

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



Eighteenth meeting of the Conference of the Parties
Colombo (Sri Lanka), 23 May – 3 June 2019

Interpretation and implementation matters

General compliance and enforcement

NATIONAL LAWS FOR IMPLEMENTATION OF THE CONVENTION

1. This document has been submitted by the Secretariat.

Background

2. In paragraph 1 of Resolution Conf. 8.4 (Rev. CoP15) on *National laws for implementation of the Convention*, the Secretariat is directed:

a) *to identify those Parties whose domestic measures do not provide them with the authority to:*

- i) *designate at least one Management Authority and one Scientific Authority;*
- ii) *prohibit trade in specimens in violation of the Convention;*
- iii) *penalize such trade; or*
- iv) *confiscate specimens illegally traded or possessed.*

3. It is recalled that each of these four minimum requirements must be met by the legislation of CITES Parties to enable effective implementation and enforcement of the Convention. In consultation with the concerned Party, the Secretariat analyzes national legislation for the implementation of the Convention in relation to the minimum requirements and places it in one of three categories, as follows:

Category 1: legislation that is believed generally to meet the requirements for implementation of CITES;

Category 2: legislation that is believed generally not to meet all of the requirements for the implementation of CITES;

Category 3: legislation that is believed generally not to meet the requirements for the implementation of CITES.

4. At its seventeenth meeting (CoP17, Johannesburg, 2016), the Conference of the Parties adopted the following Decisions on *National laws for the implementation of the Convention*:

Directed to the Parties

17.58 *Parties whose legislation is in Category 2 or 3 under the National Legislation Project (NLP) are urged to submit to the Secretariat as soon as possible, and no later than by the 70th meeting of the Standing Committee, in one of the three working languages of the Convention, details of appropriate measures that have been adopted for the effective implementation of the Convention. Such Parties are called on to provide an update of their legislative progress by the 69th meeting of the Standing Committee.*

- 17.59 *Such Parties are urged to submit to the Secretariat by 3 January 2017 (i.e. 90 days after the 17th meeting of the Conference of the Parties) a legislative timetable, to be agreed with the Secretariat, if they have not already done so. Such timetables should clearly set out the steps that the Party commits to take in order to adopt appropriate measures to implement the Convention; relevant actors; deadlines and outputs, based on the format provided by the Secretariat.*
- 17.60 *Parties whose legislation is in Category 1 under the National Legislation Project are encouraged to review their national CITES-implementing legislation for areas where it may not fully satisfy the requirements of the Convention, in particular with regard to the possession of illegally traded specimens of CITES-listed species, and to adopt any necessary amendments. Those Parties are also encouraged to provide technical or financial assistance to one or more Parties whose legislation is in Category 2 or 3 under the National Legislation Project, either directly or through the Secretariat.*

Directed to the Standing Committee

- 17.61 *At its 69th meeting, the Standing Committee shall review the progress of Parties in adopting appropriate measures for effective implementation of the Convention and submission of agreed timetables and take appropriate compliance measures with regard to Parties affected by Decision 17.58 that have failed to submit an appropriate legislative timetable in accordance with Decision 17.59. The Standing Committee shall identify Parties requiring attention as a priority, with the assistance of the Secretariat.*
- 17.62 *At its 70th meeting, the Standing Committee shall review the progress of Parties in adopting appropriate measures for effective implementation of the Convention and shall take appropriate compliance measures with regard to Parties affected by Decision 17.58 that have failed to adopt appropriate measures for the effective implementation of the Convention or failed to take steps to effectively implement their legislative timetable. For Parties that have acceded to the Convention since March 2008, the Standing Committee may decide to allow more time to adopt appropriate measures.*
- 17.63 *Such compliance measures may include a recommendation to suspend trade with Parties affected by Decision 17.58 that have failed to adopt appropriate measures for the effective implementation of the Convention or failed to submit an appropriate timetable, or failed to effectively implement their legislative timetable, in particular Parties requiring attention as a priority. Any recommendation to suspend trade with the Party concerned shall take effect 60 days after it is agreed, unless the Party adopts appropriate measures before the expiry of the 60 days or submits an appropriate legislative timetable, to be agreed with the Secretariat or takes steps to effectively implement their legislative timetable.*

Directed to the Secretariat

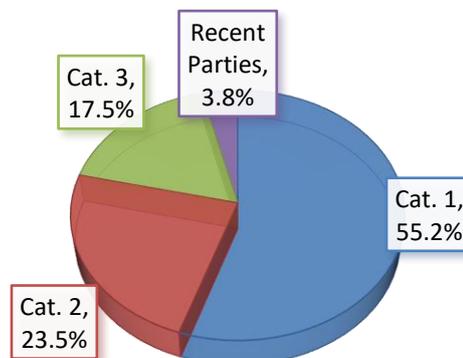
- 17.64 *The Secretariat shall:*
- a) *compile and analyse the information submitted by Parties on measures adopted before the 18th meeting of the Conference of the Parties (CoP18) to fulfil the requirements laid down in the text of the Convention and Resolution Conf. 8.4 (Rev. CoP15) on National laws for implementation of the Convention;*
 - b) *review and agree to appropriate timetables, submitted by Parties, to the Secretariat and make such agreed timetables available for information to the Standing Committee;*
 - c) *assist the Standing Committee in identifying countries with legislation in Category 2 or 3 requiring attention as a priority;*
 - d) *subject to external funding, provide legal advice and assistance to Parties on the development of appropriate measures for effective implementation of the Convention, including legislative guidance for and training of CITES authorities, legislative drafters, policymakers, the judiciary, parliamentarians and other relevant government officials responsible for the formulation and adoption of CITES-related legislation;*

- e) *subject to external funding, cooperate, in the provision of legislative assistance, with the legal programmes of United Nations bodies and intergovernmental organizations, such as the Food and Agriculture Organization of the United Nations (FAO), the United Nations Development Programme (UNDP), the United Nations Office on Drugs and Crime (UNODC) the United Nations Environment Programme (UNEP), the World Bank and regional development banks, as well as regional organizations, such as the African, Caribbean and Pacific Group of States (ACP), the Amazon Cooperation Treaty Organization (ACTO), the Association of South East Asian Nations (ASEAN), League of Arab States (LAS), the Organization of American States (OAS) and the South Pacific Regional Environment Programme (SPREP);*
- f) *report at the 69th and 70th meetings of the Standing Committee on Parties' progress in adopting appropriate measures for effective implementation of the Convention and, if necessary, recommend the adoption of appropriate compliance measures, including as a last resort, recommendations to suspend trade in specimens of CITES-listed species; and*
- g) *report at the 18th meeting of the Conference of the Parties on progress made with regard to the implementation of Resolution Conf. 8.4 (Rev. CoP15) and Decisions 17.58 through 17.64.*

Summary of progress since CoP17

- 5. Since CoP17, one additional State, Tonga, has become Party to the Convention bringing the total number of Parties to CITES to 183. The submission and review of the legislation of Tonga is still pending and a mission is envisaged before CoP18 to assist this new Party in preparing adequate legislation for the implementation of the Convention.
- 6. A total of 101 Parties (55 per cent) with adequate legislation have been placed in Category 1. The legislation of the following six additional Parties has been placed in Category 1 since CoP17: Chile, Guinea-Bissau, Guyana, Israel, Kuwait and Morocco. The Secretariat hopes that a few more Parties are able to enact and submit to the Secretariat their CITES legislation in one of the working languages before the present meeting. Furthermore, since CoP17, the legislation of three Parties (Bosnia and Herzegovina, Myanmar and Nepal) has been moved from Category 3 to Category 2 after the adoption of new enabling laws, but still awaiting that implementing regulations be completed or gaps in the new laws be addressed.

Category	Parties		Territories	
	Number	Percent	Number	Percent
Cat. 1	101	55,2%	18	60,0%
Cat. 2	43	23,5%	11	36,7%
Cat. 3	32	17,5%	1	3,3%
Recent Parties	7	3,8%		
Total	183	100%	30	100%



- 7. More details on the legislative progress by each Party can be found in the legislative status table included in Annex 3 to the present document. The Secretariat has simplified the table by deleting the columns referring to plan/timetable, draft and enactment. The relevant information can be found in the column on progress summary. A status table with relevant updates provided to the Secretariat after the completion of the present document (December 2018) will be provided for the present meeting.

Implementation of legislative timetables

- 8. Decision 17.59 to formalize the submission of CITES legislative timetables and the provision of such timetables to the Standing Committee for information was intended to:
 - help Parties to plan the legislative work required under CITES;
 - bring together and consult all relevant actors and decision-makers;
 - accelerate progress;
 - formalize the commitment of the Parties to enact legislation within a given deadline;

- enable a closer monitoring of progress, and
- provide more visibility of the needs for technical and legislative assistance.

After CoP17, the Secretariat issued a Notification to the Parties, reminding them of Decision 17.59 and providing a template for the required legislative timetable ([Notification No. 2016/066 of 13 December 2016](#)). Only a few timetables were submitted in response to Decision 17.59 and the Notification, including from Cabo Verde, Togo and Macao Special Administrative Region of China. None of the legislative timetables that have been submitted to the Secretariat seem to have been implemented in accordance with set dates. It would, therefore, appear that the development and submission of such timetables is not considered to be an effective tool to meet the objectives listed above and to bring about the necessary engagement and political action in the Parties concerned. Legislative progress has been made and communicated to the Secretariat in other forms than through the submission and implementation of legislative timetables.

