

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 fifteenth session for Committee II

26 August 2019: 14h20 - 17h30

Chair: C. Hoover (United States of America)

Secretariat: I. Higuero  
I. Camarena  
B. Janse van Rensburg  
D. Morgan  
J. C. Vasquez

Rapporteurs: B. Austin  
J. Caldwell  
R. Mackenzie  
J. Robinson

**Species specific matters (cont.)**

89. Totoaba (*Totoaba macdonaldi*)

The Chair read out proposed amendments to the draft decisions in Annex 1 to document CoP18 Doc. 89 (Rev. 1) as follows:

***Directed to Parties***

**18.AA** Parties, in collaboration with relevant stakeholders, are encouraged to:

- a) communicate to the Secretariat and the CITES Authorities of relevant Parties information on seizures of specimens of totoaba, arrests of those engaged in illegal take and trade, results of any prosecutions, and actions taken to implement this Decision;
- b) engage in awareness-raising activities on the illegal trade in totoaba, and its severe implications for the conservation of vaquita (*Phocoena sinus*), including demand reduction campaigns;
- c) eliminate supply and demand for illegally-sourced specimens of totoaba, and strengthen national policies and law enforcement measures to prevent and address their illegal trade;
- d) support efforts related to the recovery and monitoring of wild populations of totoaba and vaquita;
- e) support Mexico in the implementation of Decision 18.BB, including support for gillnet retrieval programmes; and

- f) provide financial and in-kind support for the implementation of the study called for in Decision 18.CC, paragraph c) to be presented before the 73rd meeting of the Standing Committee.

**Directed to Mexico**

**18.BB** Mexico is urged to:

- a) take immediate and effective actions by 1 November 2019 in response to the threats to totoaba and vaquita posed by illegal trade by:
  - i) deploying governmental authorities with legal powers of seizure and arrest, together with the Navy, to effectively prevent fishers and vessels from entering the Vaquita Refuge area, and invite the Secretariat to assess the effectiveness and impact of these measures before the end of 2019;
  - ii) collecting and analysing information on organized crime groups involved in the illegal trade in totoaba, convening multi-disciplinary investigative teams to work in close collaboration with local authorities in key areas of concern, and undertaking intelligence-driven operations and investigations for addressing illegal trade in totoaba; and,
  - iii) providing regular (every six months) updates on these actions and their results to the Secretariat, and;
  - iv) establishing and operationalizing, together with relevant Parties, the trilateral enforcement contact group called for in the outcomes of the 2017 “Trilateral Meeting China/United States/Mexico On The Combat Against Illegal Traffic Of Totoaba Fish (*Totoaba macdonaldi*) August 23-25, Ensenada, Mexico”;
- b) intensify efforts and to secure resources to expand gillnet removal efforts to maintain the Vaquita Refuge area as a net-free zone, and take all necessary measures to protect net removal teams and destroy confiscated nets;
- c) adhere to the implementation of Decision 43 COM 7B.26, adopted at the 43rd session of the World Heritage Committee (Baku, 2019); and
- d) submit a comprehensive report on the implementation of Decision 18.BB, paragraphs a) to d) above, as well as the information required in Decision 18.AA, paragraph a), to the Secretariat in time for it to convey this to the Standing Committee at its 73rd meeting, together with any recommendations it may have.

**Directed to the Secretariat**

**18.CC** The Secretariat shall:

- a) subject to external resources and measurable progress made in implementing actions identified in Decisions 18.AA and 18.BB, consider convening before the end of 2019 a meeting of range, transit and consumer States of totoaba, and selected organizations and stakeholders, to evaluate progress made in combating illegal fishing of totoaba, eliminating supply and demand for illegally-sourced specimens of totoaba, and strengthening law enforcement measures to prevent and address their illegal trade;
- b) engage with ICCWC partner agencies in support of activities that could facilitate the initiation of targeted joint investigations and enforcement action from source to destination across the entire illegal trade chain;
- c) subject to the availability of external resources and in consultation with organizations with relevant expertise, undertake the study on vaquita and totoaba outlined in Annex 2 to document CoP18 Doc. 89 (Rev. 1); and

- d) report the information communicated by Parties and Mexico in accordance with Decisions 18.AA and 18.BB, as well as the outcomes of the meeting convened in accordance with paragraph a) above, to the Standing Committee at its 73rd meeting together with any recommendations it may have.

