

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 sixteenth session for Committee II

23 November 2022: 14h10 – 17h10

Chair: R. Ollerenshaw (Australia)

Secretariat: I. Higuero
T. Carroll
S. H. Flensburg
H. Gandois
H. Okusu
J.C. Vasquez

Rapporteurs: R. Mackenzie
J. Robinson
S. Rouse
C. Stafford

Species specific matters

66. Elephants (Elephantidae spp.)

66.2 Ivory stockpiles

66.2.2. Establishing a fund accessible to range States upon non-commercial disposal of ivory stockpiles

Kenya introduced document CoP19 Com. II. 9, containing draft decisions on sustainable financing for the conservation of elephants and other wildlife. Kenya noted that it proposed further amendments to the document following discussions with the European Union and its Member States. The European Union and its Member States confirmed that it had held informal discussions with Kenya and other range States but noted that its support to proposed amendments was subject to buy-in from all African elephant range States. This not having occurred it was not in a position to support document CoP19 Com. II. 9 as amended.

Benin, Burkina Faso, Congo, Gabon, Niger, Togo and Senegal supported Kenya's proposal, believing that adoption of the draft decisions would enable open and constructive discussions and ultimately benefit elephant conservation.

Eswatini, Namibia, South Africa and the United Republic of Tanzania acknowledged the need to find sustainable financing for elephant conservation in African elephant range States; however, these Parties, alongside Japan, the United States of America, Zambia and Zimbabwe, did not support the document and regretted a lack of consultation with all African elephant range States. South Africa considered that the draft decisions risked increasing divisions and called for a structured comprehensive consultation process to be put in place.

Botswana, Eswatini and Namibia expressed a wish for this topic to be discussed by African range States outside an intersessional working group.

The United States expressed its appreciation to Kenya for raising this important issue, noted its belief there are multiple pathways to address the linked issues of African elephant conservation, human-elephant conflict, and ivory stockpiles. The United States noted it was prepared to support the document if consensus could be achieved, but also expressed its strong belief that a way forward must include close consultations with the range States that had shared their concerns during the debate, and thus could not recommend adoption at this time. Later in the discussion, the United States suggested a possible way forward would be to note the document rather than taking the matter to a vote.

Seeing no consensus, the Chair called for a vote on the draft decisions contained in in-session document CoP19 Com. II. 9 as amended by Kenya. With 24 Parties in favour, 50 against, and 33 abstentions, the draft decisions in CoP19 Com. II. 9 as amended by Kenya on the floor of Committee I were not accepted. The European Union and its Member States noted that it had voted against accepting the draft decisions.

Interpretation and implementation matters

47. Specimens produced through biotechnology

The United States of America introduced document CoP19 Com. II. 10 containing draft decisions for further work on specimens produced through biotechnology over the next intersessional period. It also drew attention to a new subparagraph c) xiii) in draft decision 19.AA proposed by the Plurinational State of Bolivia.

The European Union and its Member States and the United Kingdom of Great Britain and Northern Ireland supported by the United States of America, supported the proposed changes outlined in the document, except for the amendment proposed by the Plurinational State of Bolivia, considering that the issues of access and benefit sharing were better discussed in other fora. The European Union and its Member States, supported by the United Kingdom and the United States, additionally proposed an amendment of paragraph c) to read: “make recommendations for consideration at the 20th meeting of the Conference of the Parties, including appropriate updates to existing guidance materials, ~~or~~ the development of new guidance materials on trade in specimens produced from biotechnology or changes to any pertinent Resolutions”

The draft decisions presented in CoP19 Com II. 10 as amended by the European Union and its Member States were accepted, with the exception of subparagraph 19.AA c) xiii) suggested by the Plurinational State of Bolivia.

19. CITES and forests

The United Kingdom of Great Britain and Northern Ireland introduced document CoP19 Com. II. 11 containing draft decisions on CITES and forests.

Australia, Brazil, Chile, the European Union and its Member States, Guatemala, New Zealand, Senegal and the United States of America supported the document. Chile proposed an amendment to paragraph c) of draft decision 19.CC to read: “based on the above, explore options aligned consistent with the mandate and the CITES Strategic Vision to:”

The draft decisions presented in CoP19 Com. II. 11 were accepted with the amendment from Chile.