9. Rather than trying to impose the submission of and adherence to such timetables, the Secretariat recommends that individual Parties prepare and submit a legislative timetable or plan, when they consider the instrument appropriate and useful or needed to seek technical or financial assistance for their national legislation project.

Legislation placed in Category 1

10. At CoP17, the Secretariat noted that “*a recurrent gap in national legislation is the absence of prohibition of the possession of illegally traded specimens of CITES-species. Resolution Conf. 8.4 (Rev. CoP15) on National laws for the implementation of the Convention does not list such prohibition as one of the basic requirements of legislation. The Secretariat always recommends that Parties prohibit possession of illegally traded specimen of CITES-species when it reviews and provides comments on draft national legislation, in accordance with Article VIII, paragraph 1(a), of the Convention.*”¹ This led to Decision 17.60 encouraging Parties with legislation in Category 1 to review and ensure that their national laws adequately regulates and prohibits possession of illegally traded specimens of CITES species.
11. In this context, it should be noted that Norway has adopted and submitted to the Secretariat a new comprehensive regulation on import, export, possession etc. of endangered species of wild fauna and flora² which entered into force on 1 July 2018. This will be placed on the CITES webpage on national legislation in due course. The Secretariat invites all Parties with legislation in Category 1 to keep it abreast of revisions and submit any updates to their national legislation to the Secretariat (preferably in one of the working language of the Convention) for information and possible sharing with other Parties.
12. The Secretariat notes that such updates may be provided specifically or through the triennial implementation reports to be submitted the year before each regular meeting of the Conference of the Parties in accordance with Article VIII of the Convention and Resolution Conf. 11.17 (Rev. CoP17) on *National reports*. At the time of writing, 26 Parties (22 of which are placed in Category 1 under the NLP) had submitted their implementation report covering 2015-2017³. About half of the 26 Parties reported that they had developed CITES relevant policies or legislation during the reporting period, while the other half reported that they had not. The Secretariat recalls that the legislation of a Party currently placed in Category 1 may be subject to a revised legislative analysis at any time following relevant legislative developments, such as repealing of CITES-implementing legislation or judiciary decisions on CITES-related cases.

Review of legislative progress by the Standing Committee

13. At its 69th and 70th meetings (SC69, Geneva, November 2017 and SC70, Sochi, October 2018), the Standing Committee considered the Secretariat’s reports on Parties’ progress in adopting appropriate measures for the effective implementation of the Convention, and on legislative and technical assistance to Parties with legislation in Category 2 or 3, provided by the Secretariat and partners (see documents [SC69 Doc. 27 \(Rev. 1\)](#) and [SC70 Doc. 25 \(Rev. 1\)](#)). The Secretariat also provided the Standing Committee with an updated table of the status of legislative progress for implementing CITES (see information documents [SC69 Inf. 20](#) and [SC70 Inf. 12 \(Rev. 1\)](#)). The Secretariat updates this table for each meeting of the Standing

¹ In paragraph 12 of document CoP17 Doc. 22.

² Forskrift on innførsel, utførsel, besittelse mv. Av truede arter av vill fauna og flora (CITES-forskriften)

³ Implementation Reports are made available as they are received on the CITES webpage: <https://cites.org/eng/resources/reports/biennial.php>

Committee and makes it available online on the webpage of the CITES Secretariat on national legislation⁴. A brief summary of the progress is provided in the following.

Parties requiring attention as a priority

14. In accordance with Decision 17.61 and Decision 17.64 paragraph c), the Standing Committee at SC69 identified additional Parties that required its attention as a priority. This was based on an overall assessment of the following elements, proposed by the Secretariat⁵:
 - a) Parties that have acceded to the Convention over twenty years ago;
 - b) Parties that have not indicated any commitment to adopt adequate legislation for implementation of the Convention;
 - c) Parties that have relative high volumes of trade as source, transit or destination countries;
 - d) Parties that have already received legislative assistance; and
 - e) Parties that are facing compliance procedures under Article XIII.
15. These additional Parties were Botswana, Congo, Guinea, India, the Lao People's Democratic Republic and Uzbekistan. The Standing Committee requested the Secretariat to inform these Parties of the decision formally, drawing their attention to Decisions 17.62 and 17.63. Official letters to the six Parties were sent in December 2017. With the addition of these six Parties, the Standing Committee has now identified a total of twenty Parties with legislation in Category 2 or 3 as requiring its attention as a priority: Algeria, Belize, Botswana, Comoros, Congo, Djibouti, Ecuador, Guinea, India, Kazakhstan, Kenya, the Lao People's Democratic Republic, Liberia, Mauritania, Mozambique, Pakistan, Rwanda, Somalia, the United Republic of Tanzania and Uzbekistan. These Parties are indicated in bold in the legislative status table (Annex 3). The Standing Committee, with the assistance of the CITES Secretariat, is particularly attentive to progress in these countries, some of which are already subject to a recommendation to suspend trade or to an Article XIII compliance process.
16. Of the twenty countries requiring attention as a priority, four are currently subject to a recommendation to suspend trade for lack of adoption of adequate measures to implement the Convention: Djibouti,⁶ Liberia,⁷ Mauritania and Somalia.⁸ As reported at SC70, draft legislation has been prepared by Liberia, Mauritania and Somalia, whereas Djibouti had not reported any progress at the time of writing (December 2018).
17. In accordance with Decision 17.63, the Standing Committee at SC70 recommended that all Parties suspend commercial trade with Comoros and Ecuador. As set out in Decision 17.63, the recommendation was to take effect 60 days after it was agreed, unless the Party concerned adopted appropriate measures before the expiry of the 60 days or submitted an appropriate legislative timetable or took steps to effectively implement an existing legislative timetable. Both Parties did take steps to effectively implement an existing legislative timetable by submitting draft legislation for the observations of the Secretariat before the expiry of the deadline (30 November 2018). Consequently, it was not necessary to issue a notification recommending the suspension of trade with Comoros and Ecuador.
18. The Standing Committee and the Secretariat also continued to closely monitor legislative progress in the other fourteen Parties identified by the Standing Committee as requiring its attention as a priority. Two of these (Kenya and Mozambique) have made progress by adopting revised implementing legislation and submitting this to the Secretariat for analysis. Unfortunately, the initial analysis by the Secretariat revealed that the adopted legislation did not seem to fully meet the CITES minimum requirements, which was communicated to the two Parties. The two Parties are currently considering how to revise the legislation to address the identified issues. Algeria has submitted legislation to the national Parliament for adoption some time ago, but the legislative process has not been finalized. In the United Republic of Tanzania, the legislative process has been finalized for the Mainland and is in the final stages in Zanzibar. Belize,

⁴ <https://cites.org/legislation>

⁵ See document SC69 Doc. 27 (Rev. 1), paragraph 42

⁶ See <https://cites.org/sites/default/files/eng/notif/2011/E010.pdf> - in place since April 2004

⁷ See <https://cites.org/sites/default/files/notif/E-Notif-2018-012.pdf> - in place since March 2016

⁸ See <https://cites.org/sites/default/files/eng/notif/2004/055.pdf> for Mauritania and Somalia in place since July 2004

Botswana, Congo, Rwanda and Uzbekistan have submitted draft legislation to the Secretariat for its observations. In the case of Uzbekistan, the regulations were finalized in mid-2018, but have not yet been published. Pakistan has submitted adopted implementing legislation for the Secretariat's analysis.

19. Guinea and the Lao People's Democratic Republic are both subject to an Article XIII compliance process and will be further discussed below. For the remaining two Parties (India and Kazakhstan), the Secretariat refers to the legislative status table in Annex 3 for further details.

Parties subject to a warning

20. At SC67, the Standing Committee agreed to issue a formal warning to those Parties that had not responded to a public notice to alert Parties of a compliance matter,⁹ advising them that they are in non-compliance and reminding them of the need to accelerate their efforts to enact adequate legislation as soon as possible ([SR67, paragraph 11](#)). Parties affected by this compliance measure were Afghanistan, Eritrea, Mongolia, Palau, Sierra Leone, Solomon Islands, Tunisia and Uzbekistan to whom the Secretariat addressed warning letters in November 2016. Progress or commitment to make progress were since reported from Afghanistan, Eritrea, Palau, Sierra Leone, Solomon Islands and Uzbekistan (see details in the table in Annex 3). However, at the time of SC69 (November 2017), the Secretariat had received no response from Mongolia and Tunisia.
21. At SC69, the Standing Committee therefore requested the Secretariat to issue a further formal warning to Mongolia and Tunisia requesting them to report to SC70 and agreed that if no substantive progress was reported, they would be subject to a recommendation to suspend trade. Official letters were addressed to Mongolia and Tunisia in December 2017. In response to this further formal warning, Tunisia submitted a legislative plan as well as draft national legislation to the Secretariat for its observations, while Mongolia submitted draft provisions in national language and an outline of the amendments that are under preparation.
22. At SC70, the Standing Committee further decided to issue a formal warning to those Parties that had not reported any legislative progress since CoP17. A formal warning was sent to Dominica, Eswatini (former Swaziland), Grenada, Jordan, Libya, Oman, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Sao Tome and Principe, Sudan and the former Yugoslav Republic of Macedonia in November 2018, requesting them to immediately take steps to ensure progress be made before CoP18 and to report such progress to the Secretariat by 1 February 2019. Jordan confirmed the receipt of the letter and Sudan reported that steps are being taken to amend the existing legislation. No response was received from the nine other Parties. The Secretariat will continue to try to follow up with these Parties to get a better understanding of the situation in the countries and the possible challenges and constraints they are facing in communicating with the Secretariat and in adopting adequate national legislation.

