

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



Nineteenth meeting of the Conference of the Parties
Panama City (Panama), 14 - 25 November 2022

Summary record of the eleventh session for Committee II

21 November 2022: 14h05 - 17h00

Chair: R. Ollerenshaw (Australia)

Secretariat: T. Carroll
S. H. Flensburg
K. Gaynor
B. Janse van Rensburg
J. Stahl
J. C. Vasquez

Rapporteurs: A. Caromel
R. Mackenzie
L. Oliveira
S. Rouse

The Chair noted that Humane Society International requested to be included in the working group on wildlife crime enforcement in West and Central Africa on behalf of Species Survival Network, who will attend and participate in the working group.

Adoption of summary records

CoP19 Com. II Rec. 6

Japan asked to be deleted from the list of countries supporting decision 19.DD under agenda item 66.3 on *Implementing aspects of Resolution Conf. 10.10 (Rev. CoP18) on the closure of domestic ivory markets*.

The Secretariat also wished the summary record to reflect that it had been agreed to delete Decisions 18.120, 18.121, 18.227, 18.182 and 18.183 under agenda item 66.1 on *Implementation of Resolution Conf. 10.10 (Rev. CoP18) on Trade in elephant specimens*.

Summary record CoP19 Com. II Rec. 6 was adopted with amendments proposed by the Secretariat and Japan.

CoP19 Com. II Rec. 7

The United States of America noted that under agenda item 48 *Definition of the term 'appropriate and acceptable destinations'*, its proposed amendment to draft decision 19.AA should read:

Directed to the Secretariat

19.AA The Secretariat shall: a) issue a Notification to the Parties within one year ~~90 days~~ of the close of the 19th meeting of the Conference of the Parties, inviting feedback on experiences with using the guidance documents and other contained in Notification to the Parties No. 2019/070 on Non-binding guidance for determining whether a proposed recipient of a living specimen is suitably

~~equipped to house and care for it, as well as the~~ information provided on the CITES webpage “Appropriate and acceptable destinations”, and

Summary record CoP19 Com. II Rec. 7 was adopted with this amendment.

Species specific matters

75. Rhinoceroses (Rhinocerotidae spp.)

Discussion on document CoP19 Doc. 75 resumed. The Secretariat clarified that “implicated States” refers to states that are affected by illegal trade in rhinoceros specimens.

The Committee agreed the amendments to Resolution Conf. 9.14 (Rev. CoP17) in Annex 2 to document CoP19 Doc. 75 (Rev. 1), along with the amendment of the European Union and its Member States to paragraph 8 and the insertion of the following text as a new paragraph 1 f):

“continuously review trends associated with the illegal killing of rhinoceroses and illegal trade in rhinoceros specimens, and the measures and activities they are implementing to address these crimes, to ensure that these measures and activities remain effective”

The Committee agreed to renew Decision 18.116 as contained in Annex 3. Draft decisions 19.AA and 19.BB as set out in Annex 3 to document CoP19 Doc. 75 and draft decision 19.FF as amended by the United Kingdom of Great Britain and Northern Ireland were agreed.

The Chair established a working group comprising Botswana, China, Czech Republic, European Union, Kenya, Namibia, South Africa, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States, Viet Nam, Zimbabwe, Amboseli Ecosystem Trust, Conservation Force, Dallas Safari Club, Environmental Investigation Agency (US), TRAFFIC, World Wide Fund and Wildlife Justice Commission to consider the draft decisions 19.CC, 19.DD and 19.EE as amended by the United Kingdom of Great Britain and Northern Ireland, and any consequential amendments to 19.GG, including Kenya’s proposed draft decision. The group was asked to produce a set of consolidated draft decisions in an in-session document for consideration by the Committee.

71. Pangolins (Manis spp.)

71.1 Report of the Standing Committee and Animals Committee

and

71.2 Proposed amendment to Resolution Conf. 17.10

The Chair invited the Committee to consider the two documents CoP19 Doc. 71.1 and CoP19 Doc. 71.2 together.

The Chair of the Animals Committee, on behalf of the Standing Committee, introduced document CoP19 Doc. 71.1, which invited the renewal of Decision 18.238 and the adoption of new draft decisions in Annex 1 to the document.