Species specific matters

75. Rhinoceroses (Rhinocerotidae spp.)

The United Kingdom of Great Britain and Northern Ireland introduced document CoP19 Com. II. 12, reporting that the working group was unable to reach consensus on draft decisions 19.CC, 19.DD, 19.EE and 19.GG. The United Kingdom therefore presented the original unamended versions of these draft decisions from document CoP19 Doc. 75 (Rev. 1).

Viet Nam requested that draft decision 19.DD be directed to all source, transit, and destination countries, as it considered it unfeasible for only four countries to implement the activities under the decision.

The United States of America agreed to support the original language for the draft decisions as presented in CoP19. Com. II. 12, but proposed the following additional draft decision directed to the Secretariat:

Directed to the Secretariat

19.HH The Secretariat shall:

- a) examine the implementation of Resolution Conf. 9.14 (Rev. CoP17) and decisions 19.CC, 19.DD, 19.EE, and 19.GG regarding measures to address the illegal killing of rhinoceros and trafficking of rhinoceros horn, and;
- b) report to the 77th and 78th meetings of the Standing Committee.

The United States further recommended an additional instruction under draft decision 19.GG for the Standing Committee to consider these reports.

Draft decisions 19.CC, 19.DD, 19.EE, and 19.GG as presented in document CoP19 Com. II. 12 and the additional draft decision 19.HH and instruction to the Standing Committee under draft decision 19.GG as proposed by the United States of America were accepted. It was agreed to delete Decisions 18.110 to 18.115.

General compliance and enforcement

36. Wildlife crime enforcement support in West and Central Africa

36.1 Report of the Standing Committee

and

36.2 Wildlife crime and CITES enforcement support in West and Central Africa

Belgium, as chair of the working group, introduced document CoP19 Com. II. 13. It reported that the draft decisions contained in document CoP19 Com. II. 13 had been agreed by consensus and the working group had also agreed to delete the Decisions 18.88, 18.89, 18.92 and 18.93 as they had been implemented.

Benin expressed support for the draft decisions put forward in document CoP19 Com. II. 13, and particularly welcomed the decision directed to the Standing Committee relating to funding for enforcement and combating wildlife crime. The United States of America also supported the draft decisions but suggested a number of editorial changes to correct some references and to clarify certain issues. These amendments were noted, and it was agreed that they would be incorporated into the draft decisions. The draft decisions in document CoP19 Com. II. 13, with the amendments from the United States of America, were accepted.

Administrative and financial matters

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

Liechtenstein, as Chair of the budget working group, introduced document CoP19 Com II. 14, which contained a draft resolution on financing and the costed programme of work for the Secretariat for the triennium 2023-2025, which had been prepared by the budget working group on the basis of documents CoP19 Docs. 7.1, 7.2, 7.3 and 7.4 after discussion in the first session of Committee II. It reported that the working group had reached consensus on agenda item 7.4 and that the text in the square brackets in paragraph 44 of document CoP19 Com II. 14 could be deleted. It stated that the budget proposed for adoption was based on the scenario of zero nominal growth with some adjustment for the projected salary costs and for the trade monitoring and support activities by the United Nations Environment Programme World Conservation Monitoring Centre (UNEP-WCMC). The overall proposed budget would be 6.1% higher compared to the current triennium 2020-2022. The draft resolution also proposed a drawdown from the Trust Fund balance of 920,000 USD to continue to fund two temporary positions for the next triennium. The working group had been aware of the wishes from the Committees to fund other items from the core budget, but this could not be accommodated, and they would have to be funded by the voluntary trust fund, to which Parties were encouraged to contribute generously. Finally, Liechtenstein stated that the budget working

group had held two sessions on document CoP19 Doc. 8 on *Language strategy for the Convention* but had not been able to reach a conclusion on this agenda item.

Germany, supported by the Czech Republic, proposed an amendment to paragraph 4 of the proposed Resolution as follows, noting that this would provide flexibility for the Secretariat:

4. APPROVES to use of USD 300,000 from the accumulated registration fee for observers and international visitors ~~for the reduction of Parties annual contribution~~ for the triennium 2023-2025 as was done in the last triennium;

Chile stated that while it would have appreciated an effective zero growth budget, it could accept the proposal in document CoP19 Com. II. 14 but could not accept Germany's proposed amendment. Argentina supported the document.