Progress of other Parties with legislation in Category 2 or 3

23. As reported to SC69 and SC70, many other Parties have reported substantive progress towards adopting national legislation for the effective implementation of CITES. In addition to Parties mentioned above, this includes *inter alia* Angola, Benin, Côte d'Ivoire, Georgia, Guinea and Sri Lanka. Details of this progress can be found in the legislative status table in Annex 3. Since SC70, the legislation of Bosnia and Herzegovina has been analysed and placed in Category 2 as the new comprehensive law does not fully meet the CITES minimum requirements.

Legislative analysis and guidance provided by the Secretariat

24. As directed by the Conference of the Parties in Decision 17.64, paragraphs a) and d), since CoP17, the Secretariat has continued to monitor legislative progress of the 82 Parties with legislation not yet in Category 1. It has compiled and analysed information submitted by these Parties, and provided its detailed observations on draft or adopted legislation of at least 45 Parties, sometimes more than once.
25. Special attention has been paid to the Parties requiring the attention of the Standing Committee as a priority mentioned above, as well as Parties in Africa that have received support from the United Nations Environment Programme (UNEP) or the Secretariat to ensure that the final draft would meet the CITES minimum requirements, once adopted and in force. Attention has also been paid to Russian-speaking countries (Belarus, Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan) in the preparation of the Central Asian workshop, mentioned in paragraph 29 below. A Russian-speaking legal consultant provided the Secretariat with assistance in analysing the legislation in place for implementing CITES and identifying gaps

⁹ Notification to the Parties No. 2016/25 of 21 March 2016

to be addressed in meeting the minimum requirements. This targeted assistance provided in their language by a lawyer familiar with the legal systems of Russian-speaking countries was considered by the Parties more effective than assisting with the translation of many pages of legal instruments. Once the legislation has been revised, it will have to be translated and submitted to the Secretariat in a working language before it can be placed in Category 1. The Secretariat would like to thank the European Union (EU) for the funding made available to the National Legislation Project (NLP) that allowed this consultancy to happen.

26. It is noted that the four minimum requirements are stated in a general way in Resolution Conf. 8.4 (Rev. CoP15) on *National laws for Implementation of CITES*. The practical implementation of each requirement involves considering and addressing several components under each requirement. The Secretariat recalls that guidance on these components and additional recommendations are available on the CITES webpage on national legislation: <https://cites.org/legislation>. As further discussed below, the guidance will be updated following the results of the present meeting.

Targeted technical and legislative capacity-building

27. In accordance with paragraphs d) and e) of Decision 17.64, the Secretariat has also continued to provide targeted technical and legislative assistance to a number of Parties with legislation in Category 2 or 3 through regional workshops and seminars and through bilateral assistance. As mentioned above, the assistance has mainly entailed proactive communication with Management Authorities and providing comments and observations on draft legislation to help ensure that it will meet the CITES minimum requirements once it is adopted. Advice on the organization of the Management and Scientific Authorities and on mechanisms for issuing CITES permits and certificates has also been provided to several Parties and dependent territories.
28. The Secretariat has organized – or co-organized – several workshops and seminars as indicated below and has also provided small scale financial support to Parties requesting such support. The Secretariat would like to express its sincere gratitude to the donors that have made it possible to provide this assistance, in particular the European Union, Switzerland and the United States of America. Further, the collaboration with UNEP on assistance to Parties in Africa has continued and the Secretariat is grateful for this support. Finally, the Secretariat would also like to thank Parties with legislation in Category 1, that are providing technical and financial assistance directly to Parties with legislation in Category 2 or 3 (in accordance with Decision 17.60) and invite them to continue to do so, while keeping the Secretariat informed to avoid overlap and harness synergies in the assistance.

Workshops and seminars

29. As reported to SC69 and SC70, since CoP17, the Secretariat has co-organized or participated in the following workshops related to national legislation:
- a) **Second Workshop for selected African CITES Parties on Strengthening national legal frameworks for the effective implementation of CITES and for combatting illegal trade in wildlife**, Abidjan, Côte d'Ivoire, February 2017. Co-organized with UNEP with logistical support provided by UNEP's subregional office for West Africa. It was attended by 24 participants from 12 African Parties: Benin, Burkina Faso, Cabo Verde, Chad, Côte d'Ivoire, Djibouti, Eritrea, the Gambia, Guinea Bissau, Mali, Sierra Leone and Togo. The objective of the workshop was to provide participants with a deeper understanding of the minimum legal and institutional requirements for strengthening national legislation for the implementation of the Convention at the national level. This enabled participants to ascertain their needs for assistance and allowed them to draw up a realistic workplan / timetable for the legislative process, indicating the kind of assistance required and an estimated budget of such assistance. The workshop also provided a platform for Parties to share their views and experiences on how to best strengthen their legislative and institutional frameworks. A representative of the Moroccan Management Authority gave a presentation on the legislative process and the resulting legislation of Morocco.
 - b) **Pacific Ocean workshop**, Fiji, May-June 2017, undertaken with the support of New Zealand. The objective of the workshop was *inter alia* to discuss legislative progress bilaterally with Parties in the region with legislation in Category 2 or 3 or pending (Palau, Samoa, Tonga and Vanuatu) to get a better understanding of the challenges they are facing, and the assistance required to overcome these. The forthcoming national workshop in Tonga will be providing more specific and targeted advice to this Party that has recently joined the Convention.
 - c) **Africa-Asia Pacific Symposium on Strengthening legal frameworks to combat wildlife crime**, Bangkok, Thailand July 2017. The Symposium was co-organized with other members of the UN Inter-

Agency Task Force on Illicit Trade in Wildlife and Forestry Products [United Nations Development Programme (UNDP), United Nations Office on Drug and Crime (UNODC), the Department of Economic and Social Affairs of the United Nations (DESA), UNEP] in partnership with the United States Agency for International Development (USAID) and the World Bank-led Global Wildlife Programme financed by the Global Environment Facility (GEF). The participants included senior officials from national wildlife authorities and criminal justice authorities from 22 Parties: Botswana, Cambodia, China, Ethiopia, Ghana, India, Indonesia, Kenya, the Lao People's Democratic Republic, Malawi, Malaysia, Mozambique, Myanmar, Nigeria, the Philippines, Solomon Islands, South Africa, Thailand, Uganda, the United Republic of Tanzania, Viet Nam, and Zimbabwe, together with parliamentarians from Cambodia, the Lao People's Democratic Republic, Thailand and the United Republic of Tanzania. The report of the workshop is available [here](#).

- d) **Workshop on Strengthening of national frameworks for the effective implementation of CITES in Central Asia**, Bishkek, Kyrgyzstan May 2018. The workshop in Bishkek was organized by the CITES Secretariat in cooperation with the Management Authority of Kyrgyzstan and United Nations Development Programme (UNDP) in Bishkek and with the logistical and substantive support of the Secretariat of the Global Snow Leopard and Ecosystem Protection Programme (GSLEP) and Panthera. The workshop was attended by 38 participants from Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan. The objectives of the workshop were to contribute to enable and empower officials from the four countries to develop national legislation that meets minimum CITES requirements; enhance collaboration between Management Authorities, Scientific Authorities and enforcement authorities at national and regional levels; create opportunities to discuss and ask questions about CITES implementation (legal, management, scientific, enforcement aspects); and to generate confidence and interest in participating in CITES processes. The draft report of the workshop is available on the [CITES website](#).
- e) **Symposium on Strengthening Legal Frameworks to Combat Wildlife Crime in Central and West Africa**, Abidjan, Côte d'Ivoire, September 2018. The symposium was co-organized and co-financed by the CITES Secretariat (through a contribution from the EU), UNEP, UNODC and UNDESA and took place in Abidjan to take advantage of the logistical and other support of the sub-regional office of UNEP, located in Abidjan. This symposium built on the symposium in Bangkok and was attended by senior representatives from CITES Management Authorities and criminal justice authorities from 19 Parties. The objectives were to identify ways to strengthen national legal frameworks for the sustainable management of, and trade in, wild fauna and flora and to better address illicit trafficking in wildlife at the national and sub-regional levels.