#### ***Directed to the Standing Committee***

**18.DD** The Standing Committee shall:

- a) review and assess any information and recommendations submitted by the Secretariat in accordance with Decision 18.CC; and
- b) based on its assessment, and if not satisfied with timely progress in the implementation of Decisions 18.AA and 18.BB, make any appropriate recommendations within the mandate of the Standing Committee.

The Chair noted that those Parties had agreed all the proposed amendments with the exception of the proposed amendment to paragraph b) in draft decision 18.DD. The United States of America, echoed by the European Union, supported the original text proposed by the Secretariat for paragraph b) of draft decision 18.DD. Mexico opposed the original text of this paragraph. Supported by Canada, they requested the inclusion of a more open formulation in paragraph b). The Secretary-General suggested amending the text of paragraph b) of draft decision 18.DD as set out above, by inserting after “Decisions 18.AA and 18.BB” make any appropriate recommendations within the mandate of the Standing Committee in accordance with Resolution Conf. 14.3 on CITES compliance procedures. Mexico and the United States indicated that they could accept this suggestion.

The deletion of Decisions 17.145 to 17.151 was agreed. Draft decisions 18.AA-18.DD, as set out above, with the further amendment to draft decision 18.DD suggested by the Secretary-General, were accepted.

#### **Strategic matters (cont.)**

##### 15. Cooperation with organizations and multilateral environmental agreements

###### 15.4 Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services

The Chair introduced in-session document CoP18 Com. II. 3 (Rev. 1). The United States proposed the deletion of draft decision 18.XX. Draft resolution Conf. 18.XX in in-session document CoP18 Com. II. 3 (Rev. 1) was accepted, but the draft decision was not.

##### 10. CITES Strategic Vision post-2020

Canada introduced in-session document CoP18 Doc. Com. II. 7, containing draft resolution Conf. 18.X on *CITES Strategic Vision 2021-2030*.

Brazil, China, the European Union, and the United States of America made interventions proposing editorial and other amendments to the text of the draft resolution. The draft resolution in in-session document CoP18 Doc. Com. II. 7 was accepted with the following amendments:

- The tenth preambular paragraph was amended to read: “RECOGNIZING that the importance that the CITES Strategic Vision 2021-2030 can make an important contribution ~~be aligned~~ to the post-2020 Global Biodiversity Framework”
- The eleventh preambular paragraph was amended to read: “RECOGNIZING the importance of the findings in the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services 2019 Global Assessment Report on Biodiversity and Ecosystem Services to the work of CITES.” The remainder of this paragraph in document CoP18 Com. II. 7 was deleted.
- The **Vision Statement** was amended with the addition of the words to ensuring after “biodiversity loss,” and the replacement of “it’s” before “sustainable use” by its.
- Under **Strategic Goals**, under **Goal 3**, the word “to” was deleted after the words “sustainable use and”.

- Under **Strategic Goals**, in the explanation of Goal 1, the words “as well as the transfer of knowledge and technology to achieve these ends” were deleted.
- Under **Strategic Goals**, in the explanation of Goal 4, the word “and” was retained after “sustainable wildlife trade”; the words “and the adoption of sustainable patterns of production and consumption” were deleted; and the sentence reading “While also providing tools and capacity building to Parties, in order to ensure legal, sustainable and traceable trade of wild species in accordance with CITES provisions” was deleted.
- Under Objective 1.3 the words “at the national level” were retained, and the words “non-legally binding but reasonable” were deleted.
- Under Objective 1.4, the words “and international” were deleted, and the words “and needs” retained.
- In the heading “**GOAL 2**”, the words “**AMONG PARTIES**” were deleted
- Under Objective 2.1, the words “and their determination of legal acquisition is based on best available technical and legal information” were retained.
- The original text of Objective 2.4 was retained, reading “Parties have sufficient information to make listing decisions that are reflective of species conservation needs”.
- Objective 2.4 in the document was renumbered Objective 2.5, and the word “properly” was deleted.
- In the heading “**GOAL 3**”, the word **TO** was added after “**CONTRIBUTING**”, and the word “**TO**” was deleted after “**SUSTAINABLE USE AND**”.
- In Objective 3.3, the word “secured” was replaced by available.
- In Objective 3.5, the words “that legal and sustainable trade could be secured” were replaced by for trade to be legal and sustainable.
- In Objective 4.1, the words “pursue sustainable livelihood opportunities” were replaced by “pursue livelihoods”.
- In Objective 5.1, the words “and the Secretariat” were retained.