The Chair concluded that there was support for Germany's amendment to paragraph 4 of the draft resolution in document CoP19 Com. II. 14. With that, the draft Resolution Conf. 19.XX on *Financing and the costed programme of work for the triennium 2023-2025* was accepted.

Species specific matters

78. Tortoises and freshwater turtles (Testudines spp.)

Madagascar thanked the Secretariat for their report and reminded Parties that one of the main reasons for poaching of tortoises is demand in other countries, which drives illegal trade. It thanked the European Union and its Member States for their suggested amendments, and it stated that it might not be possible to have conservation strategies for the four species mentioned by the 33rd meeting of the Animals Committee, and therefore it was not in a position to accept the amendments. It also informed the Committee that it has a plan of action for the conservation of tortoises that it will make available to Parties. The Democratic Republic of the Congo did not support the amendments proposed by the European Union and its Member States, and the United States of America.

India thanked the Secretariat for acknowledging the activities of the Wildlife Crime Bureau of India, targeting illegal trade in tortoises and freshwater turtles and asked to put on record that they had introduced the proposal to include *Batagur kachuga* in Appendix II, which had been accepted in Committee I.

In response to a question from the European Union and its Member States, Madagascar confirmed that it would develop a new report on tortoises and freshwater turtles for the 34th meeting of the Animals Committee and would publish the action plan that it already had available.

The Committee agreed draft decisions 19.AA, 19.BB, 19.CC, 19.EE and 19.FF, proposed by the United States of America and the European Union and its Member States, with all references to the 33rd meeting of the Animals Committee, amended to the 34th meeting and agreed to delete Decisions 18.226 to 18.291 as they had been implemented.

Interpretation and implementation matters

General compliance and enforcement

29. Compliance matters

29.3 Malagasy ebonies (*Diospyros* spp.) and palisanders and rosewoods (*Dalbergia* spp.)

The Secretariat introduced document CoP19 Doc. 29.3, noting progress made by Madagascar and recommending a new set of draft decisions in Annex 1 and the deletion of Decisions 18.94 to 18.99.

Madagascar, represented by its Minister for the Environment, thanked the Secretariat for acknowledging progress made, and provided further information on its efforts in relation to enforcement including progress on scientific matters. It proposed amendments to draft decision 19.AA in Annex 1 to document CoP19 Doc. 29.3 to reflect efforts that it had undertaken, noting that these amendments were the outcome of consultations with various other Parties and based on the work it is doing with various partners. Its proposed amending paragraph a) of draft decision 19.AA read:

- a) strengthen management of all *Dalbergia* spp. and *Diospyros* spp. timber stockpiles secure the stockpiles (including undeclared and hidden stocks of timber of *Dalbergia* spp. and *Diospyros* spp. in Madagascar (including through traceability and control systems), request financial and technical assistance therefor, and submit regular updates on audited inventories and independence oversight mechanisms, for consideration and further guidance from the Standing Committee.

Botswana, Comoros, the European Union and its Member States, Gabon, Niger, Senegal, the United States of America, and Zimbabwe supported the draft decisions in Annex 1 as amended by Madagascar, and commended Madagascar's efforts.

The draft decisions in Annex 1 to document CoP19 Doc. 29.3, with the amendments proposed by Madagascar, were accepted as was the deletion of Decisions 18.94 to 18.99.

Administrative and financial matters

8. Language strategy for the Convention

The Committee resumed its consideration of this issue as it had not been possible to reach a conclusion in the Budget Working Group. Kuwait intervened, speaking also on behalf of Algeria, Bahrain, Comoros, Egypt, Jordan, Morocco, Mauritania, Oman, Qatar, Saudi Arabia, Somalia, Syria, Tunisia, the United Arab Emirates and Yemen. With the agreement of China and the Russian Federation, it proposed an amendment to draft Resolution Conf. 19.X *Financing and the costed programme of work for the triennium 2023-2025* (contained in document CoP19 Com II.14). It emphasized the importance of using other official languages of the United Nations to enable Parties to participate in the Convention. Bahrain, Liechtenstein, Russian Federation, Senegal and Sierra Leone supported Kuwait's proposal.