Small-scale funding agreements (SSFAs)

30. Since 2016, the Secretariat has provided small-scale funding to Benin, Comoros, Côte d'Ivoire, Mauritania, Niger, Saint Lucia and Togo for a total of USD 132,000. UNEP has provided similar small-scale assistance to Angola, Eritrea, the Gambia, Lesotho and Somalia for a total of USD 66,500. The Secretariat notes that these agreements have enabled the preparation of an analysis of the legislation in place, identification of gaps and the development of draft legislation. The legislative process has been completed in Angola (just under five years after Angola became a Party to the Convention) and is under way in the other countries as well. It is noteworthy that the relatively modest amounts of funding appear to have tangible impact and results; this may be because the support is targeted and often combined with compliance measures. These are some of the lessons that the CITES Secretariat brings into the proposed Compliance Assistance Programme (see document CoP18 Doc. 28)

Recent and proposed recommendations related to national legislation for the implementation of CITES

Designation and roles of CITES Management Authorities and Guidance for making legal acquisition findings

31. The draft resolutions on the designation and roles of CITES Management Authorities and on legal acquisition findings proposed for adoption at the present meeting (see documents CoP18 Doc. 38 and CoP18 Doc. 39) are going to be important elements in the National Legislation Project (NLP), if adopted. The former resolution is expected to define the obligations and responsibilities of CITES Management Authorities and will be helpful for Parties that are still developing the legal instrument for the designation of the national CITES authorities. At present, clear recommendations exist with regard to the designation and role of Scientific Authorities and the proposed resolution is filling an important gap in the CITES framework. Similarly, the draft resolution on legal acquisition findings contains the guiding principles for verifying legal acquisition of specimens to be exported, which is currently missing and can be useful for Parties developing national CITES legislation.

Recovery of costs of seizure, custody and disposal

32. The Secretariat notes that the Standing Committee working group on disposal of illegally traded and confiscated specimens, in document SC70 Doc. 32, paragraph 6 stated that “the working group felt that the biggest challenge for Parties seems to be financial constraints related to the recovery of costs of seizure and disposal and that there is a lack of official funding.” The working group, therefore, recommended that Standing Committee “invite that the Secretariat to include consideration of paragraph 5 a) of Resolution Conf. 17.8 on *Disposal of illegally traded and confiscated specimens of CITES-listed species* in their existing legislative initiatives, such as the National Legislation Project, to support Parties’ efforts in the development, legal formulation and implementation of effective mechanisms to recover the costs of confiscation, custody, and disposal.” The Secretariat welcomes the invitation of the working group and notes that it is already taking this into account in providing legislative advice and guidance to Parties, where relevant and appropriate.

Guidance for developing legislation to combat illegal trade in specimens of CITES-listed species

33. In 2018, the Secretariat contributed to the development of guidance that can be used by Parties in combating illegal trade in specimens of CITES-listed species effectively, fairly and proportionately at the national level. In October 2018, the United Nations Office on Drugs and Crime (UNODC) launched the result of this work: *Guide on drafting legislation to combat wildlife crime*. The Guide contains suggestions for legislative provisions that complement the requirements iii) on penalties and iv) on confiscation under the CITES NLP, with a particular focus on criminal law provisions. The Guide is available [here](#) in English and is currently being translated into Portuguese and Spanish. The Guide will be used where relevant and appropriate by the National Legislation Project as an additional tool to assist and guide Parties aiming to strengthen their criminal law provisions to more effectively address illegal trade in wildlife and serious cases involving organized crime.

Penalties for trade in specimens of CITES-listed species in violation of the Convention

34. In this context, the Secretariat recalls that Resolution 69/314 of the United Nations on *Tackling illicit trafficking in wildlife* recognizes that the illicit trafficking in wildlife and forest resources is both an environmental issue and a broader criminal, economic and sustainable development issue. In paragraph 4 of the Resolution, the General Assembly calls upon Member States to “make illicit trafficking in protected species of wild fauna and flora involving organized criminal groups a serious crime, in accordance with their national legislation and article 2 (b) of the United Nations Convention against Transnational Organized Crime (UNTOC).”¹⁰ In Resolution Conf. 11.3 (Rev. CoP17) on *Compliance and enforcement*, paragraph 13 g), the Conference of the Parties reiterated this recommendation. The UNTOC defines serious crime as an offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty. On this basis, the Secretariat, when providing legislative advice and guidance to Parties, strongly recommends Parties to consider this recommendation when establishing the level of penalties for serious offences to reduce the significant penalty discrepancies for similar offences that exist among Parties in certain regions.

Plans for future technical and legislative assistance

Support to the Pacific Islands

35. In spring 2019, the Secretariat is planning a mission to the Pacific Islands to assist Tonga, and possibly other countries in the region, in the implementation of the Convention. The mission will focus on the development of national legislative and institutional frameworks for the effective implementation and enforcement of the Convention in Tonga. It will include a national workshop with all CITES-relevant authorities, a broader meeting with all Tongan stakeholders, including parliamentarians and one-on-one discussions with the CITES Authorities in Tonga. Depending on the resources available, this may be combined with assistance to other Parties in the region with legislation in Category 2 or 3, in particular Palau and Samoa. The mission may also include participation at a regional pre-CoP workshop for Oceania organized by the Secretariat of the Pacific Regional Environment Programme (SPREP), time and other resources permitting.

¹⁰ Full text of the Convention is available here: <http://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>

Legislative support to countries subject to an Article XIII compliance process and other support to be provided through the Compliance Assistance Programme

36. As part of its compliance assistance to Lao People's Democratic Republic and Guinea, the Secretariat will continue to assist these Parties in ensuring that revised legislation will meet the minimum requirements. In both cases, adoption of adequate legislation is an important element of the recommendations of the Standing Committee. The Lao People's Democratic Republic has already undertaken a major and very comprehensive analysis of the legislation in place, and adopted certain measures in relation to illegal trade (see document SC70 Doc. 27.3.1). Guinea has enacted Law No. 2018/0049 on the protection of fauna and regulation of hunting as part of its efforts to fully implement CITES. The law was recently submitted to the Secretariat and will be discussed with the relevant authorities during the technical mission to the country that the Secretariat will conduct in January 2019.

CITES draft model law

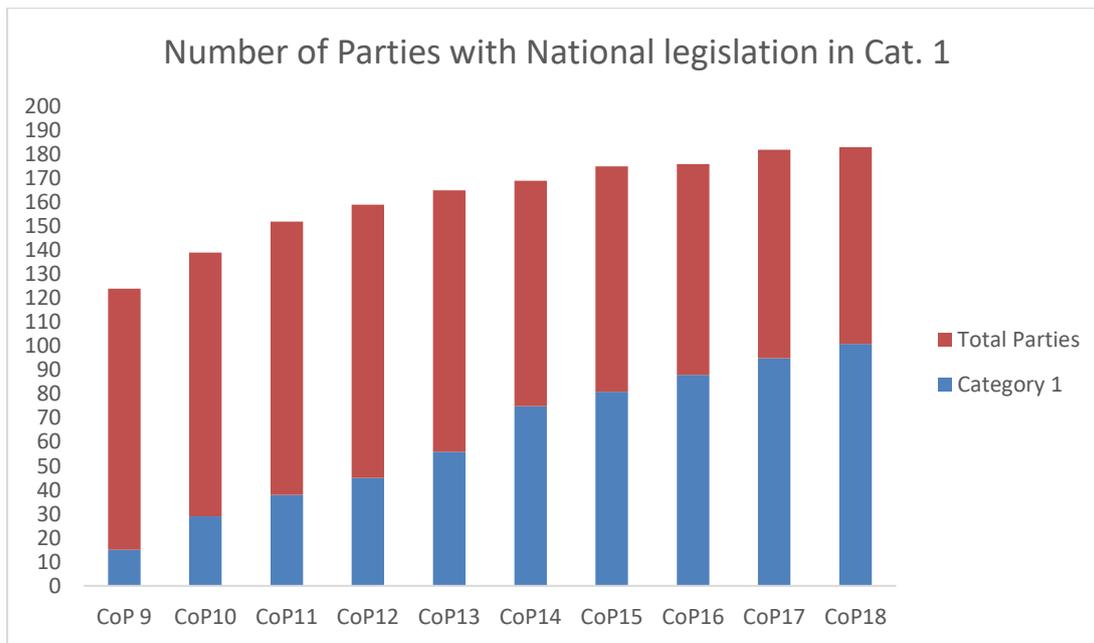
37. The Secretariat notes that the draft model law, available in all official UN languages except for Chinese (i.e. Arabic, English, French, Russian and Spanish) is a helpful tool for Parties preparing new or revised CITES legislation. However, the draft model law is over ten years old and is slightly out of date (e.g. with regard to the reporting requirements) leaving Parties basing their draft legislation on some out-of-date provisions. Furthermore, the additional guidance on the designation and roles of the national Management Authorities, on the verification of legal acquisition and on disposal of confiscated specimens mentioned above will need to be reflected in the draft model law. The Secretariat is therefore going to update the draft model law in the near future, taking into account the results of the present meeting, and hopes to also find the necessary resources to translate and publish it in all languages.

Further technical and legislative assistance

38. The CITES Secretariat is working with the UN Food and Agriculture Organization (FAO) with the aim of exploring how fisheries legislation can further support the objectives of CITES, and possibly integrate some of the provisions of the Convention.
39. After the meeting of the Conference of the Parties, the Secretariat will determine priorities for further technical and legislative assistance. There appears to be a need for legislative assistance and training more broadly in the region of South West Asia which is combined with the fact that several of the Parties have acceded relatively recently to the Convention (Bahrain, Iraq, Lebanon and Oman).

