

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



Seventieth meeting of the Standing Committee
Rosa Khutor, Sochi (Russian Federation), 1-5 October 2018

SUMMARY RECORD

Welcome from the host Government

The Minister of Natural Resources and Environment of the Russian Federation, Mr. Dmitry Kobylkin welcomed the participants to Russia and gave an opening address.

Opening remarks of the Chair

The Chair also welcomed the participants and gave an opening address.

1. Adoption of the agenda

The Secretariat introduced document SC70 Doc. 1, encouraging the Committee to reflect on the workload implications of the decisions made. Production of the working documents for SC70 was noted to have been challenging due to the volume of documents and pages to be translated, and the Secretariat issued an apology that not all documents had been posted in all required languages within the target timescales.

The Standing Committee adopted the provisional agenda in document SC70 Doc. 1.

There were no interventions.

2. Adoption of the working programme

The Secretariat introduced document SC70 Doc. 2 (Rev. 1). The Secretariat noted that the two evening sessions scheduled were unprecedented for a meeting of the Standing Committee, but believed to be necessary in order to conclude the agenda.

The Standing Committee adopted the draft working programme in document SC70 Doc. 2 (Rev. 1).

There were no interventions.

3. Adoption of the Rules of Procedure and report of the working group

The Chair of the Standing Committee, as Chair of the intersessional working group on Rules of Procedure, introduced document SC70 Doc. 3, and gave a summary of the working group's discussions which led to the revised Rules of Procedure presented in the Annex.

One Party noted that in the revised Rules of Procedure, it was not entirely clear who may submit documents to be added to the working programme of the Standing Committee and suggested an appropriate amendment. Parties generally agreed with the revised Rules of Procedure and the amendment proposed, though one Party noted that they did not agree with the insertion of the amendment as the text had been previously agreed through consensus reached earlier by all members of the working group.

The Standing Committee adopted the Rules of Procedure of the Standing Committee contained in the Annex to document SC70 Doc. 3 with the following amendment:

Under Rule 11, paragraph 1: add at the end of the paragraph the following sentence “Working documents may be submitted by any Party, the Secretariat, the Chair of the Standing Committee, the Chair of the Animals Committee, the Chair of the Plants Committee or any non-Party observers at the request of the Chair.”

During discussion of this agenda item, interventions were made by the representatives of Asia (China), Europe (Israel), North America (Canada), and the Depositary Government (Switzerland) and by the United States of America.

4. Credentials

During the meeting, the Secretariat gave periodic updates on the number of credentials it received from Members of the Standing Committee.

The Standing Committee noted that, at present, 13 of the 18 delegations of the members of the Standing Committee had provided credentials and that a further update would be provided later at the meeting.

On Friday 5 October 2018, the Standing Committee noted that 17 of the 18 delegations of the members present at the Standing Committee had provided credentials.

There were no interventions.

5. Admission of observers

The Secretariat introduced document SC70 Doc. 5 (Rev 1).

The Standing Committee noted the list of organizations that had been invited to attend the meeting as contained in document SC70 Doc. 5 (Rev. 1).

There were no interventions.

6. Financial matters

and

7. Report on proposed budget scenarios for 2020-2022

The Secretariat introduced document SC70 Doc. 6 on the financial performance of the Secretariat since the 69th meeting of the Standing Committee (SC69, Geneva, November 2017), noting that the Trust Fund was on track to deliver within its approved budget. The Secretariat noted as a matter of concern a delay by Parties in paying annual contributions, particularly for 2018, and noted that as of 30 June 2018 the overall payment rate was 37 per cent. The Secretariat reminded Parties that, in accordance with paragraph 18 of the Resolution Conf. 17.2 on *Financing and the costed programme of work for the Secretariat for the triennium 2017-2019*, the Conference of the Parties requests Parties to pay their contributions in a timely manner. The Secretariat noted that the issue of unpaid contributions will have a negative impact on its operations, as its cash balance was low compared to its expected expenditure.

The Secretariat introduced document SC70 Doc. 7, which outlines three alternative proposed budget scenarios for 2020-2022.

The Standing Committee noted documents SC70 Doc. 6 and SC70 Doc. 7 and agreed that further discussion on these matters would be referred to the Finance and Budget Sub-Committee (FBSC).

Later in the meeting, the Chair of the FBSC (Norway) introduced document SC70 Com. 13.

The Standing Committee agreed the recommendations in document SC70 Com. 13 amended as follows:

- a) The Standing Committee approved the reports on the costed programme of work for the full year of 2017 and for 2018 for the period up to 30 June 2018.

