

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



Eighteenth meeting of the Conference of the Parties
Geneva (Switzerland), 17 - 28 August 2019

Summary record of the twelfth session for Committee II

25 August 2019: 09h20 - 12h15

Chair: C. Hoover (United States of America)

Secretariat: S. H. Flensburg
B. Janse von Rensburg
P. Jonsson
D. Morgan
J. Stahl

Rapporteurs: J. Caldwell
A. Caromel
J. Gray
R. Mackenzie

Administrative and financial matters

8. Draft resolution on language strategy for the Convention

Georgia, speaking on behalf of the in-session working group, presented document CoP18 Com. II. 1, comprising a revised draft decision, also proposing deletion of the second “particularly’ in paragraph b).

The draft decision in document CoP18 Com. II. 1, as amended by Georgia, was accepted.

Interpretation and implementation matters

General compliance and enforcement

26. National laws for the implementation of the Convention

The Secretariat introduced document CoP18 Com. II. 2, containing revised draft decisions based on amendments proposed by Canada, the European Union, Niger and the United States of America. It noted an omission in the last sentence of draft decision 18.AA, which should read “... and are called on to provide a written update of the legislative progress to the Secretariat, at the latest, 90 days before the 73rd meeting of the Standing Committee’.

The European Union supported the proposed amendments and, supported by the United States of America, proposed an amendment to draft decision 18.FF paragraph c), to replace the word “current” with relevant, and insert the following after Resolutions: ‘focusing on the aims of paragraph 1 a) of Resolution Conf. 8.4 (Rev. CoP15)’. The European Union also suggested the deletion of new draft decision 18.EE, while the United States preferred to retain the draft decision, but to strike out the reference to the 73rd meeting of the Standing Committee. The Committee agreed with the United States.

The draft decisions in document CoP18 Com. II. 2, as amended by the Secretariat, the European Union and the United States of America, were accepted.

39. Guidance for making legal acquisition findings

The Secretariat presented document CoP18 Com. II. 4, containing a revised draft resolution on legal acquisition findings.

The European Union wished to retain paragraph 11 of Annex 2 to the document and proposed an amendment to paragraph 8 of Annex 2. In response, the United States of America proposed that paragraph 8 of Annex 2 be amended to read: “(...) specimens traded under Article VII, paragraph 6 of the Convention, should be limited to shipments of legally obtained specimens between registered scientific institutions (among other requirements)”.

The United States additionally considered that the original text in paragraph 3 b) of Annex 1 should be retained. Following an intervention by China, they amended their suggestion for this paragraph to propose deleting “where necessary” in the text.

The retention of paragraph 11 and the amendments to paragraph 8 proposed by the United States of America in Annex 2 to document CoP18 Com. II. 4, as well as the amendments to paragraph 3 b) of Annex 1 to the document, proposed by the United States were accepted.

Species specific matters

75. Pangolins (*Manis* spp.)

The Secretariat introduced document CoP18 Doc. 75, proposing a set of new draft decisions outlined in Annex 1, amendments to paragraph 7 of Resolution Conf. 17.10 on *Conservation of and trade in pangolins* in Annex 2, and recommending the deletion of Decisions 17.239 and 17.240.

China, Indonesia, Nigeria, Philippines, Singapore, the United Republic of Tanzania and Viet Nam supported the draft decisions. Gabon proposed a new draft decision, 18. YY calling on the Secretariat, in consultation with range States, to prepare a report on the status, trade, enforcement measures and management of African pangolins, and to make recommendations to the 19th meeting of the Conference of the Parties. The United States of America supported the draft decisions and the proposed draft decision by Gabon. They further suggested the incorporation of reference to draft decision 18.CC into draft decision 18.FF. Bangladesh, Cameroon, the Democratic Republic of the Congo, Ethiopia, the European Union, India and Kenya supported the draft decisions as amended by Gabon and the United States. The United Republic of Tanzania also supported these amendments and, supported by Malaysia, called for changes to the draft decisions to reflect the need for urgent scaling-up of efforts to tackle pangolin trade. They suggested retaining the reference to the Species Survival Commission (SSC) Pangolin Specialist Group of the International Union for Conservation of Nature (IUCN) and inserting and in collaboration with the pangolin range States after “relevant experts” in draft decision 18.BB. Liberia proposed an addition to 18.CC to expand the scope to all pangolin species, which was supported by the IUCN/SSC Pangolin Specialist Group.

The European Union, the Philippines, the United Republic of Tanzania and the United States agreed with the deletion of Decisions 17.239 and 17.240 as these had been implemented.

Indonesia, the European Union and the United Republic of Tanzania supported the proposed amendment to Resolution Conf. 17.10. China, the United States and Viet Nam did not support it.