CITES NLP in a broader context

40. In the *CITES Strategic Vision: 2008-2020*, annexed to Resolution Conf. 16.3, the first objective 1.1. reads: "*Parties comply with their obligations under the Convention through appropriate policies, legislation and procedures.*" The indicator to measure progress against this objective focuses on the number of Parties with legislation in Category 1 under the NLP (indicator 1.1.1). In the proposed new CITES Strategic Vision, contained in document CoP18 Doc. 10, the Standing Committee proposes to maintain this as the very first objective in the vision, slightly reworded as follows: "*Parties comply with their obligations under the Convention through the adoption and implementation of appropriate legislation, policies, and procedures.*" This reflects the importance that Parties have placed on the enactment of legislation for the effective implementation of the Convention.
41. The table below shows that between CoP13 (Bangkok, 2004) and CoP14 (The Hague, 2007), nineteen Parties were added to Category 1 while since CoP14, on average, the legislation of five-seven Parties has been added to Category 1 during the intersessional period; this trend has continued for the present meeting.



42. The Secretariat notes that the NLP is serving as the basis for an indicator under the Biodiversity Indicators Partnership (BIP). The BIP is a global initiative to promote and coordinate the development and delivery of biodiversity indicators for use by the Convention on Biological Diversity (CBD) and other biodiversity-related conventions, the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), the Sustainable Development Goals (SDGs) and national and regional agencies.¹¹ The indicator is the percentage of Parties with legislation in Category 1 under CITES National Legislation Project (NLP) and is related to the Aichi target 4 and SDGs 14, 15 and 16. The evolution of this indicator since CoP9 is shown below.

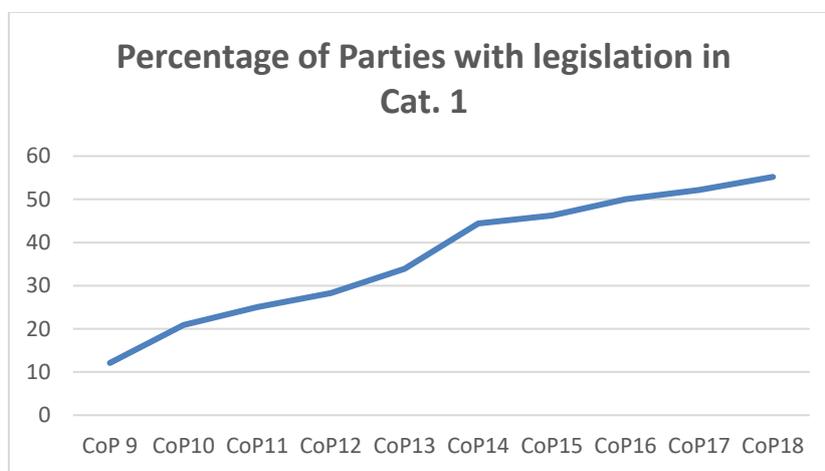


Figure 3: trend in the percentage of Parties with legislation in Cat. 1

43. The Secretariat finally notes that the national legislation project is attracting the attention of other multilateral environmental agreements, e.g. the Convention on Migratory Species and the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, as an effective tool to ensure that full and effective legislation is adopted by the Parties to the respective instruments.

Conclusions

44. Since the beginning of the NLP, the Parties have had a consistent approach of support and appreciation. The gradual increase in the number of Parties with legislation placed in Category 1 has demonstrated that the approach is continuing to yield results. The trend in the number of Parties added to Category 1 between meetings of the Parties is relatively constant. As noted in previous documents to the Conference of the Parties (e.g. document [CoP14 Doc 24](#)), *the primary aim of the National Legislation Project has been to*

¹¹ For more information on BIP, see <https://www.bipindicators.net/>

promote and facilitate the enactment of adequate legislation. Legislative progress has also been ensured through monitoring and the adoption of appropriate measures by the Conference of the Parties and the Standing Committee. The Secretariat sees no reason to propose any changes to the approach of the NLP at this stage.

45. The Secretariat would like to commend those Parties that have been making substantive legislative progress despite significant difficulties, busy legislative agendas and limited capacity. For the large majority of Parties, some legislative progress has been reported since CoP17, including most of the Parties that have been identified as requiring the attention of the Standing Committee as a priority or subject to a formal warning. In the view of the Secretariat, many of these Parties (e.g. Algeria, Belize, Botswana, Comoros, Congo, Ecuador, India, Kazakhstan, Kenya, Mongolia, Pakistan, Rwanda, the United Republic of Tanzania, Tunisia and Uzbekistan) are in a position to adopt adequate measures very soon and should be strongly urged to do so.
46. There are a few Parties that have reported no progress at all since CoP17, as indicated in paragraph 22 above, to which formal warning letters have been addressed. These Parties are strongly urged to communicate with the Secretariat without any delay in order to be able to identify the remedial actions, including further compliance measures.
47. The Secretariat suggests continuing its current legislative assistance activities, subject to external funding. A budget of a total of USD 360,000 for the implementation of these activities has been included in Annex 2 to the present document. Where relevant and appropriate, e.g. in the case of the Lao People's Democratic Republic or Guinea, such assistance will be fully coordinated with other compliance assistance activities, through the proposed Compliance Assistance Programme, if agreed by the Conference of the Parties.

Recommendations

48. The Secretariat recommends that the Conference of the Parties adopt the draft decisions contained in Annex 1 to the present document.
49. If the Conference adopts the draft decisions in Annex 1, the Secretariat believes that they should replace Decisions 17.58-17.64 which should therefore be deleted.

DRAFT DECISIONS OF THE CONFERENCE OF THE PARTIES

National laws for implementation of the Convention***Directed to Parties***

- 18.AA Parties with legislation in Category 2 or 3 under the National Legislation Project (NLP) are urged to submit to the Secretariat as soon as possible in one of the three working languages of the Convention details of appropriate measures that have been adopted for the effective implementation of the Convention. Such Parties are also urged to keep the Secretariat informed of legislative progress at any time.
- 18.BB Parties with legislation in Category 1 under the National Legislation Project are encouraged to inform the Secretariat of any relevant legislative developments and to provide technical or financial assistance to Parties affected by Decision 18.AA, either directly or through the Secretariat.

Directed to the Standing Committee

- 18.CC At its 73rd and 74th meetings, the Standing Committee shall review the progress of Parties in adopting appropriate measures for effective implementation of the Convention. With the assistance of the Secretariat, the Standing Committee may identify additional Parties that require its attention as a priority and shall pay particular attention to these Parties. The Standing Committee shall take appropriate compliance measures with regard to Parties affected by Decision 18.AA that have failed to adopt appropriate measures for the effective implementation of the Convention or to take significant and substantive steps to do so. For Parties that have acceded to the Convention less than eight years ago, the Standing Committee may decide to allow more time to adopt appropriate measures.
- 18.DD Such compliance measures may include a recommendation to suspend commercial trade with Parties affected by Decision 18.AA that have failed to adopt appropriate measures for the effective implementation of the Convention, in particular Parties identified as requiring attention as a priority. Any recommendation to suspend commercial trade with the Party concerned shall take effect 60 days after it is agreed, unless the Party adopts appropriate measures before the expiry of the 60 days or takes significant and substantive steps to do so.

Directed to the Secretariat

- 18.EE The Secretariat shall:
- a) compile and analyse the information submitted by Parties on measures adopted before the 19th meeting of the Conference of the Parties (CoP19) to fulfil the requirements laid down in the text of the Convention and Resolution Conf. 8.4 (Rev. CoP15) on *National laws for implementation of the Convention*;
 - b) assist the Standing Committee in reviewing progress of Parties in adopting appropriate measures for effective implementation of the Convention and in identifying additional Parties requiring attention as a priority;
 - c) subject to external funding, provide legal advice and assistance to Parties on the development of appropriate measures for effective implementation of the Convention, including legislative guidance for and training of CITES authorities, legislative drafters, policymakers, the judiciary, parliamentarians and other relevant government officials responsible for the formulation and adoption of CITES-related legislation;
 - d) cooperate, in the provision of legislative assistance, with the legal programmes of United Nations bodies and intergovernmental organizations, such as the Food and Agriculture Organization of the United Nations, the United Nations Development Programme, the United Nations Office on Drugs and Crime, the United Nations Environment Programme, the World Bank and regional development banks, as well as regional organizations, such as the African, Caribbean and Pacific Group of States,

the Amazon Cooperation Treaty Organization, the Association of South East Asian Nations, the League of Arab States, the Organization of American States and the Pacific Regional Environment Programme;

- e) report at the regular meetings of the Standing Committee on Parties' progress in adopting appropriate measures for effective implementation of the Convention and, if necessary, recommend the adoption of appropriate compliance measures, including as a last resort, recommendations to suspend commercial trade in specimens of CITES-listed species; and
- f) report at CoP19 on progress made with regard to the implementation of Resolution Conf. 8.4 (Rev. CoP15) and Decisions 18.AA to 18.EE.

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

According to 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 decided 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.

For the implementation of proposed draft decision 18.EE, paragraphs b) and c), the Secretariat is dependent on external funding. The Secretariat proposes the following tentative budget and source of funding for the implementation of the draft decisions in Annex 1.