- b) The Standing Committee noted the projected overspending in 2017 and 2018 related to conference logistics and security costs at governing and scientific body meetings organized in Geneva, which should be offset with appropriate budget saving efforts by the Secretariat.
- c) The Standing Committee approved the amended Terms of Reference for the Finance and Budget Sub-Committee as presented in Annex 9 to document SC70 Doc. 6.
- d) The Standing Committee noted the accumulating unpaid contributions by Parties listed in Annex 5 of document SC70 Doc. 6 which hinders effective execution of the budget by the Secretariat, and requested these Parties to resolve any outstanding unpaid contributions as soon as possible, taking into account the reminders sent by the Secretariat.
- e) The Standing Committee noted the report in document SC70 Doc. 7.
- f) The Standing Committee requested the Secretariat to take into account feedback received and outcomes from the 70th meeting of the Standing Committee in preparation of the proposed budget scenarios for the 18th meeting of the Conference of the Parties.

During discussion of these agenda items, an intervention was made by the United States of America.

8. External Funding: Report of the Secretariat

The Secretariat introduced document SC70 Doc. 8, noting its appreciation to donors that had provided financial and in-kind resources since the 69th meeting of the Standing Committee (SC69). The Secretariat also noted that the World Bank has produced a status report of the Global Wildlife Programme (GWP) funded by the Global Environment Facility (GEF).

One Party raised a query regarding whether the Secretariat had any guidelines regarding which donor contributions could be accepted or any other measures to discourage and prevent greenwashing. The Secretariat noted that guidelines had been used in the past, but that it only accepts contributions that go towards the implementation of Decisions, and keeps a list of contributions that have been made or pledged, which are made available at every CoP and Standing Committee meeting. It also noted that it would review these practices if considered necessary. A Party thus suggested an amendment to one of the draft decisions contained in the document's Annex to reflect the importance of Parties, as well as governmental, intergovernmental and non-governmental organizations and other entities to take into consideration the administrative and financial management support needed to ensure that the funded activities are managed in an effective and accountable manner.

A Party also asked the Secretariat to consider expanding the focus of the Wildlife Donor Roundtable mentioned in Decision 18.FF to include the participation not only of donors but of countries that have been identified as requiring assistance to implement the Convention. Finally, one Party noted two errors in the table on confirmed extra-budgetary contributions since SC69.

The Standing Committee noted document SC70 Doc. 8 and the progress made in implementing Decisions 17.12 to 17.15; welcomed the generous support of donors for the implementation of the Convention and the successful outcome of the Global Environment Facility (GEF-7) replenishment and the work of the Global Wildlife Program to date; and agreed to submit to the Conference of the Parties at its 18th meeting the replacement of Decisions 17.10 to 17.16 by the draft decisions on external funding contained in the Annex to document SC70 Doc. 8 with the amendment to Decision 18.DD as follows:

18.DD In providing financial assistance, Parties, governmental, intergovernmental and non-governmental organizations and other entities are encouraged to take into consideration the administrative and financial management support needed to ensure that the funded activities are managed in an efficient, effective and accountable manner.

The Standing Committee noted the recommendation to the Secretariat to include in the terms of reference of the Wildlife Donor Roundtable mentioned in Decision 18.FF the inclusion of Parties that would need assistance for the implementation of the Convention as participants in the Wildlife Donor Roundtable.

During discussion of this agenda item, interventions were made by the representatives of Europe (Israel) and North America (Canada), and by the United States of America.

9. Administration of the Secretariat

9.1 Administrative matters, including host country arrangements for the Secretariat

The Secretariat introduced document SC70 Doc. 9.1, announcing that it had received a draft agreement from Switzerland for a yearly contribution of CHF 1 million from 2019-2022, and was expecting to sign a full agreement the following week. The Secretariat also expressed its gratitude to Parties for their contributions to the Core Trust Fund (CTL) and the External Trust Fund (QTL).

Parties welcomed the contributions announced by Switzerland, and Switzerland stated it was pleased to continue to support the work of the Convention. One Party suggested an amendment to one of the document's recommendations, and invited the FBSC to consider this approach.

The Standing Committee welcomed the generous yearly contribution of Switzerland of one million Swiss francs for 2019-2022.

The Standing Committee noted document SC70 Doc. 9.1 and the comments of the Parties and agreed to refer the proposed amendment to recommendation 26 b) in document SC70 Doc. 9.1 to the FBSC.

Later in the meeting, the Chair of the FBSC (Norway) introduced document SC70 Com. 13.