The United Kingdom of Great Britain and Northern Ireland introduced document CoP19 Doc. 71.2, which proposed amendments to Resolution Conf. 17.10 on *Conservation of and trade in pangolins* in Annex 1 and draft decisions in Annex 2, aimed at strengthening action against illegal trade in pangolins. It noted the Secretariat’s comments on paragraphs 1d), 3 and 4 of the proposed revised Resolution, appreciating the additional reporting burden on the Secretariat and the Parties, but considered that improved reporting was essential to better understand the effects of poaching and trade. The United Kingdom indicated that it could accept the proposed amendments to its draft revised Resolution suggested in paragraph E and G of the Secretariat’s comments in document CoP19 Doc. 71.1, and the Secretariat’s consolidated draft decisions in paragraph U of that document, subject to the incorporation of paragraph c) of draft decision 19.GG in Annex 2 to document CoP19 Doc. 71.2.

The Secretariat suggested the retention of Decisions 18.238 and 18.239 and the adoption of the draft decisions in paragraph U of document CoP19 Doc. 71.1, along with the deletion of 18.240 to 18.243.

Burkina Faso, the European Union and its Member States, Gabon, Israel, Kenya, Niger, Senegal, and TRAFFIC (speaking also on behalf of the World Wide Fund for Nature) supported the United Kingdom's proposal to revise Resolution Conf. 17.10. Botswana expressed support for the Secretariat's proposed amendments in its comments in document CoP19 Doc. 71.1. The United States of America expressed support for the amendments to Resolution Conf. 17.10 as put forward by the United Kingdom, but, supported by Gabon, agreed with the Secretariat's proposed amendment referred to in paragraph L of the Secretariat's comments in document CoP19 Doc. 71.1.

China supported the Secretariat's recommendations concerning reporting requirements in operative paragraphs 1d), 3 and 4 of the draft revised Resolution in paragraph T of the Secretariat's comments in document CoP19 Doc. 71.1, opining that additional reporting requirements presented an additional burden on the Secretariat and Parties and exceeded the requirements in Article VIII. 7. Of the text of the Convention. It expressed the view that the management and security of domestic markets and stockpiles are beyond the remit of CITES. Thailand proposed further amendments to draft revised Resolution Conf. 17.10: in paragraph T of the Secretariat's comments in document CoP19 Doc. 71.1 to add "where possible" at the end of operative paragraph 1b) and to add "where feasible and allowed by the national legislation" at the end of operative paragraph 1c). Viet Nam considered that there was insufficient information upon which to base an amendment to Resolution Conf. 17.10.

The European Union and its Member States and Thailand supported the consolidated decisions proposed by the Secretariat in paragraph U of document CoP19 Doc. 71.1. The United States also supported these draft decisions with the retention of paragraph c) of draft decision 19.GG in Annex 2 to document CoP19 Doc. 71.2.

In relation to reporting requirements, IUCN, speaking also on behalf of the Zoological Society of London stressed the critical need for data for evidence-based decision-making. IWMC- World Conservation Trust considered that stockpile issues were a matter of national enforcement and outside the scope of the Convention.

Japan questioned the conclusion of the discussion and the Chair decided to ask for an in-session document to be prepared based on the draft revised Resolution proposed in document CoP19 Doc. 71.2, with the amendments proposed by the United Kingdom of Great Britain and Northern Ireland in its introduction to that document, and those proposed by Thailand and the United States of America during discussions.

The draft decisions as recommended by the Secretariat in paragraph U of document CoP19 Doc. 71.1, with the amendment by the United Kingdom to integrate paragraph c) of draft decision 19.GG in Annex 2 to document CoP19 Doc. 71.2 into draft decision 19.FF as follows, were accepted:

- c) review the information contained in SC69 Doc. 57 Annex 2, SC74 Doc. 73 Annex 2, reports from Parties under Res Conf 17.10, and other relevant resources to develop time-bound and measurable recommendations for Parties (range, transit, and consumer countries) at SC78 that support addressing the illegal trade in pangolins.

The deletion of Decision 18.240 to 18.243 was agreed.

73. Jaguar (*Panthera onca*)

73.1 Report of the Standing Committee

and

73.2 Proposed Amendments to the draft decisions on jaguars agreed at SC74

The Chair indicated that documents CoP19 Doc 73.1 and CoP19 Doc 73.2 would be considered together.