The Environment Investigation Agency, speaking also on behalf of the Animal Welfare Institute, Born Free Foundation, David Shepherd Wildlife Foundation, Humane Society International, International Fund for Animal Welfare, and Wildlife Conservation Society, supported the draft decisions.

Creative Conservation Solutions claimed that any newly described *Manis* spp. would automatically be included in Appendix II. The Nomenclature Specialist for Animals and the Secretariat clarified that changing this listing would need an amendment proposal from a Party.

The deletion of Decisions 17.239 and 17.240 was agreed. Draft decision 18.AA as amended by the Secretariat in Annex 1 was accepted. Draft decision 18.BB as amended by the Secretariat in Annex 1 and with the further amendment by the United Republic of Tanzania was accepted. Draft decisions 18.EE and 18.FF were accepted with the proposed amendment by the United States to add a reference to decision 18.CC in decision 18.FF. The proposed revisions to Resolution Conf. 17.10 on *Conservation of and trade in pangolins* in Annex 2 were not accepted.

The Chair asked Gabon, Kenya and the United States to consult informally and prepare an in-session document incorporating Gabon's proposed draft decision into draft decisions 18.CC and 18.DD of document CoP18 Doc. 75 for consideration at a later session.

Species specific matters (cont.)

88. Tortoises and freshwater turtles (Testudines spp.)

The Secretariat introduced document CoP18 Doc. 88, which was submitted jointly by the Standing Committee and the Secretariat, highlighting the recommendations in paragraphs 23 and 24. It noted that the guide referred to in paragraph b) of Decision 17.291 had not been developed owing to a lack of resources.

Singapore reported various activities it had undertaken to support the implementation of the Convention related to tortoises and freshwater turtles. The United States of America supported the recommendations in paragraphs 23 and 24 of the document. Madagascar drew attention to challenges in addressing illegal collecting and enforcement, emphasizing the role of demand in driving illegal trade.

The draft decisions in Annex 1 to document CoP18 Doc. 88, and the proposed revisions to Resolution Conf. 11.9 (Rev. CoP13) on *Conservation of and trade in tortoises and freshwater turtles* in Annex 2, were accepted. The deletion of Decisions 17.291 to 17.298 was agreed.

Interpretation and implementation matters (cont.)

Regulation of trade (cont.)

54. Identification of specimens in trade

54.2 Identification of CITES-listed tree species

The Chair of the Plants Committee introduced document CoP18 Doc. 54.2, recommending that the draft decisions in Annex 2 be accepted, and that Decisions 17.166 to 17.169 be deleted.

Canada, China, the European Union, and the Republic of Korea supported the draft decisions, highlighting the importance of improving identification of tree species for CITES implementation and reporting on activities, developments, and collaborations relating to tree identification methods. The United States of America also supported the draft decisions but sought clarification as to whether the Secretariat would be directed to issue a notification to the Parties requesting information referred to in paragraph e) of draft decision 18.BB. The Secretariat noted that no notification from the Secretariat was foreseen in the draft decisions, and that under draft decision 18.BB Parties were encouraged to report information to the Plants Committee.

The draft decisions in Annex 2 to document CoP18 Doc. 54.2 included the suggested changes by the Secretariat were accepted, and the deletion of Decisions 17.166 to 17.169 was agreed.

55. CITES implementation for trade in medicinal plant species

The Secretariat introduced document CoP18 Doc. 55, pointing out that there was a need to improve access to information on CITES-listed specimens of medicinal plants throughout their supply and value chains. It noted that a more consolidated approach to review and improve implementation of CITES for trade in medicinal plants was proposed and drew attention to information document CoP18 Inf.11.

The United States of America suggested some amendments to the draft decisions, namely to delete the words "CITES priorities" in paragraph b) of draft decision 18.AA, and to revise draft decision 18.CC by inserting after "The Plants Committee shall inform and advise the process as per decision 18.AA, taking into account document CoP18 Inf.11 and other relevant information, and". The United States urged involvement of the International IUCN/SSC Medicinal Plant Specialist Group in implementing the decisions.

Cameroon, Ecuador, the European Union, Kenya, Lesotho, Senegal and the United Republic of Tanzania supported the draft decisions.

The Republic of Korea referred to paragraph 6 of document CoP18 Doc. 55, expressing the view that analysis of trade in CITES-listed medicinal plant species should be based on information from Parties, such

as that provided in information document CoP18 Inf. 48. They also questioned whether Parties had a shared understanding of the term “medicinal plant species”.

Bangladesh proposed insertion of conservation of in draft decision 18.BB after the words “CITES regulation for”.