Currently, at least 15 Parties have requested assistance from the Secretariat to advance their legislative process. Most of these requests have not yet been fully assessed and budgeted. However, based on past experience, the Secretariat estimates that each country would need support in the range of USD 10,000 – 30,000 depending on the size of the country in geographic and population terms, the volumes and diversity of trade, the capacity constraints, etc. In some instances, assistance may be provided through sub-regional workshops.	USD 300,000
Costs of translating the updated draft model into four languages	USD 15,000
Programme support costs and costs of any missions undertaken by the Secretariat in support of the development of national legislation	USD 45,000
Total extra-budgetary funding needed	USD 360,000

**STATUS OF LEGISLATIVE PROGRESS FOR IMPLEMENTING CITES
(UPDATED DECEMBER 2018)**

**PARTIES WITH LEGISLATION IN CATEGORY 1
*Parties in bold have been added since CoP17***

Albania	Ireland	Sweden
Argentina	Israel	Switzerland
Australia	Italy	Thailand
Austria	Jamaica	Turkey
Bahamas	Japan	Ukraine
Barbados	Kuwait	United Arab Emirates
Belgium	Latvia	United Kingdom of Great Britain and Northern Ireland
Bolivia (Plurinational State of)	Liechtenstein	United States of America
Brazil	Lithuania	Uruguay
Brunei Darussalam	Luxembourg	Vanuatu
Bulgaria	Madagascar	Venezuela (Bolivarian Republic of)
Cambodia	Malaysia	Viet Nam
Cameroon	Malta	Yemen
Canada	Mauritius	Zimbabwe
Chile	Mexico	
China	Monaco	
Colombia	Morocco	
Costa Rica	Namibia	
Croatia	Netherlands	
Cuba	New Zealand	
Cyprus	Nicaragua	
Czech Republic	Nigeria	
Democratic Republic of the Congo	Norway	
Denmark	Panama	
Dominican Republic	Papua New Guinea	
Egypt	Paraguay	
El Salvador	Peru	
Equatorial Guinea	Poland	
Estonia	Portugal	
Ethiopia	Qatar	
European Union	Republic of Korea	
Fiji	Republic of Moldova	
Finland	Romania	
France	Russian Federation	
Germany	San Marino	
Greece	Saudi Arabia	
Guatemala	Senegal	
Guinea-Bissau	Serbia	
Guyana	Singapore	
Honduras	Slovakia	
Hungary	Slovenia	
Iceland	South Africa	
Indonesia	Spain	
Iran (Islamic Republic of)		

Table 1: Parties, except recently acceded Parties, with legislation in Category 2 or 3¹²

	Party	Entry into force of the Convention	Cat.	Progress summary	Next steps	Last update
1	Afghanistan	28.01.1986	3	Enabling legislation (environmental) enacted; implementing regulations have been prepared but not yet submitted to the Secretariat for analysis	Submission of revised legislation and implementing regulations in a working language	Sep 2018
2	Algeria	21.02.1984	2	Comments provided by the Secretariat on comprehensive revised draft legislation. Submitted to Parliament for consideration and adoption which is still pending	Adoption and promulgation. Agreement between Algeria and Secretariat on revised legislative analysis, including possible Category 1 status	Dec. 2018
3	Antigua and Barbuda	06.10.1997	2	Comprehensive enabling legislation adopted and submitted to the Secretariat. Legislation placed in Category 2, pending the finalization of the implementing regulations	Finalization and submission of implementing regulations. Agreement between AG and Secretariat on revised legislative analysis, including possible Category 1 status	July 2018
4	Armenia	21.01.2009	3	Some CITES legislation in place and some provisions translated and submitted to the Secretariat. Discussions are ongoing	Agreement between Armenia and the Secretariat on the legislative analysis, including possible Category 1 status.	Nov. 2017
5	Azerbaijan	21.02.1999	2	CITES legislation enacted; English translation provided to the Secretariat. Discussions are ongoing.	Agreement between AZ and Secretariat on revised legislative analysis, including possible Category 1 status.	May 2018
6	Bangladesh	18.02.1982	2	Enabling legislation enacted; implementing regulations are being developed but have not been submitted to the Secretariat.	Finalization and submission of implementing regulations. Agreement between BD and the Secretariat revised legislative analysis	Sep. 2017
7	Belarus	08.11.1995	2	Enabling and implementing legislation enacted and submitted in national language. Draft of the legislative analysis provided by the Secretariat is under consideration by Belarus.	Agreement between BY and Secretariat on revised legislative analysis	Nov. 2018
8	Belize	21.09.1981	3	Comprehensive draft legislation prepared and comments by the Secretariat and Attorney General provided	Finalization and submission of draft legislation. Agreement between BZ and Secretariat on revised legislative analysis, including possible Category 1 status	June 2018
9	Benin	28.05.1984	2	Some legislation is in place but a CITES law has not yet been prepared. SSFA in place with the Secretariat. Revised draft	Finalization and submission of legislation.	July 2018

¹² **Keys****Category:**

- 1: legislation that is believed generally to meet all four requirements for effective implementation of CITES
2: legislation that is believed generally to meet one to three of the four requirements for effective implementation of CITES
3: legislation that is believed generally not to meet any of the four requirements for effective implementation of CITES

Bold: Parties requiring attention of the Standing Committee as a priority

Entry into force of the Convention: date on which Party's adherence to the Convention took effect

	Party	Entry into force of the Convention	Cat.	Progress summary	Next steps	Last update
				submitted for comments in July 2018		
10	Bhutan	13.11.2002	3	Revision of existing enabling legislation under consideration. Request for assistance.	Agreement by BT and Secretariat on legislative analysis of existing legislation and need for supplemental legislation	Sep. 2018
11	Bosnia and Herzegovina	21.04.2009	2	Legislation enacted and published. Submitted in English for analysis by the Secretariat. Placed in Cat.2 as the adopted legislation does not fulfil all four requirements	Identified gaps in national legislation to be addressed by BA.	Nov. 2018
12	Botswana	12.02.1978	2	CITES legislation for terrestrial wildlife including plants enacted; draft amendments to wildlife act, still under way	Finalization, submission and adoption of revised legislation.	Dec. 2018
13	Burkina Faso	11.01.1990	2	Commitment to draft legislation in the form of a decree; formal request for assistance	Preparation of draft legislation	Nov 2018
14	Burundi	06.11.1988	2	CITES enabling legislation enacted in 2011 and submitted to the Secretariat in 2016. Legislation placed in Cat. 2 pending operationalization.	Gaps in legislation needs to be addressed.	Sep. 2018
15	Cabo Verde	08.11.2005	3	Strong commitment to prepared legislation. Legislative plan in place but progress is slow	Preparation of draft legislation; drafting assistance needed	Sep. 2018
16	Central African Republic	25.11.1980	3	Commitment to draft legislation. Draft legislation submitted to the Secretariat for comments in June 2016. Comments on draft legislation provided.	Preparation of revised draft legislation; assistance provided under African Development Bank project in the region. Formal request for further assistance	Jan 2017
17	Chad	03.05.1989	2	Draft amendment law and specific CITES regulation to be prepared.	Finalization and submission of draft legislation; drafting assistance possibly needed	Sep. 2018
18	Comoros	21.02.1995	3	SSFA signed with the Secretariat. Draft legislation submitted to the Secretariat for comments.	Observations by the Sec; finalization and submission of final legislation	Dec. 2018
19	Congo	01.05.1983	2	Identified as priority Party at SC69. Draft legislation prepared and submitted to Sec for observations.	Observations by the Sec. Finalization and submission of draft legislation	Nov. 2018
20	Côte d'Ivoire	19.02.1995	3	SSFA with the CITES Secretariat in place. Comments on draft legislation provided by Sec. in September 2018.	Finalization and submission of draft legislation	Sep. 2018
21	Djibouti	07.05.1992	3	Subject to a recommendation to suspend trade since 30 April 2004. Progress is slow	Preparation of draft legislation; assistance needed	Feb. 2017
22	Dominica	02.11.1995	3	Draft legislation prepared; existing and draft legislation reviewed by DM and Secretariat; formal request for assistance. Formal warning issued after SC70	Finalization and submission of draft legislation; drafting assistance needed	CoP17