The Standing Committee agreed the recommendations in document SC70 Com. 13 amended as follows:

- a) The Standing Committee noted document SC70 Doc. 9.1.
- b) The Standing Committee welcomed the Convention Support contribution from the Government of Switzerland announced at the 70th meeting at Standing Committee for the years 2019-2022 in the total amount of CHF 4 million and requested the Secretariat to ensure that the additional funds are available to be used for the implementation of the programme of work based on Parties priorities and to report on the usage of the funds to the 18th meeting of the Conference of the Parties, subsequent meetings of the Standing Committee, and the 19th meeting of the Conference of the Parties.
- c) The Standing Committee requested the Secretariat to work with the United Nations Environment Programme (UNEP) to get clarity on the programme support cost allocations and UNEP's recently introduced Secretariat Services to Multilateral Environmental Agreements (MEAs), and determine whether this is consistent and in full compliance with the existing Memorandum of Understanding between the CITES Standing Committee and the Executive Director of UNEP and, if inconsistencies are found, to suggest possible solutions in consultation with UNEP and the Chair of the Standing Committee for consideration by the Conference of the Parties.
- d) The Standing Committee requested the Secretariat to get clarity from UNEP regarding the possibility of getting a more detailed audit of CITES financial statements separate from those already included within the UNEP's, and any associated costs, and report on the results to the 18th meeting of the Conference of the Parties.
- e) The Standing Committee requested the Secretariat, as a means to further enhance efforts to foster transparency and accountability, establish a section on the Convention website to publish information relevant to the governance of the Convention, including inter alia; completed and accepted audit reports; applicable financial rules and regulations; materials related to staff code of conduct and professional ethics; delegation of authorities; Memorandum of Understanding between the CITES Standing Committee and the Executive Director of UNEP; conflict of interest policy; and any other relevant information.

During discussion of this agenda item, interventions were made by the representatives of Europe (Portugal) and the Depositary Government (Switzerland); and the United States of America.

9.2 Administrative hosting models for the Secretariat

The Chair of the FBSC (Norway) gave an oral report on past work on the different administrative models for the Secretariat.

The Standing Committee noted the oral report by the Chair and agreed that further consideration of the administrative hosting models for the Secretariat would be referred to the FBSC.

Later in the meeting, the Chair of the FBSC (Norway) introduced document SC70 Com. 13.

The Standing Committee agreed the recommendations in document SC70 Com. 13 amended as follows:

- a) The Standing Committee noted the oral report in plenary by the Secretariat.
- b) The Standing Committee requested the FBSC to continue the work on exploring the potential costs and benefits of alternative administrative hosting arrangements for the CITES Secretariat, on an inter-sessional basis, in line with the terms of reference given at the 69th meeting of Standing Committee.
- c) The Standing Committee requested the Secretariat to continue its efforts to get costing details from UNEP for indirect and direct services, for review by FBSC, including as appropriate, information received through tasks undertaken in fulfilment of agenda item 9.1, and compare costs for services between different service providers which will form the basis for the costing analysis to be presented at the 18th meeting of the Conference of the Parties.

There were no interventions.

9.3 Report of UNEP on administrative matters

The United Nations Environment Programme (UNEP) introduced document SC70 Doc. 9.3, summarising information on the administrative and financial management support provided by UNEP to the Convention since the 17th meeting of the Conference of the Parties (CoP17) and the 69th meeting of the Standing Committee. UNEP highlighted, *inter alia*, the interim delegation of authority signed by the Officer-in-Charge of the Convention on 6 April 2018, new standardized guidelines and procedures being established for financial matters in order to make internal processes more streamlined and transparent, new modules to enhance the Enterprise Resource management system (UMOJA), and support provided to the Convention from the programme support resources.

The Standing Committee noted document SC70 Doc. 9.3.

There were no interventions.

10. Arrangements for the 18th meeting of the Conference of the Parties (CoP18)

10.1 Preparations for CoP18

Sri Lanka gave an oral report on ongoing preparations for CoP18, noting that these are well underway. These included, *inter alia*, finalising the logo and tagline, visa arrangements, the launch of the website, efforts to ensure a carbon-sensitive and plastic-reduced conference, and the publication of the conference's sustainability plan.

Senegal thanked Sri Lanka for its efforts to ensure that all delegations can attend CoP18.

The Standing Committee noted the oral report provided by Sri Lanka.

During discussion of this agenda item, an intervention was made by Senegal.

10.2 Draft agenda

The Secretariat introduced document SC70 Doc. 10.2, noting that, at present, the draft CoP18 agenda was only based on items for which a discussion is expected by virtue of the text of the Convention or an instruction in a Resolution or Decision, and that it would doubtless change. The Food and Agriculture Organization noted that there had not been enough time for the consideration of marine species at the last meeting of the Conference of the Parties, and requested Parties to consider the inclusion of a dedicated, time-bound slot in the CoP18 agenda for the consideration of marine species.

The Standing Committee approved the draft provisional agenda for CoP18 annexed to document SC70 Doc. 10.2.

During discussion of this agenda item, an intervention was made by the United Nations Food and Agriculture Organization (FAO).