TRAFFIC, supported by the United States and speaking also on behalf also of the IUCN/SSC Medicinal Plants Specialist Group, referred Parties to information document CoP18 Inf. 36 and proposed amending the draft decisions so that they would also refer throughout to “medicinal and aromatic plant species”.

The draft decisions in Annex 1 were accepted, with the amendments proposed by Bangladesh, the United States of America and TRAFFIC.

Exemptions and special trade provisions (cont.)

57. Implementation of the Convention relating to captive-bred and ranched specimens

The United States of America introduced document CoP18 Doc. 57, submitted by the Standing Committee, which proposed two draft decisions in paragraph 13. The Secretariat’s proposed amendments to the draft decisions were contained in paragraph C of the document.

Canada, echoed by the United States, stressed the importance of addressing assumptions that might have contributed to the uneven application of CITES provisions on captive-bred specimens, and drew attention to information document CoP18 Inf. 28. Canada supported the draft decisions with the Secretariat’s amendments, but additionally proposed to add the words and Parties’ comments and recommendations in document SC70 Doc. 31.1 Annex 8 after the reference to “document SC70 Doc 31.1” in each of the draft decisions. They also supported the deletion of Decisions 17.101 and 17.106 and agreed that it would be helpful to start the work envisaged in draft decisions 18.BB in an intersessional working group as suggested in paragraph 14 of document CoP18 Doc. 57. The United States, and the Lewis and Clark-International Environmental Law Project, supported the draft decisions in paragraph 13, preferring to retain a reference to specific time frames that had been removed in the Secretariat’s proposed amendments to the draft decisions in paragraph C. The European Associations of Zoos and Aquaria, also on behalf of the Association of Zoos and Aquariums, the World Association of Zoos and Aquariums, and San Diego Zoo Global, also supported the draft decisions and Canada’s proposal, and expressed interest in participating in any intersessional working group that might be established.

The draft decisions in paragraph 13, with the amendments proposed by Canada but without the Secretariat’s amendments, were accepted. The deletion of Decisions 17.101 and 17.106 was agreed.

58. Implementation of Resolution Conf. 17.7 on *Review of trade in animal specimens reported as produced in captivity*

The Chair of the Animals Committee introduced document CoP18 Doc. 58. The document proposed an amendment to Resolution Conf. 17.7, set out in its paragraph 6, the adoption of two draft decisions in Annex 1, and the deletion of Decisions 17.103, 17.105 and 17.107.

The United States of America supported the draft decisions in Annex 1. They supported some of the proposed amendments to Resolution Conf. 17.7 but opposed the inclusion of the sub-paragraph beginning “Recommends that the Animals Committee...”.

The draft decisions in Annex 1 were accepted, as were the amendments proposed to Resolution Conf. 17.7, excluding the paragraph opposed by the United States of America. It was agreed to delete Decisions 17.103, 17.105 and 17.107.

59. Definition of the term ‘artificially propagated’

59.1 Guidance on the term ‘artificially propagated’

The Chair of the Plants Committee introduced document CoP18 Doc. 59.1, recommending the adoption of the draft decision in paragraph 7 as amended by the Secretariat in paragraph D. The Secretariat noted an additional amendment to the draft decision in paragraph D, explaining that, owing to new

administrative arrangements, the words “organise a consultancy to prepare” in paragraph a) should be replaced by commission the preparation of.

The European Union indicated its support for the draft decision, including the Secretariat’s amendments. They suggested an additional amendment adding the words and after revision by the Plants Committee after the word “consultancy” in paragraph b) of the draft decision. Canada proposed that in paragraph b) of the draft decision the words and submit the recommendations to the Plants Committee for review be added after the word “consultancy”, and that in paragraph c) the words if directed by the Plants Committee be added after the words “CITES website”. The European Union also proposed, in paragraph b) of the draft decision, that progress should be reported to the 26th meeting of the Plants Committee. China and the United States of America supported the draft decisions and the amendments put forward by Canada, the European Union, and the Secretariat.

The Chair proposed that the draft decision in paragraph 7 of document CoP18 Doc. 59.1, with the Secretariat’s amendments in paragraph D, and the further amendments made in the course of the Committee’s discussions as set out below, be accepted:

The Secretariat shall, subject to external funding:

- a) commission the preparation of ~~organise a consultancy to prepare~~ guidance materials for the Parties on aspects of artificial propagation including the terms ‘under controlled conditions’, ‘cultivated parental stock’ and the new source code or such terms as may be adopted at CoP18, to supplement the publication *A Guide to the application of CITES source codes*;
- b) report to the Plants Committee at its 26th meeting on progress on paragraph a) ~~with the consultancy~~; and
- c) after review and revision by the Plants Committee, if directed by the Plants Committee, publish the final guidance on the CITES website.

The draft decision was accepted.

The meeting was adjourned at 12h14.