	Party	Entry into force of the Convention	Cat.	Progress summary	Next steps	Last update
23	Ecuador	01.07.1975	2	Identified as priority Party by SC67. Draft legislation prepared and submitted for enactment	Submission and enactment of draft legislation. Agreement between Ecuador and the Secretariat on revised legislative analysis	Nov. 2018
24	Eritrea	22.01.1995	2	SSFA with UNEP in place to finalize legislation. Revised draft prepared and comments by the Secretariat provided	Finalization and submission of draft legislation; agreement between Eritrea and the Secretariat on revised legislative analysis	April 2018
25	Gabon	14.05.1989	2	Commitment to draft legislation; comments provided by the Secretariat on draft legislation in January 2017. Revised draft submitted to the Secretariat in July 2018	Finalization and submission of revised legislation.	July 2018
26	The Gambia	24.11.1977	2	SSFA with the UNEP under the joint programme. Draft Bill finalized and validated by all CITES Stakeholders	Cabinet approval and submission of draft legislation	July 2018
27	Georgia	12.12.1996	2	Observations on draft legislation provided by the Secretariat. National Parliament adopted legislation in Dec. 2018	Agreement between GE and Secretariat on revised legislative analysis, and possibly Category 1 status	Dec. 2018
28	Ghana	12.02.1976	3	Bill has been through second reading in Parliament.	Enactment, and submission to the Secretariat for analysis. Agreement between GH and Secretariat on revised legislative analysis, including the need for implementing legislation	July 2017
29	Grenada	28.11.1999	3	Draft legislation prepared; existing and draft legislation reviewed by GD and Secretariat; formal request for assistance. Formal warning after SC70	Finalization and submission of draft legislation; drafting assistance needed	CoP17
30	Guinea	20.12.1981	2	Subject to a recommendation to suspend trade for other compliance matters of which enactment of appropriate legislation is key. Identified as priority Party by SC69. Revised enabling legislation adopted in June 2018	Finalization and submission of draft legislation; drafting assistance possibly needed	Dec. 2018
31	India	18.10.1976	2	Identified as priority Party by SC69. Additional legislation to be prepared to meet the requirements.	Finalization and submission of draft legislation.	March 2018
32	Jordan	14.03.1979	2	CITES legislation enacted and submitted in English to the Secretariat. Possible gaps identified by the Sec. Formal warning after SC70	Gaps identified by Sec. to be addressed. Agreement between JO and Secretariat on revised legislative analysis.	Nov. 2018
33	Kazakhstan	19.04.2000	2	Enabling and implementing legislation enacted and submitted in English to the Secretariat in July 2016. KZ is preparing revised legislation to address gaps identified by the Secretariat.	Revisions of existing legislation. Agreement between KZ and Secretariat on revised legislative analysis	Oct. 2018

	Party	Entry into force of the Convention	Cat.	Progress summary	Next steps	Last update
34	Kenya	13.03.1979	2	Wildlife legislation enacted, but amendments underway to address concerns raised by the Secretariat.	Finalization of revised implementing regulations. Agreement between KE and Secretariat on revised legislative analysis, including Category 1 status	Oct. 2018
35	Kyrgyzstan	02.09.2007	2	CITES legislation enacted and submitted to the Secretariat for analysis. KG revising legislation to address identified gaps.	Finalization and submission of revised legislation. Agreement between KG and Secretariat on revised legislative analysis	July 2018
36	Lao People's Democratic Republic	30.05.2004	3	Some legislation in place but significant gaps. Comprehensive legislative analysis completed. Identified as priority Party by SC69. Assistance available	Develop CITES implementing legislation and amend provisions of existing national laws	Oct. 2018
37	Lesotho	30.12.2003	3	Enabling legislation (environmental) enacted. Draft CITES specific legislation under preparation to be finalized before the end of 2019. SSFA with UNEP in place	Preparation and submission of draft legislation	Nov. 2018
38	Liberia	09.06.1981	3	Subject to a recommendation to suspend commercial trade since SC66. New wildlife legislation enacted by Parliament and submitted to the Secretariat. Revision underway to address identified gaps.	Finalization of revised legislation and preparation of implementing regulations. Agreement between LR and Secretariat on revised legislative analysis	Oct. 2018
39	Libya	28.04.2003	3	Draft legislation prepared but no translation into a working language provided to Secretariat. Formal warning after SC70.	Upon receipt of English translation, LY and Secretariat should review draft and agree on any revisions needed to finalize it for submission	CoP17
40	Malawi	06.05.1982	2	CITES enabling legislation enacted in 2016. Implementing regulations have recently been finalized. Observations by the Sec. are being considered	Approval and gazetting of implementing regulations. Agreement by MW and Secretariat on revised legislative analysis.	Nov. 2018
41	Mali	16.10.1994	2	Legislation provided to the Secretariat for analysis. Draft analysis indicates some gaps in legislation to be addressed.	Agreement between Mali and the Secretariat on revised legislative analysis	Aug. 2017
42	Mauritania	11.06.1998	3	Subject to a recommendation to suspend trade since 30 April 2004. Legislation has been adopted national parliament	Signing by President and gazetting. Agreement between MR and the Secretariat on revised legislative analysis, including possible Category 1 status	Dec. 2018
43	Mongolia	04.04.1996	2	Formal warning sent after SC69. Draft revision of legislation is being prepared and has been submitted to the Secretariat in national language	Finalization of draft and submission for enactment. Adoption and submission to the Secretariat. Agreement between MN and the Secretariat on revised legislative analysis	Oct. 2018
44	Montenegro	03.06.2006	2	CITES enabling legislation	Agreement between ME and the	July

	Party	Entry into force of the Convention	Cat.	Progress summary	Next steps	Last update
				enacted in 2016. Revised implementing legislation.	Secretariat on revised legislative analysis, including possible Category 1 status	2018
45	Mozambique	23.06.1981	2	CITES-specific legislation enacted. A comprehensive implementing regulation has been adopted as well and submitted to the Secretariat.	Agreement between Mozambique and the Secretariat on revised legislative analysis	Nov. 2018
46	Myanmar	11.09.1997	2	Revised CITES legislation enacted in May 2018. Implementing rules and regulations are under development	Finalization, adoption and submission of implementing rules; agreement between MM and Secretariat on revised legislative analysis	July 2018
47	Nepal	16.09.1975	2	Legislation enacted and in force; implementing rules still need to be developed.	Development of implementing rules; agreement between Nepal and Secretariat on revised legislative analysis, including possible Cat. 1 status	July 2018
48	Niger	07.12.1975	3	Comprehensive draft legislation prepared; text reviewed by NE and Secretariat. SSFA completed. Third draft of legislation prepared and validated.	Finalization of draft law and submission for enactment. Agreement between NE and the Secretariat on revised legislative analysis.	May 2018
49	Oman	17.06.2008	3	Commitment to prepare draft legislation but no recent information on status. Formal warning after SC70	Preparation of draft legislation	CoP17
50	Pakistan	19.07.1976	2	CITES law enacted at federal level; implementing regulations submitted for adoption	Submission of adopted regulations to the Secretariat; agreement between PK and Secretariat on revised legislative analysis	July 2018
51	Palau	15.07.2004	3	Secretariat provided comments on comprehensive draft legislation in December 2014.	Enactment and agreement between PW and the Secretariat on revised legislative analysis	Sep. 2017
52	Philippines	16.11.1981	2	CITES enabling and implementing legislation enacted. New legislative plan to update the legislation on introduction from the sea to be finalized by Q1 in 2018	Agreement between PH and Secretariat on revised legislative analysis with new legislation on introduction from the sea, including possible Category 1 status	Sep. 2017
53	Rwanda	18.01.1981	3	Secretariat provided comments on a revised improved draft legislation submitted in May 2018. Draft law under consideration by the Rwanda Law Reform Commission	Completion and submission of draft to Cabinet for enactment.	Dec. 2018
54	Saint Kitts and Nevis	15.05.1994	2	CITES legislation enacted. Formal warning after SC70.	Agreement between KN and Secretariat on revised legislative analysis, including possible Category 1 status	CoP17

	Party	Entry into force of the Convention	Cat.	Progress summary	Next steps	Last update
55	Saint Lucia	15.03.1983	2	SSFA in place; slow progress in implementation	Finalization and submission of draft implementing legislation.	June 2018
56	Saint Vincent and the Grenadines	28.02.1989	2	Comprehensive draft legislation prepared; existing and draft legislation reviewed by VC and Secretariat; formal request for assistance. Formal warning after SC70	Under draft SSFA, local legal consultant to review existing legislation, prepare new draft legislation to address gaps, assist with national consultative process and prepare final draft legislation	CoP17
57	Samoa	07.02.2005	3	Draft legislation prepared and in process of submission; formal request for assistance	Finalization and submission of draft legislation; drafting assistance provided by NZ	June 2017
58	Sao Tome and Principe	07.11.2001	3	Commitment to prepare draft legislation; formal request for assistance; no recent information on status. Formal warning after SC70	Preparation of draft legislation; drafting assistance needed	CoP17
59	Seychelles	09.05.1977	3	Draft enabling legislation prepared with input from the Secretariat. No recent information on status. Formal warning after SC70	Submission of draft legislation for adoption and enactment. Category 1 status is pending adoption and entry into force	CoP17
60	Sierra Leone	26.01.1995	3	Wildlife Policy and Forest Policy adopted; amendments to related laws and regulations underway.	Finalization and submission of draft legislation	Feb. 2017
61	Solomon Islands	24.06.2007	2	Amendments to legislation recently adopted. SSFA completed. Implementing regulations finalized	Gazetting of implementing regulations and revised legislative analysis, including possible Category 1 status.	Dec. 2018
62	Somalia	02.03.1986	3	Subject to a recommendation to suspend trade since 30 April 2004. SSFA with UNEP completed. Revised draft legislation underway	Finalization and submission of draft legislation	July 2018
63	Sri Lanka	02.08.1979	3	Draft and comprehensive revised draft legislation prepared and submitted for enactment. Implementing regulation underway	Finalization of implementing regulations and agreement between LK and Secretariat on revised legislative analysis, including possible Category 1 status	Oct. 2018
64	Sudan	24.01.1983	2	Formal warning after SC70 led to submission of existing legislation which has already been placed in Cat. 2.	Preparation and submission of revised legislation	Dec. 2018
65	Suriname	15.02.1981	2	CITES legislation enacted and submitted to the Secretariat for analysis – discussions on how to address remaining gaps are ongoing	Agreement between SR and Secretariat on revised legislative analysis, including possible Category 1 status.	July 2018
66	Eswatini (former Swaziland)	27.05.1997	3	Comprehensive draft and revised draft legislation prepared; revised draft submitted to the Secretariat. Formal warning after SC70	Finalization and submission of draft legislation for adoption and enactment.	CoP17
67	Syrian Arab Republic	29.07.2003	3	Comprehensive draft legislation prepared and submitted to Prime Minister for discussion; English translation provided to Secretariat. Formal request for assistance.	Review/revision of draft legislation by SY and Secretariat; finalization and submission of draft legislation	July 2018