10.3 Draft working programme

Noting that SC65 had decided to maintain the basic meeting structure of CoP16 for future meetings of the Conference of the Parties, the Secretariat outlined the proposal for the draft working programme in document SC70 Doc. 10.3.

The United States of America suggested three changes to the working programme regarding which committee should consider particular agenda items.

The Standing Committee approved the draft provisional working programme for CoP18 annexed to document SC70 Doc. 10.3 with the following amendments: agenda items 40 on *Identification Manual and identification of tiger skins* and 60 on *Pangolins (Manis spp.)* should be considered by Committee I and agenda item 78 on *Inclusion of species in Appendix III* should be considered by Committee II.

The Standing Committee noted the request by the United Nations Food and Agriculture Organization that enough time be allocated in the working programme of the 18th meeting of the Conference of the Parties to the consideration of proposals on marine species.

During discussion of this agenda item, an intervention was made by the United States of America.

10.4 Review of the Rules of Procedure of the Conference of the Parties: Report of the working group

The Chair of the Standing Committee (Canada), as Chair of the intersessional working group on Rules of Procedure, introduced document SC70 Doc. 10.4.

Parties expressed differing views on whether the proposed amendments to these rules should be accepted; some noting that there had not been adequate time to fully explore the issues. The Chair noted that the differences of opinion discussed in the meeting reflected those expressed in the working group, and that it had not been possible to reach consensus on these matters in the working group either. In particular, some Parties expressed concern about the voting rights for Regional Economic Integration Organizations (REIOs).

The Standing Committee established an in-session working group on the Rules of Procedure of the Conference of the Parties with a mandate to review primarily Rule 26, including the new language for Rule 26.3, but also Rules 27 and 32, focusing on areas of consensus.

The membership of the in-session working group on the Rules of Procedure was agreed as follows: Canada (Chair), Botswana, China, Congo, Ethiopia, European Union, Indonesia, Israel, Japan, Kenya, New Zealand, Niger, Peru, Portugal, Russian Federation, Singapore, South Africa, Switzerland, and United States of America; and IWMC-World Conservation Trust, Lewis and Clark – International Environmental Law Project, and Species Survival Network.

Later in the meeting, the Chair of the Standing Committee introduced document SC70 Com. 8, noting that a lack of consensus remained.

The Standing Committee agreed the recommendations in document SC70 Com. 8 as follows:

The Standing Committee reviewed the Rules of Procedure of the Conference of the Parties pursuant to Decision 17.1 and, after discussion, could not agree on any amendments to the Rules as adopted by the Conference of the Parties at its 17th meeting.

In the course of its discussions, the Standing Committee recognized that further discussion of Rule 25 would be merited and therefore agreed to propose to the Conference of the Parties the following draft decision:

Directed to the Standing Committee

- 18.AA With the support of the Secretariat, the Standing Committee shall review Rule 25 of the Rules of Procedure of the Conference of the Parties and propose amendments, as appropriate, to the 19th meeting of the Conference of the Parties with the view to ensuring the effective conduct of meetings.

During discussion of this agenda item, interventions were made by the representatives of Asia (China and Indonesia), Central and South America and the Caribbean (Honduras and Peru), Europe (Portugal), North America (Canada), Oceania (New Zealand), and the Previous Host Country (South Africa) and by Australia, Botswana, Brazil, Kenya, Norway, Senegal, and the United States of America.

10.5 Selection of nominees for the chairmanship of the committees

The Secretariat introduced the agenda item and provided an oral update. The Secretariat noted that the selection panel has been finalised, and that a call for candidates was distributed via Notification No. 2018/060 of 8 June 2018. The selection panel will decide on nominees by 23 December 2018, after which the Secretary General will inform members of the Standing Committee of the selected nominees. Selected nominees will be formally confirmed at the 71st meeting of the Standing Committee in Colombo, Sri Lanka.

The Standing Committee noted the oral update by the Secretariat.

There were no interventions.

10.6 Sponsored Delegates Project

The Secretariat introduced document SC70 Doc. 10.6, noting that the Sponsored Delegates Project had received almost a quarter of its funding for CoP18 so far, and thanking the European Union and the United States of America for their contributions. The Secretariat stated it would welcome contributions from other Parties and donors to provide the remainder of the target funds, noting that the indicative timetable for contributions was outlined in Annex 2 of the document. The Secretariat noted that the criteria for sponsored delegates had been compared to other similar programmes and that it would continue to ensure they would remain robust and transparent.