## **Interpretation and implementation matters (cont.)**

### General compliance and enforcement (cont.)

#### 30. Compliance in relation to Malagasy ebonies (*Diospyros* spp.) and palisanders and rosewoods (*Dalbergia* spp.)

##### 30.2 Report of the Standing Committee

The Chair introduced in-session document CoP18 Com. II. 8 and referred to the six draft decisions presented in the document, which had resulted from the working group on Malagasy palisanders and rosewoods. The United Kingdom of Great Britain and Northern Ireland, as Chair of the working group, highlighted the new sections of text which had been agreed.

The Secretariat stated that “at its 73rd and 74th meetings” should be deleted from decision 18.FF, as this was a typographical error. The European Union suggested that the intent had been to move this wording to draft decision 18.EE.

The draft decisions 18.AA to 18.FF, as presented in in-session document CoP18 Com. II. 8, were accepted with the addition of “at its 73rd and 74th meetings” to the end of the first line in draft decision 18.EE *Directed to the Standing Committee*, and the deletion of the same words from draft decision 18.FF.

### 35. Disposal of confiscated specimens

Switzerland introduced in-session document CoP18 Com. II. 9 which had been prepared by a working group on the basis of discussions regarding document CoP18 Doc. 35. It referred to the new draft decisions presented in in-session document CoP18 Com. II. 9, as well as proposed changes to draft decision 18.DD, and added that these changes had been agreed by the working group.

The revised draft decisions, as presented in in-session document CoP18 Com. II. 9 were accepted.

## **Strategic matters**

### 11. Review of the Convention

The European Union introduced in-session document CoP18 Com. II. 10, explaining that the drafting group had met three times but had not reached consensus, and so was presenting two options for wording in draft decision 18.XX.

China suggested additional draft decisions directed to the Parties and to the Secretariat, in support of the Standing Committees consideration of this issue.

Cameroon, Chile, the European Union and its Member States, Gabon, Israel, Kenya, and the United States of America supported the use of the words “consider the need for”. Canada, China, the Democratic Republic of the Congo, Eswatini, Namibia, South Africa and Zimbabwe supported inclusion of “initiate”.

The Chair noted that the majority of Parties in Committee II supported use of the text “consider the need for”. Draft decision 18.XX in in-session document CoP18 Com. II. 10 was accepted, with the words “consider the need for” retained and the word “initiate” deleted.

### 7. Administration, finance and budget of the Secretariat and of meetings of the Conference of the Parties

#### 7.4 Budget and work programme for 2020 to 2022

Norway introduced in-session document CoP18 Com. II. 18. They noted consensus had been reached on all of the amendments except for paragraph 11 regarding the establishment of two temporary positions in the CITES Secretariat for the period 2020-2022.

The Russian Federation opposed the establishment of a position of Programme Management Officer (Marine Species), P-2, expressing concerns about the overall performance of the Secretariat regarding marine species.

Germany, that had funded the P-2 position for the past four years, stressed that marine issues were important and believed the Secretariat needed to continue this important work, and supported retention of paragraph 11. New Zealand, speaking on behalf of Australia and Samoa, and the United Kingdom of Great Britain and Northern Ireland, also supported the retention of paragraph 11.

