments on document CoP16 Doc. 73 (Rev. 1), the Secretariat indicated that the African elephant is the only species for which the Conference of the Parties has decided that proposals to transfer populations from Appendix I to Appendix II should be subject to a review by an *ad hoc* panel. The Secretariat remains concerned that, in the few instances when the Resolution was applied, the Conference of the Parties made limited use of the reports of the Panel of Experts.
- B. The Standing Committee could examine the following questions if Resolution Conf. 10.9 is not to be repealed:
- i) should the Resolution address all proposed amendments to current African elephant listings in the Appendices, including modifications to annotations, and not only proposals concerning the transfer of a population from Appendix I to Appendix II?
 - ii) should the Resolution refer to the criteria for the inclusion of species in Appendices I and II in Resolution Conf. 9.24 (Rev. CoP16)?
 - iii) should the Panel be tasked to evaluate compliance with the criteria for the inclusion of species in Appendix I and II for African elephant listing proposals?
 - iv) can the Panels' outputs and results more effectively contribute to the decision-making by the Conference of the Parties? and
 - v) can the considerable resources that are required to implement the current system be reduced?
- C. The Secretariat notes that the cost, time and effort spent on African elephant listing proposals is greater than for any other CITES-listed species, and that concerns have been expressed by some Parties that this level of attention seems disproportionate to that devoted to proposals relating to other species. The Secretariat recalls that, under the auspices of FAO, an informal but highly informative Expert Panel reviews CITES listing proposals concerning marine species prior to their discussions at meetings of the Conference of the Parties. In this regard, the Parties may wish to consider whether such an approach could be applied to other taxa, and in what circumstances the establishment of *ad hoc* expert panels to evaluate certain listing proposals might be warranted or useful.
- D. The cost for implementing Decision 16.160 with the proposed amendment in paragraph 6 is shown in Annex 1.

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's proposal for a tentative budget and source of funding is indicated below.

The cost of the implementation of Decision 16.160 with the amendments shown in paragraph 6 would relate to the translation of interim draft documents and correspondence. These costs could be covered under the normal CITES Secretariat budget. If the work requires production of a large report or undertaking a large study, costs could be around USD 10,000 USD. In this case, the source of funding should be external.