Parties thanked current contributors and noted that criteria should be kept as simple as possible. There was some disagreement regarding the criteria CITES should use as the basis for determining the priority of Parties to be supported through the Project. One Party argued that the Human Development Index of the United Nations Development Programme (UNDP) should be maintained, adding criteria that gave additional priority to small island developing states and least developed countries; whereas another Party favoured switching to the Organisation for Economic Co-operation and Development Assistance Committee (OECD DAC) criteria for evaluating development assistance. One Party noted that it supported the extension of the Project to cover attendance at the Animals and Plants Committees, noting that few small or limited capacity Parties were currently able to attend them.

The Standing Committee noted document SC70 Doc. 10.6; welcomed the generous support of donors for the Sponsored Delegates Project, and requested governments, international organizations, non-governmental organizations and private bodies to pledge their financial support.

The Standing Committee recommended that the Secretariat continue to apply clear selection criteria and requested the Secretariat to continue to take into account the various possible options for the selection criteria and additional ways to prioritize beneficiary Parties, including the guidelines of the Development Assistance Committee of the Organization for Economic Cooperation and Development (OECD-DAC) and the prioritization of small island developing States and least developed countries.

The Standing Committee recommended that the Secretariat explore further the practical arrangements for the provision of the Sponsored Delegates Project for delegates attending the meetings of the Animals, Plants and Standing Committee and bring any recommendations it may have to the Conference of the Parties, as appropriate.

During discussion of this agenda item, interventions were made by the representatives of Europe (Hungary) and Oceania (New Zealand).

11. Revision and replacement of CITES Strategic Vision 2008-2020: Report of the working group

The Chair of the Standing Committee (Canada), as Chair of the intersessional working group on the CITES Strategic Vision, introduced document SC70 Doc. 11. Canada highlighted that due to lack of funds, the Secretariat was unable to prepare an analysis of progress towards the CITES Strategic Vision in advance of CoP18, so an informal review, prepared by Canada, was made available as information document SC70 Inf. 5. Canada also noted that the working group had not had time to consider the identification of new indicators of the CITES Strategic Vision. It also suggested that, given the number of edits suggested to Resolution Conf. 16.3 (Rev. CoP17), it may be more appropriate to repeal it and instead proposed the document in the annex as a new Resolution.

One Committee Member expressed regret that no substantive discussion had been carried out regarding indicators, and also felt that the current objectives were too vague. Other Parties noted that the new proposed strategic vision was a foundation from which to ensure sustainable wildlife trade, and supported the decisions outlined in the document with a few minor amendments.

The Convention on Biological Diversity (CBD) updated the Standing Committee on preparations for its next Conference of the Parties, as well as its intention to develop a global comprehensive and unifying biodiversity framework in which other conventions and multilateral agreements find their place. The representative encouraged CITES to have a stake in this framework, and suggested the Standing Committee could consider inserting an agenda item at CoP18 to discuss outcomes of the CBD's CoP and synergies between the two Conventions.

An NGO observer supported the new proposed strategic vision, but noted serious concern regarding Decision 18.BB of the document, which calls on the Secretariat to review where the current CITES policies as found in the Resolutions and Decisions do not appear to address activities in support of achieving that objective of the CITES Strategic Vision. The observer argued that they feared the review would turn into a political exercise, and believed that current Resolutions should take precedence over the CITES Strategic Vision.

The Standing Committee agreed to propose the replacement of Resolution Conf. 16.3 (Rev. CoP17) on *CITES Strategic Vision: 2008-2020* by a new resolution found in Annex 2 of document SC70 Doc. 11 for consideration by the 18th meeting of the Conference of the Parties with Objective 4.1 amended as follows:

- Objective 4.1 Parties support wildlife trade policies that increase the capacity of indigenous peoples and local communities to pursue sustainable livelihood opportunities and deter poaching and illegal wildlife trade.

The Standing Committee agreed to submit the following draft decisions for consideration by the 18th meeting of the Conference of the Parties:

Decision 18.BB directed to the Secretariat

The Secretariat shall:

- a) undertake a comparative analysis in order to illustrate the linkages between the adopted CITES Strategic Vision 2021-2030 and the goals within the 2030 Agenda for Sustainable Development and, once adopted, the post-2020 biodiversity framework, and present their analysis to the Standing Committee for their information; and
- b) review the objectives of CITES Strategic Vision 2021-2030 against the current CITES Resolutions and Decisions and identify to the Animals and Plants Committee as appropriate, and to the Standing Committee those objectives (if any) where the current CITES policies as found in the Resolutions and Decisions do not appear to address activities in support of achieving that objective of the CITES Strategic Vision.

Decision 18.CC directed to the Animals and Plants Committee

The Animals and Plants Committees will review the draft analysis prepared by the Secretariat under Decision 18.BB paragraph 2 and provide their recommendations to the Standing Committee.