The draft resolution in in-session document CoP18 Com. II. 18 without brackets in paragraph 11 was agreed. The Russian Federation wished their opposition to paragraph 11 to be reflected in the record of the meeting.

## **Strategic matters**

### 15. Cooperation with organizations and multilateral environmental agreements

#### 15.1 Cooperation with other biodiversity-related conventions

The United States of America introduced in-session document CoP18 Com. II. 11 and the two draft decisions as outlined within were agreed.

### 17. Rural communities

and

## 18. CITES and livelihoods

Canada, as the chair of the working group on livelihoods and rural communities, introduced in-session document CoP18 Com. II. 17. They noted that compromises had been made in the working group and full consensus had not been reached.

Brazil, opposed by Canada and the United States of America, proposed deletion of 18.AA d).

The European Union suggested the amendment of 18.CC a) for clarity, with amendments as follows:

- a) collate or conduct new case studies, using the standard template, that demonstrate how ~~the involvement of indigenous peoples and local communities\* who live alongside wildlife in the trade of CITES-listed species contributes to their livelihoods and the conservation of the species in the wild, including examples of providing such support~~ sustainable trade of CITES-listed species contributes to the livelihoods of the indigenous peoples and local communities\* involved in such trade and to the conservation of the species. Include examples of facilitating such involvement by wildlife-related authorities and other stakeholders and submit them to the Secretariat;

The wording proposed was opposed by Kenya and supported by Canada, the United States of America and Zimbabwe.

China also suggested amendments to wording of draft decisions 18.AA c) and 18.CC a) and b). These were opposed by Canada and the United States. Lastly, in draft decision 18.EE b), China suggested the addition of the word 'independent' after the word 'review'. This was supported by Canada and the United States.

Kenya, supported by Gabon, suggested deletion of 18.AA b), and offered a further amendment 18.EE c) to remove the text "and trade in CITES listed species" at the end of the section. The United States opposed the deletion of 18.AA b). Gabon supported the amendments to Decision 17.57 (Rev. CoP18) but suggested the term "trade" be replaced by use in the amendments as proposed by the European Union in draft decision 18.CC a). The European Union observed the term 'trade' also occurred later in the same sentence. The Chair suggested that the second occurrence of 'trade' could be changed to 'use including trade'.

Colombia noted that they did not agree with the proposed amendments of Resolution Conf. 16.6 (Rev. CoP17) on *CITES and livelihoods* in the document. Peru did not support the current document.

The draft decisions in in-session document CoP18 Com. II. 17 with the amendments to 18.CC a) as amended by the European Union, Gabon and the Chair, and the amendment to 18.EE b) proposed by China, and the revisions to Resolution Conf. 16.6 (Rev. CoP17) on *CITES and livelihoods* were agreed.

## 21. Capacity building and identification materials

### 21.2 Capacity-building activities specified in Resolutions and Decisions

and

### 21.3 Framework to facilitate coordination, transparency and accountability of CITES capacity-building efforts

Austria introduced in-session document CoP18 Com. II. 15 containing a series of draft decisions. These were agreed.

## **Interpretation and implementation matters**

### 56. Simplified procedure for permits and certificates

In-session document CoP18 Com. II. 14 was introduced by the Secretariat.

The United States of America suggested re-wording of draft decision 18.AA for clarity and proposed the following amendments:

- 18.AA The Secretariat shall, in consultation with Parties and stakeholders, prepare draft guidance on the use of the simplified procedures and on the use of the exemption for scientific exchange<sub>7</sub>, ~~for review, any appropriate amendment, and endorsement by the Standing Committee. The~~

~~guidance should focus on the international movement of CITES specimens where the trade will have a negligible impact on the conservation of the species concerned and The draft guidance shall be shared with the Standing Committee for review, amendment as appropriate, and endorsement. The guidance should include consideration of other types of specimens in addition to those identified in document CoP18 Doc. 56, paragraph 13 with a focus on the international movement of CITES specimens where the trade with have a negligible impact on the species concerned.~~ The Secretariat shall also develop a dedicated page on the CITES website on simplified procedures. If so requested and subject to external funding, the Secretariat shall organize specific training workshops on simplified procedures.