The Chair of the Standing Committee introduced document CoP19 Doc. 73 1, noting the conclusion of the study on the illegal trade in jaguars by the Secretariat and its review by the Standing Committee, and noting that draft decisions in the Annex 1 to document CoP19 Doc. 73.1 were to replace Decisions 18.251 to 18.253.

Costa Rica introduced document CoP19 Doc. 73.2, also speaking on behalf of Argentina, Belize, the Plurinational State of Bolivia, Brazil, Chile, Colombia, Cuba, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Panama, Paraguay, Uruguay, and the Bolivarian Republic of Venezuela, highlighting various measures taken by range States of jaguars to support the conservation of the species. Costa Rica indicated that the Secretariat's amendments to draft decisions 19.DD and 19.EE in document CoP19 Doc. 73.2 were supported as well as the new paragraph b) in draft decision 19.CC.

Brazil, Panama and Suriname expressed their support to the Secretariat's amendments to the draft decisions as proposed in CoP19 Doc. 73.2, highlighting measures taken at the national level and their commitment to the 2030 Jaguar Conservation Road Map.

The Plurinational State of Bolivia supported document CoP19 Doc. 73.2 and proposed amendments to include due to its ecological significance after "joint priority" in paragraph h) of draft decision 19.AA, and insertion of the term indigenous peoples in paragraph b) of draft decision 19.BB to read "including engagement of local communities and indigenous peoples in the monitoring and gender-based approaches, as appropriate". The United States of America supported the draft decisions in the document and the amendments proposed by the Plurinational State of Bolivia's. Costa Rica, also on behalf of the other proponents of document CoP19 Doc. 73.2, agreed to these amendments and supported the Secretariat's recommendation to delete paragraph a) of draft decision 19.DD.

The Convention on Migratory Species and Panthera (on behalf of the 2030 Jaguar Road Map Coordination Committee Members) also expressed their support for the draft decisions in document CoP19 Doc. 73. 2.

The Committee accepted the draft decisions in document CoP19 Doc. 73.2 as amended by the Secretariat and the Plurinational State of Bolivia, with the deletion of paragraph a) of draft decision 19.DD and the deletion of Decisions 18.252 to 18.253.

69. Seahorses (*Hippocampus* spp.)

69.1 Report of the Standing Committee

and

69.2 Next steps towards the successful implementation of the Appendix-II listing for seahorses

The Chair noted that documents CoP19 Doc 69.1 and CoP19 Doc 69.2 would be considered together.

The Chair of the Standing Committee introduced CoP19 Doc 69.1 on the Standing Committee's report on the implementation of Decisions 18.228 to 18.233 on seahorses.

The United States of America introduced document CoP19 Doc 69.2 emphasizing the need to maintain key actions for the effective implementation of the Appendix-II listing for seahorses in light of the large volumes of dried seahorses in international trade. It read out draft decisions in information document CoP19 Inf. 52 that merge the draft decisions in 69.1 and 69.2 and remove the reference to a workshop. The amendments read as follows:

Directed to the Secretariat

19.AA The Secretariat shall:

- a) subject to external funding, collaborate with Parties and species experts to prepare a report on the global illegal trade in seahorses, for consideration by the Standing Committee. The report should include an analysis of extracted data from the CITES illegal trade database, consultations with regional enforcement networks as applicable, analysis of illegal trade routes, modus operandi and seizures, and information contained in the studies prepared in response to Decision 18.229 paragraph c) i); and
- b) report on implementation of paragraph a) of the current Decision 19.AA to the Standing Committee at its 77th and 78th meeting.