	Party	Entry into force of the Convention	Cat.	Progress summary	Next steps	Last update
68	The former Yugoslav Republic of Macedonia	02.10.2000	2	CITES legislation enacted and submitted in English to the Secretariat who provided its observations in August 2016. No recent information on status. Formal warning after SC70	Agreement between MK and Secretariat on revised legislative analysis, including possible Category 1 status	CoP17
69	Togo	21.01.1979	2	SSFA in place with the CITES Secretariat. Observations on draft bill provided by the Secretariat	Finalization and submission of draft legislation	Dec. 2018
70	Trinidad and Tobago	18.04.1984	2	Comprehensive draft legislation prepared; existing and draft legislation reviewed by TT and Secretariat; formal request for assistance	Finalization and submission of draft legislation; drafting assistance needed	July 2018
71	Tunisia	01.07.1975	2	Comprehensive draft and revised draft legislation prepared; text reviewed by TN and Secretariat; government legal advisor now reviewing text. Formal warning after SC69. Sec provided observations on revised draft	Finalization and submission of draft legislation	Dec. 2018
72	Uganda	16.10.1991	3	Uganda Wildlife Bill 2015 finalized and submitted to Parliament for enactment. Progress in Parliament is slow	Enactment and entering into force, followed by agreement between UG and Secretariat on revised legislative analysis	May 2018
73	United Republic of Tanzania	27.02.1980	2	Implementing regulation for United Republic of Tanzania mainland has been signed and be published. Regulations for Zanzibar have been prepared.	Finalization of regulations for Zanzibar. Agreement between TZ and Secretariat on revised legislative analysis, including possible Category 1 status	Sep. 2018
74	Uzbekistan	08.10.1997	2	Identified as priority Party by SC69. Draft revised legislation prepared and additional observations by the Secretariat provided in July 2018.	Finalization and submission of revised legislation	Oct. 2018
75	Zambia	22.02.1981	2	CITES legislation enacted; observations on draft implementing rules provided by Secretariat in January 2018	Finalization and submission of draft supplemental legislation	January 2018

Table 2: Recently acceded Parties¹³

	Party	Entry into force	Cat.	Progress summary	Next steps/needs	Last update
1	Angola	31.12.2013	P	SSFA with UNEP completed. Legislation finalized and enacted. Publication in the national Gazette in Dec. 2019	Submission to the Secretariat in one of the working languages. Agreement of revised legislative status, including Category 1 status.	Dec. 2018
2	Bahrain	17.11.2012	P	Comprehensive draft legislation prepared and under internal discussion	Finalization and submission of draft legislation	CoP17
3	Iraq	06.05.2014	P	National committee for the preparation of national CITES legislation has been established. Draft legislation under consideration and submitted to the Secretariat for observations	Finalization and submission of draft legislation	Sep. 2017
4	Lebanon	26.05.2013	P	Consultations between LB and Secretariat are in early stages; possible Secretariat technical assistance mission for new Party	Review by LB and Secretariat of existing CITES-related legislation and agreement on legislative analysis	CoP17
5	Maldives	12.03.2013	P	SSFA with the Secretariat completed. Draft legislation prepared and ready to be submitted for enactment, once review by the Attorney General is completed	Enactment and agreement between MV and Secretariat on revised legislative analysis, including possible Category 1 status	Feb. 2018
6	Tajikistan	30.03.2016	P	Consultations between TJ and Secretariat are in early stages. Sec. prepared preliminary review of existing legislation, revealing gaps. Formal request for assistance. Participated in workshop in May 2018	Preparation and submission of draft legislation to fill identified gaps	May 2018
7	Tonga	20.10.2016	P	Consultations between TO and Secretariat are in early stages. Formal request for assistance. National workshop planned for spring 2019	Review of existing CITES-related legislation and preparation of draft legislation to fill possible gaps	Dec 2017

¹³ P: Recently acceded Parties - pending submission of legislation to the Secretariat. After eight years, the legislation is placed in Category 3.

Table 3: Dependent territories¹⁴

Dependent territory	Cat.	Dep.	Progress summary	Next steps/needs	Last update
American Samoa	1	US			CoP17
Anguilla	1	GB			CoP17
Aruba	2	NL	CITES legislation enacted	Agreement between NL and Secretariat on revised legislative analysis, including possible Category 1 status	CoP17
Bailiwick of Guernsey	3	GB	Comprehensive enabling and implementing legislation drafted and currently passing through Guernsey's legislative process. SA is also being established	Guernsey's CITES Ordinance pending enactment. Once it has been enacted and its SA appointed, it is expected that the legislation can be placed in Category 1	Nov. 2018
Bailiwick of Jersey	1	GB			CoP17
Bermuda	2	GB	Observations on the revised draft legislation provided by the CITES Secretariat in Sep. 2018	Revision and submission of draft amended legislation.	Sep. 2018
British Indian Ocean Territory	1	GB			CoP17
British Virgin Islands	2	GB	Final draft legislation has been prepared taking into account comments provided by the Secretariat	Submission and adoption. Entry into force of legislation.	June 2018
Caribbean Netherlands (part of the Netherlands)	2	NL	CITES legislation enacted	Agreement between NL and Secretariat on revised legislative analysis, including possible Category 1 status	Dec. 2018
Cayman Islands (CIG)	1	GB			March 2017
Curacao	2	NL	CITES legislation enacted	Agreement between NL and Secretariat on revised legislative analysis, including possible Category 1 status	Dec. 2018
French Guiana	1	FR			CoP17
French Polynesia	2	FR	CITES legislation enacted	Agreement between FR and Secretariat on revised legislative analysis, including possible Category 1 status	May 2018
Gibraltar	1	GB			CoP17
Greenland	2	DK	Comprehensive CITES legislation enacted; review by Greenland and Secretariat identified important gaps; Greenland currently considering how to address the gaps	Agreement by Greenland and Secretariat on revised legislative analysis, including possible Category 1 status	Sep. 2018
Guadeloupe	1	FR			CoP17
Guam	1	US			CoP17
Hong Kong SAR	1	CN			CoP17
Isle of Man	1	GB			CoP17

¹⁴ **Dep.:** two-letter ISO code of the State of which the territory is a dependency

Dependent territory	Cat.	Dep.	Progress summary	Next steps/needs	Last update
Macao SAR	2	CN	Comprehensive legislation and implementing regulation adopted and entered into force.	Agreement between Macao SAR and Secretariat on revised legislative analysis, including possible Category 1 status	Oct. 2017
Martinique	1	FR			CoP17
Montserrat	2	GB	Amended Trade in Endangered Species enacted.	Designation of MA and SA. Enactment of legislation and agreement on revised legislative analysis, including Category 1 status	June 2018
New Caledonia	2	FR	CITES legislation enacted	Agreement between FR and Secretariat on revised legislative analysis, including possible Category 1 status	May 2018
Northern Mariana Islands	1	US			CoP17
Pitcairn Islands	1	GB			CoP17
Puerto Rico	1	US			CoP17
Réunion	1	FR			CoP17
St Helena, Ascension Islands and Tristan da Cunha	2	GB	The revised draft Ordinance of St Helena entered into force in February 2016 and has been submitted to the Secretariat. Tristan da Cunha is revising its timetable and preparing draft legislation based on the legislation of Ascension Islands. Legislation of Ascension Islands has been placed in Category 1	For St Helena, establishment of the Scientific Authority based on the amended Ordinance. Agreement that the legislation can be placed in Category 1 as soon as the SA is operational. For Tristan da Cunha, finalization of draft legislation and submission to the Secretariat for comments.	June 2018
Saint Pierre and Miquelon	1	FR			CoP17
Sint Maarten	2	NL	CITES legislation enacted	Agreement between NL and Secretariat on revised legislative analysis, including possible Category 1 status	Dec. 2018
Virgin Islands of the United States	1	US			CoP17
Wallis and Futuna Islands	2	FR	CITES legislation enacted	Agreement between FR and Secretariat on revised legislative analysis, including possible Category 1 status	May 2018

Note: *Turks and Caicos has developed draft legislation. The Convention will be extended to cover this dependent territory of the United Kingdom once it has enacted legislation that qualifies for Category 1 status.*