The European Union supported the proposal made by the United States. Australia also supported the amendments and further suggested replacing 'a register' with 'records' in paragraph 20 b) i) of the draft amendments to Resolution Conf. 12.3 (Rev. CoP17) on *Permits and certificates*.

The amendments to Resolution Conf. 11.15 (Rev. CoP12) on *Non-commercial loan, donation or exchange of museum and herbarium specimens* and Resolution Conf. 12.3 (Rev. CoP17) on *Permits and certificates* as further amended by Australia, and the draft decision 18.AA as amended by the United States of America in in-session document CoP18 Com. II. 14 were agreed.

### **Species specific matters**

#### 75. Pangolins (*Manis spp.*)

In-session document CoP18 Com. II. 16 was introduced. Gabon, supported by the United States of America, proposed a new draft decision directed to the Animals Committee with the following text: 'The Animals Committee shall examine the taxonomy and nomenclature of pangolins (*Manidae spp.*) and will propose a way forward to clarify a listing of pangolins on the Appendices'.

The European Union suggested the following changes to the text in draft decision 18.DD a): 'consider any the report and any recommendations...'.

Draft decisions 18.CC and 18.DD in in-session document CoP18 Com. II. 16, as amended by the European Union, and the additional draft decision put forward by Gabon were agreed.

#### 83. Rhinoceroses (*Rhinocerotidae spp.*)

##### 83.1 Report of the Standing Committee and the Secretariat

In-session document CoP18 Com. II. 12 was introduced. The United States of America, echoed by the European Union, requested that 'China' be retained in draft decision 18.BB as it believed China remained a country of concern and also expressed its concern with the reference to the date 'October 2021' in draft decisions 18.AA, 18.BB and 18.CC and instead suggested reference to Standing Committee meetings.

Eswatini, Kenya, and South Africa supported the amendments as suggested by the European Union and the United States of America. Zimbabwe supported the amendments and recommended that in draft decision 18.CC the text 'in court' be moved to follow 'outstanding cases' for clarity in this sentence.

China opposed the suggestion to retain 'China' in draft decision 18.BB.

The Chair proposed replacing the text 'October 2021' in draft decisions 18.AA, 18.BB and 18.CC with 'in time for consideration by the Standing Committee', based on comments by the European Union.

The draft decisions in in-session document CoP18 Com. II. 12, as amended by the United States of America, Zimbabwe and the Chair were agreed.

#### 101. Annotations

Canada introduced in-session document CoP18 Com. II. 13 (Rev. 1), noting minor amendments to text within the draft decisions as follows: in draft decision 18.DD the text '(Rev. CoP18)' should follow 'Decision 16.162'. They suggested in draft decision 18.EE the text '18.AA' in the first line be replaced with '18.CC', and the addition of '18.' before 'AA' in the third line.

The draft decisions in in-session document CoP18 Com. II. 13 (Rev. 1), as amended by Canada, were agreed.

### **Summary records**

#### CoP18 Com. II Rec. 6

Under agenda item 32 at the end of the item, the Secretariat requested the addition of a new sentence to read 'The amendment to Resolution Conf. 11.3 (Rev. CoP17) in Annex 2 was accepted.'

#### CoP18 Com. II Rec. 7

Under agenda item 40, in the first paragraph, the Secretariat requested replacing 'Secretariat' with 'Standing Committee'. Under the same agenda item, they also requested replacing the word 'communication' with 'intelligence' in the paragraph beginning with 'Jamaica also supported...'. In the final paragraph of agenda item 40, they also requested that the phrases 'where needed' and 'if possible' be transposed to read 'where possible' and 'if needed'.

#### CoP18 Com. II Rec. 10

Under agenda item 52, at the end, the Secretariat requested the addition of the following text: 'and maintain Decision 17.181'

The Chair noted that further comments on these Summary records and on those which had not been reviewed by the Committee would be sought through a Notification to the Parties.

The Chair advised that agenda items 24 and 25 would be deferred to the Plenary.

The meeting was closed at 17h30.