China highlighted the need for interpretation at meetings of the Conference of the Parties to enable better understanding and participation and noted that the question of the working languages of the Convention was essentially a financial issue. It stated that it was not currently seeking to implement Option 1 in document CoP19 Doc. 8, and supported the compromise in option 3 or 4, but as these two options still represented a substantial increase in the budget, in order to reach consensus, it could support an incremental approach. It considered that it should be possible to reach consensus based on Kuwait's proposed amendments and continue to discuss the matter in the Standing Committee.

The European Union and its Member States, and the United States of America, indicated that they could only support Option 2 in document CoP19 Doc. 8 funded through voluntary contributions.

The Chair concluded that there was not yet agreement in the Committee on the way forward. She asked Kuwait to submit its proposed amendment to draft Resolution Conf. 19.X *Financing and the costed programme of work for the triennium 2023-2025* in an in-session document for consideration during Plenary.

Closing remarks

The Chair thanked all those who had participated in the work of Committee II for the manner of the deliberations and the spirit of contribution and compromise. She expressed particular thanks to the Secretary General and to the CITES Secretariat for supporting the Committee's work. She also thanked the Australian delegation for its support.

The meeting closed at 17h10.



Motion Com II Doc 9 and Kenya [23.11.2022 3:03:54 PM]

Quorum: Yes > 66.66%
EU-Vote: individual
YES: 32.43%

1	AFGHANISTAN	Not Allowed
2	ALBANIA	Not Allowed
3	ALGERIA	Present
4	ANDORRA	Not Allowed
5	ANGOLA	NO
6	ANTIGUA AND BARBUDA	Not Present
7	ARGENTINA	YES
8	ARMENIA	Not Allowed
9	AUSTRALIA	ABST
10	AZERBAIJAN	Not Allowed
11	BAHAMAS	ABST
12	BAHRAIN	ABST
13	BANGLADESH	YES
14	BARBADOS	Not Allowed
15	BELARUS	Not Allowed
16	BELGIUM	NO
17	BELIZE	Not Present
18	BENIN	YES
19	BHUTAN	ABST
20	BOLIVIA (PLURINATIONAL STATE OF)	NO
21	BOSNIA AND HERZEGOVINA	Not Allowed
22	BOTSWANA	NO
23	BRAZIL	ABST
24	BRUNEI DARUSSALAM	Not Allowed
25	BULGARIA	NO
26	BURKINA FASO	YES
27	BURUNDI	NO
28	CABO VERDE	Not Allowed
29	CAMBODIA	ABST
30	CAMEROON	YES
31	CANADA	ABST
32	CENTRAL AFRICAN REPUBLIC	YES
33	CHAD	Not Allowed
34	CHILE	NO
35	CHINA	Present
36	COLOMBIA	ABST
37	COMOROS	Not Present
38	CONGO	Present
39	COSTA RICA	Not Present
40	CÔTE D'IVOIRE	Not Present
41	CROATIA	NO
42	CUBA	Not Present
43	CYPRUS	NO
44	CZECH REPUBLIC	NO
45	DEMOCRATIC REPUBLIC OF THE CONGO	NO
46	DENMARK	NO
47	DJIBOUTI	Not Allowed
48	DOMINICA	Not Allowed
49	DOMINICAN REPUBLIC	ABST



Motion Com II Doc 9 and Kenya [23.11.2022 3:03:54 PM]

50	ECUADOR	ABST
51	EGYPT	Not Present
52	EL SALVADOR	Present
53	EQUATORIAL GUINEA	Not Allowed
54	ERITREA	YES
55	ESTONIA	NO
56	ESWATINI	NO
57	ETHIOPIA	YES
58	EUROPEAN UNION	Present
59	FIJI	Not Present
60	FINLAND	NO
61	FRANCE	NO
62	GABON	YES
63	GAMBIA	Not Present
64	GEORGIA	ABST
65	GERMANY	NO
66	GHANA	YES
67	GREECE	NO
68	GRENADA	Not Allowed
69	GUATEMALA	Present
70	GUINEA	YES
71	GUINEA-BISSAU	YES
72	GUYANA	Not Present
73	HONDURAS	Not Present
74	HUNGARY	NO
75	ICELAND	ABST
76	INDIA	ABST
77	INDONESIA	ABST
78	IRAN (ISLAMIC REPUBLIC OF)	Not Allowed
79	IRAQ	Not Allowed
80	IRELAND	NO
81	ISRAEL	YES
82	ITALY	Present
83	JAMAICA	ABST
84	JAPAN	NO
85	JORDAN	ABST
86	KAZAKHSTAN	Not Allowed
87	KENYA	YES
88	KUWAIT	ABST
89	KYRGYZSTAN	Not Allowed
90	LAO PEOPLE'S DEMOCRATIC REPUBLIC	ABST
91	LATVIA	NO
92	LEBANON	Not Allowed
93	LESOTHO	Not Present
94	LIBERIA	YES
95	LIBYA	Not Allowed
96	LIECHTENSTEIN	NO
97	LITHUANIA	NO
98	LUXEMBOURG	NO
99	MADAGASCAR	NO
100	MALAWI	NO
101	MALAYSIA	NO
102	MALDIVES	ABST