Directed to the Parties

- 19.BB To effectively implement the inclusion of seahorses in Appendix II of CITES, source, transit, and consumer Parties for which there is evidence of illegal and/or unsustainable international trade in dried seahorses are encouraged to:
- a) collaborate with key stakeholders and species experts to develop national or regional plans of action to improve CITES implementation for seahorses and should include the following, *inter alia*:
 - i) encouraging collaboration and communication between key stakeholders at a national and regional level, including Environment, Fisheries and Enforcement agencies, with respect to CITES implementation and data gathering for the international trade in seahorses;
 - ii) improving monitoring, detection and law enforcement activities related to seahorses in coastal areas and at transaction points (e.g. in the marketplace, online, in maritime areas, and at air- and seaports);
 - iii) submitting comprehensive and accurate information on illegal international trade in seahorses in their annual illegal trade reports to the Secretariat, as required in compliance with Resolution Conf. 11.17 (Rev. CoP18) on *National reports*, and in support of Decision 19.AA a);
 - iv) addressing the main drivers of illegal and unsustainable trade by effectively regulating and constraining the operations of non-selective fishing gears, such as bottom trawls and gillnets, to reduce their impacts on seahorses, and combating illegal, unregulated and unreported (IUU) fishing of seahorses by developing best practices for sustainable harvest; and
 - b) share progress in developing and implementing these national or regional plans of action with the Secretariat for its report to the 33rd meeting of the Animals Committee.

Directed to Parties, intergovernmental and non-governmental organizations

- 19.CC Parties, intergovernmental and non-governmental organizations are encouraged to provide financial and technical assistance to Parties to implement Decision 19.BB and any further recommendations made by the Standing Committee.

Directed to the Animals Committee

- 19.DD The Animals Committee shall:
- a) in consultation with species experts, analyse and review the results of any activities under Decisions 19.AA and 19.BB, the report produced under Decision 18.229, paragraph c) i), and other relevant available information;
 - b) in consultation with species experts, develop recommendations to the Parties, the Secretariat, and relevant stakeholders, as appropriate, to ensure sustainable and legal international trade in seahorses;
 - c) consider recommending seahorses as a case study to the 2nd international expert workshop on non-detriment findings; and
 - d) report on the implementation of Decision 19.DD to the Standing Committee, as appropriate.

Directed to the Standing Committee

- 19.EE The Standing Committee shall:

- a) in consultation with species experts, analyse and review the results of any activities under Decisions 19.AA and 19.BB, the report produced under Decision 18.229 paragraph c) i) and, as appropriate, the report of the Animals Committee produced in support of Decision 19.CC;
- b) in consultation with species experts, develop recommendations to the Parties and the Secretariat, as appropriate, to strengthen CITES implementation and enforcement for international trade in seahorses; and
- c) report on the implementation of Decisions 19.AA to 19.EE to the Conference of the Parties at its 20th meeting.

Maldives, Peru, Sri Lanka and Togo as co-proponents, followed by Canada, Costa Rica, the European Union and its Member States, Guinea-Bissau, Liberia, Panama, IUCN and Zoological Society London, supported these merged draft decisions. Canada proposed removing “in consultation with species experts” from paragraph b) of draft decisions 19.DD and paragraphs a) and b) of draft decision 19.EE.

Indonesia and Japan supported the Secretariat’s comments in document CoP19 Doc. 69.1. Pet Advocacy Network emphasized the importance of aquaculture as an additional tool for the conservation of seahorses and expressed concern about trade in by-catch. Following a request from India, the Secretariat noted that Project Seahorse had independently secured funding from the United States National Oceanic and Atmospheric Administration (NOAA).

The merged draft decisions proposed by the United States of America as reflected above and amended by Canada were agreed. It was also agreed to delete decisions 18.228 to 18.233.

67. CITES Big Cats Task Force (Felidae spp.)

The Chair of the Standing Committee introduced document CoP19 Doc. 67 on the extension and update of Decisions related to the CITES Big Cats Task Force, noting that the draft decisions presented in Annex 1 to the document had been developed with the support of the Secretariat.

The European Union and its Member States, India, Thailand, United Kingdom of Great Britain and Northern Ireland and Zimbabwe expressed support for the draft decisions in Annex 1 of document CoP19 Doc 67. The United Kingdom proposed some amendments to draft decisions 19.AA and 19.BB, including a new subparagraph 19.BB c), to refine language and foster information sharing.

The European Union and its Member States urged Parties to report on illegal trade in big cat specimens so that priority countries could be identified.

Zimbabwe urged the Secretariat to continue working closely with African lion range States, particularly in regard to closing existing capacity and information gaps.