Decision 18.DD directed to the Standing Committee

- a) The Standing Committee shall, in consultation with the Chairs of the Animals and Plants Committees and taking into account the information provided by Parties via the Report on Implementation as well as the comparative analysis prepared by the Secretariat under Decision 18.BB paragraph a), make recommendations on new or revised indicators of progress to be included in the *CITES Strategic Vision: 2021-2030*, for consideration by the 19th meeting of the Conference of the Parties.
- b) The Standing Committee shall review the information provided by the Secretariat in Decision 18.BB paragraph 2, as well as the views of the Animals and Plants Committees, and make recommendations to the 19th meeting of the Conference of the Parties.

The Standing Committee requested the United States of America and the European Union to propose new text for Decision 18.AA as an in-session document.

The Standing Committee agreed to recommend to the Conference of the Parties at its 18th meeting the deletion of Decisions 17.18 and 17.19.

The Standing Committee agreed to propose to the Conference of the Parties the following draft decision:

Directed to Parties

18.AA Parties' Management Authorities are encouraged to communicate with their national Convention on Biological Diversity (CBD) focal points to seek to ensure CITES aims are reflected in the outcomes of their domestic processes to develop contributions to the post-2020 biodiversity framework anticipated to be adopted by the Parties to the CBD in 2020.

During discussion of this agenda item, interventions were made by the representatives of Europe (Hungary), by the European Union, Mexico and the United States of America, and by the Convention on Biological Diversity and Humane Society International.

12. Review of Resolution Conf. 11.1 (Rev. CoP17): Report of the working group

The Chair of the Standing Committee (Canada), as Chair of the intersessional working group on this issue, introduced document SC70 Doc. 12.

Committee Members and Parties generally agreed to the proposed changes to Resolution Conf. 11.1 (Rev. CoP17), but several Parties suggested amendments which were both editorial and substantive.

The Standing Committee agreed to not include the terms of reference of the MIKE-ETIS Subgroup in the proposed revisions to Resolution Conf. 11.1 (Rev. CoP17).

The Standing Committee agreed the additional amendment proposed in paragraph 9 of document SC70 Doc. 12.

The Standing Committee also agreed the additional amendment proposed to the conflict of interest policy found in paragraph 13 of document SC70 Doc. 12.

The Standing Committee requested the Secretariat to present in an in-session document the amendments to Annex 2 of document SC70 Doc. 12 made during the plenary session, as well as proposed draft decisions to consider whether the terms of reference of the Finance and Budget Subcommittee should be included in Resolution Conf. 11.1 (Rev. CoP17) and to draft guidance to assist Chairs of working groups in their role.

The Standing Committee requested the Secretariat, in consultation with the Chair of the Standing Committee, to make editorial corrections to the draft new Resolution on *Establishment of Committees*.

Later in the meeting, the Secretariat introduced document SC70 Com. 9.

The Standing Committee agreed to submit to the Conference of the Parties the draft decisions and the draft new resolution on *Establishment of Committees* in document SC70 Com. 9 and requested the Secretariat,

in consultation with the Chair of the Standing Committee, to review the text of the draft resolution for editorial issues.

During discussion of this agenda item, interventions were made by the representatives of Europe (Israel and Portugal) and North America (Canada), and by Japan, Mexico and the United States of America.

13. Potential conflicts of interest in the Animals and Plants Committee: Report of the Secretariat

The Secretariat introduced document SC70 Doc. 13, which included a draft disclosure form intended as a standardised approach to conflicts of interest that candidates proposed as members of the Animals or Plants Committee should file before their election. Elected members of the respective committees should also file the form before every meeting of the Animals and Plants Committee.

Committee Members and Parties suggested amendments to the draft form, including adding the definition of “conflict of interest” contained in Resolution Conf. 11.1 (Rev. CoP17).

The Standing Committee approved the following standard disclosure form which is to be filed by candidates before their election by the Conference of the Parties and by the elected members before every meeting of the Animals and Plants Committees, as part of the conflict of interest policy set out in paragraph 5 c) of Resolution Conf. 11.1 (Rev. CoP17).

Standard disclosure form for CITES declarations of interest

A “conflict of interest” refers to any current financial interest which could significantly impair the individual’s impartiality, objectivity or independence in carrying out his or her duties as a member of the Committee. A candidate’s employment by itself does not automatically constitute a conflict of interest.

1. Do you or an ~~your~~ immediate family member ~~or your employer~~ have any financial interest in the subject matter of the meeting or work in which you will be involved, which may be considered as constituting a real, potential or apparent conflict of interest?

Yes: No: If yes, please provide details:

2. Do you have, or have you had during the past four years, an employment or other professional relationship with any company, organization or institution directly involved in the harvesting, breeding, propagation, domestic or international trade of specimens of CITES-listed species or directly representing the interests of any such entity?