Motion Com II Doc 9 and Kenya [23.11.2022 3:03:54 PM]

103	MALI	YES
104	MALTA	NO
105	MAURITANIA	YES
106	MAURITIUS	Not Allowed
107	MEXICO	ABST
108	MONACO	Not Present
109	MONGOLIA	Not Allowed
110	MONTENEGRO	Not Present
111	MOROCCO	Not Present
112	MOZAMBIQUE	Present
113	MYANMAR	Not Allowed
114	NAMIBIA	NO
115	NEPAL	YES
116	NETHERLANDS	NO
117	NEW ZEALAND	ABST
118	NICARAGUA	Not Present
119	NIGER	YES
120	NIGERIA	YES
121	NORTH MACEDONIA	Not Allowed
122	NORWAY	NO
123	OMAN	Not Allowed
124	PAKISTAN	Not Present
125	PALAU	Not Allowed
126	PANAMA	Not Allowed
127	PANAMA	ABST
128	PAPUA NEW GUINEA	ABST
129	PARAGUAY	Not Present
130	PERU	ABST
131	PHILIPPINES	YES
132	POLAND	Present
133	PORTUGAL	NO
134	QATAR	Not Allowed
135	REPUBLIC OF AUSTRIA	NO
136	REPUBLIC OF KOREA	NO
137	REPUBLIC OF MOLDOVA	Not Allowed
138	ROMANIA	NO
139	RUSSIAN FEDERATION	ABST
140	RWANDA	Not Allowed
141	SAINT KITTS AND NEVIS	Not Allowed
142	SAINT LUCIA	Not Allowed
143	SAINT VINCENT AND THE GRENADINES	Not Allowed
144	SAMOA	Not Present
145	SAN MARINO	Not Allowed
146	SAO TOME AND PRINCIPE	Not Allowed
147	SAUDI ARABIA	Not Allowed
148	SENEGAL	YES
149	SERBIA	Not Allowed
150	SEYCHELLES	ABST
151	SIERRA LEONE	YES
152	SINGAPORE	ABST
153	SLOVAKIA	NO
154	SLOVENIA	NO
155	SOLOMON ISLANDS	ABST



Motion Com II Doc 9 and Kenya [23.11.2022 3:03:54 PM]

156	SOMALIA	Not Allowed
157	SOUTH AFRICA	NO
158	SPAIN	NO
159	SRI LANKA	ABST
160	SUDAN	Not Present
161	SURINAME	Not Present
162	SWEDEN	NO
163	SWITZERLAND	NO
164	SYRIAN ARAB REPUBLIC	Not Present
165	TAJIKISTAN	NO
166	THAILAND	NO
167	TOGO	YES
168	TONGA	ABST
169	TRINIDAD AND TOBAGO	Not Present
170	TUNISIA	ABST
171	TÜRKIYE	NO
172	UGANDA	NO
173	UKRAINE	Not Present
174	UNITED ARAB EMIRATES	Present
175	UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IR	NO
176	UNITED REPUBLIC OF TANZANIA	NO
177	UNITED STATES OF AMERICA	ABST
178	URUGUAY	Not Present
179	UZBEKISTAN	Not Allowed
180	VANUATU	Not Present
181	VENEZUELA (BOLIVARIAN REPUBLIC OF)	Not Present
182	VIET NAM	ABST
183	YEMEN	Not Present
184	ZAMBIA	NO
185	ZIMBABWE	NO