It was agreed to adopt draft decisions 19.AA and 19.BB in Annex 1 of CoP19 Doc. 67 with the following amendments proposed by the United Kingdom:

Directed to the Secretariat (former Decision 18.245, now draft decision 19.AA)

19.AA The Secretariat shall:

subject to external resources

- a) establish and convene, the CITES Big Cats Task Force (Task Force), in accordance with the terms of reference and modus operandi agreed by the Standing Committee as presented in Annex 2 to document CoP19 Doc. 67 on CITES Big Cats Task Force (Felidae spp.);
- b) provide support to the Task Force allowing it, ~~inter alia~~, to effectively carry out its mandate as stated in the terms of reference, including to:
 - i) discuss enforcement and implementation issues related to the illegal trade in specimens of big cats;

- ii) as deemed appropriate, exchange intelligence and other information on the illegal trade in big cats; and
- iii) develop strategies and make recommendations to improve international cooperation regarding the enforcement of CITES concerning illegal trade in specimens of big cats; and
- c) report the findings and recommendations of the Task Force to the 77th and 78th meeting of the Standing Committee for its consideration, and for making its own recommendations as appropriate.

Directed to the Standing Committee (former Decision 18.248, now draft decision 19.BB)

19.BB The Standing Committee shall:

- a) consider at its 77th meeting the reports submitted by the Secretariat, as per Decision 19.AA, and make recommendations to the Secretariat and big cat source, transit, and destination countries ~~range States~~, as appropriate.
- b) report on the implementation of Decision 19.BB and any relevant recommendations as appropriate to the Conference of the Parties at its 20th meeting.
- c) publish information generated by the Big Cat Task Force on the CITES website to keep relevant stakeholders informed and support the development of appropriate measures by source, transit, and destination countries.

The Committee also agreed to delete decisions 18.245 and 18.248.

59. Illegal trade in cheetahs (*Acinonyx jubatus*)

Ethiopia introduced document CoP19 Doc. 59, noting the need for international cooperation to address the increasing illegal trade in cheetahs, particularly in live cheetah cubs, and stating that appropriate mechanisms to report illegal trade in cheetahs should be in place to allow the Standing Committee to monitor the matter more closely.

The United Arab Emirates questioned the reliability of some sources of information in the document and stated that illegal trade in cheetah would be better addressed by the Big Cats Task Force.

The United States of America supported the recommendations set out in document CoP19 Doc. 59 as amended by the Secretariat, and proposed the following additional amendments:

Directed to Parties affected by illegal trade in cheetahs

19.AA Parties affected by illegal trade in cheetahs are encouraged to:

- a) review their national legislation taking into consideration the provisions of paragraph 15. e) to h) in Resolution Conf. 11.3 (Rev.CoP18) on *Compliance and enforcement*, and where needed revise such legislation to ensure that it adequately addresses illegal wildlife trade, including illegal trade in cheetahs;
- b) make use of the secure communication channels provided by INTERPOL and the World Customs Organization to strengthen information and intelligence exchange, and the resources available through the Cheetahs webpage on the CITES website; ~~and~~
- c) scale up activities to address illegal online trade in cheetah specimens, including by drawing upon the support available through INTERPOL, the Wildlife Crime Linked to the Internet: Practical Guidelines for Law Enforcement Practitioners, and as appropriate, reviewing their implementation of the provisions under “Regarding wildlife crime linked to the Internet”, in Resolution Conf. 11.3 (Rev. CoP18) on Compliance and enforcement, and pursue the full implementation of these provisions; and
- d) report to the Secretariat in advance of the 78th meeting of the Standing Committee on the implementation of this Decision.

Directed to the Secretariat

- 19.BB** a) Subject to available resources and upon request from Parties, the Secretariat shall work with INTERPOL and other ICCWC members to support source, transit and destination Parties to combat illegal trade in cheetahs
- b) report to the Standing Committee at its 78th meeting on implementation of decisions 19.AA and 19.BB a).

Directed to the Standing Committee

- 19.CC** The Standing Committee shall consider the report of the Secretariat on implementation of Decisions 19. AA and 19.BB, and any relevant outcomes from the CITES Big Cats Task Force specific to the conservation of and illegal trade in cheetahs, and develop recommendations for consideration of the Conference of the Parties at its 20th meeting.

The meeting was adjourned at 17h00.