Yes: No: If yes, please give details in the box below.

1. Type of interest, e.g. investments, research support, advocacy, intellectual property, financial interest (including details on any compound, work, etc.)	2. Name of company, organization or institution	3. Owned by you, a family member, employer, research unit or other?	4. Current interest? (or year ceased)

- ~~3. Is there anything else that could affect your objectivity or independence in the meeting or work, or the perception by others of your objectivity and independence?~~

I hereby declare that the disclosed information is correct and that no other situation of real, potential or apparent conflict of interest is known to me. I undertake to inform you of any change in these circumstances, including if an issue arises during the meeting or work itself and that I shall conduct myself in full compliance with the conflict of interest policy set out in paragraph 5 c) of Resolution Conf. 11.1 (Rev. CoP17).

Signature

Date

Name

Region

During discussion of this agenda item, interventions were made by the representatives of Europe (Israel), by Norway and the United States of America, and by the Chair of the Animals Committee.

14. Designation and roles of Management Authorities

The Secretariat introduced document SC70 Doc. 14, noting that, until now, there had been no resolution on Management Authorities summarizing the totality of the existing responsibilities allocated to them in the same vein as the existing one for Scientific Authorities.

Committee Members and Parties agreed that the new resolution will be a useful tool. Several Parties suggested amendments both editorial and substantive, principally to add certain elements which they believed may not commonly be known to all Management Authorities, to note the capacity building needs of some Parties, and to allow the resolution to be compatible with various national legislation mechanisms.

NGO observers suggested similar edits.

The Standing Committee welcomed the submission to CoP18, by the Secretariat of the draft resolution on *Designation and roles of Management Authorities* and invited Parties to provide their comments in writing to the Secretariat.

During discussion of this agenda item, interventions were made by the representatives of Asia (China), North America (Canada), by Cameroon, Chile, India, Japan, Norway, Senegal and the United States of America, and by the Center for Biological Diversity (speaking also on behalf of the Center for International Environmental Law and Defenders of Wildlife).

15. Engagement of rural communities in the CITES process: Report of the working group

Namibia, as Chair of the Standing Committee's working group on engagement of rural communities in the CITES processes, introduced document SC70 Doc. 15. Namibia noted that, while the working group had achieved broad consensus in recognising that the views of rural communities on CITES matters that impact their lives was important, no consensus had been achieved regarding the mechanism for engaging with such communities. Namibia asked for the working group's mandate to be extended in order to consider the different options described in the document.

Committee Members and Parties agreed that engagement with, and representation of, indigenous and rural communities in decision making was important. However, there was disagreement regarding whether this could be best addressed through one of the options provided in the document, or through national governments themselves. Parties thus expressed differing views on whether the working group should continue its work; some Parties believed that consultation with rural communities was the responsibility of the Parties arguing that the working group's mandate should not be extended. Committee Members and Parties questioned why rural communities had been singled out from other communities who might also have a stake in CITES matters, and noted that the terms "local", "rural" and "indigenous" were not always interchangeable. Some Parties also noted the logistical difficulty of individually engaging with the high numbers of communities potentially affected by CITES listings of species with a large range. Parties also highlighted the extra costs and administrative burdens of the options suggested in the document. One Party suggested that rural communities could be better engaged by being given Observer status, similar to existing procedure in other multilateral environmental agreements, whereas another Party questioned the message that would be sent to rural communities should the working group be discontinued. Parties also noted that new proposed measures could cause confusion and duplication with the provisions of Resolution Conf. 16.6 (Rev CoP17) on *CITES and livelihoods*.

The Standing Committee established an in-session working group with the mandate to draft decisions to replace 17.28 to 17.30 to pursue the work to engage with rural, local and indigenous communities in CITES processes.

The membership of the working group was agreed as follows: Namibia (Chair), Botswana, Chile, China, Colombia, European Union, Kenya, Mozambique, Nigeria, South Africa, Sweden and the United States of America; the International Union for Conservation of Nature; and Fondation Franz Weber, International Professional Hunters Association, IWMC-World Conservation Trust and ProWildlife.

Later in the meeting, Namibia introduced document SC70 Com. 11, which noted the lack of consensus on recommendations and presented a new recommendation for the possible extension of the working group's mandate to be considered at CoP18. One Party regretted that continuation of discussion on these matters had not been agreed, highlighting that rural communities living with wildlife play a major role in its conservation.

The Standing Committee agreed the recommendations in document SC70 Com. 11 as follows:

The Standing Committee noted the report of the intersessional working group on rural communities established by the Standing Committee as instructed in Decision 17.28 (document SC70 Doc. 15), in particular the lack of consensus on the recommendations. The Conference of the Parties, at its 18th meeting, may consider whether to extend the mandate of the working group on how to engage rural communities in CITES processes and report to the Conference of the Parties at its 19th meeting.

During discussion of this agenda item, interventions were made by the representatives of Africa (Ethiopia, Namibia and Niger), Asia (China), Central and South America and the Caribbean (Peru), Europe (Hungary, Israel and Portugal), North America (Canada), Oceania (New Zealand), the Previous Host Country (South Africa) and the Next Host Country (Sri Lanka), and by Brazil, Botswana, Cameroon, Chad, the European Union, India, Indonesia, Kenya, Mexico, Nigeria, Senegal, the United States of America and Zimbabwe.

16. Demand reduction strategies to combat illegal trade in CITES-listed species: Report of the Secretariat

The Secretariat introduced document SC70 Doc. 16.

The Standing Committee agreed to propose to the Conference of the Parties the following draft decisions to replace Decisions 17.44 to 17.48.

Directed to the Secretariat

18.AA The Secretariat shall, subject to external funding:

- a) contract a consultant to develop CITES guidance on demand-reduction strategies to combat illegal trade in CITES-listed species, taking into consideration the results of the study commissioned by the Secretariat in accordance with Decision 17.48, paragraph a), and any recommendations resulting from the workshop convened in accordance with Decision 17.48, paragraph b);
- b) submit the draft CITES guidance on demand-reduction strategies to combat illegal trade in CITES-listed species to the Standing Committee for its consideration;
- c) support interested Parties in implementing demand-reduction strategies to combat illegal trade in CITES-listed species and provide necessary technical cooperation to those Parties on an ongoing basis.

Directed to the Standing Committee

18.BB The Standing Committee shall review the guidance developed in accordance with Decision 18.AA, and make recommendations for consideration by the Conference of the Parties at its 19th meeting.

There were no interventions.

17. Livelihoods and food security: Report of the working group

Namibia, as Chair of the Standing Committee's intersessional working group on livelihoods and food security, introduced document SC70 Doc. 17, noting that two distinct divergent views emerged within the working

group regarding the incorporation of livelihoods and food security issues into CITES, and that further work was needed to achieve consensus.

Committee Members and Parties disagreed on whether or not the working group and Decisions 17.41 to 17.43 should be renewed.

The Standing Committee agreed to propose to the Conference of the Parties the renewal of Decisions 17.41 to 17.43, noting that Israel objected to their renewal.

During discussion of this agenda item, interventions were made by the representatives of Africa (Niger), Asia (China), Europe (Hungary, Israel and Russian Federation), North America (Canada) and the Previous Host Country (South Africa), and by Botswana, Gabon, Nigeria, and the United States of America.

18. Community awareness on wildlife trafficking: Report of the Secretariat

The Secretariat introduced document SC70 Doc. 18.

Parties supported the document's findings, noting the importance of local communities in the effective management of resources, and the need to tackle illegal trade in the places where illegal activity is specifically taking place.

The Standing Committee noted the developments in the implementation of Decision 17.86 as described in document SC70 Doc. 18; and encouraged Parties to take into account the findings outlined in document SC70 Doc. 18 when preparing and implementing strategies to engage rural communities in the fight against poaching and illegal trade in wildlife and when preparing draft documents for consideration at the 18th meeting of the Conference of the Parties.

During discussion of this agenda item, interventions were made Chad and Senegal.

19. Cooperation with other biodiversity-related conventions

The Secretariat introduced document SC70 Doc. 19, highlighting the Convention on Biological Diversity's (CBD) development of a post-2020 global framework for biodiversity that encompasses multiple multilateral environmental agreements (MEAs), including CITES.

Committee Members and Parties noted the importance of maximising synergies between CITES and other MEAs, suggesting that the Secretariat issue a Notification encouraging CITES focal points to liaise with their counterparts for, *inter alia*, the CBD and Convention on Migratory Species (CMS). Some Parties noted that leveraging synergies was best done at a national level, and also noted that the complementarity between different MEAs was often not made explicit enough.

The CBD gave an overview of existing areas of overlap between the two Conventions, and encouraged further work on identifying synergies between them.

The Standing Committee noted document SC70 Doc. 19 and noted that the Secretariat intends to propose to the Conference of the Parties the renewal of Decisions 17.55 and 17.56.

The Standing Committee requested the Secretariat to issue a notification encouraging CITES focal points to liaise with their Convention of Biological Diversity (CBD) counterparts to ensure that relevant CITES provisions are included in country submissions to the CBD Notification 2018-063 with their initial views on the scope and content of the post-2020 global biodiversity framework, including any evidence which could contribute to the scientific underpinning of the scale and scope of actions necessary to make progress towards the 2050 Vision set out by the CBD.

The Standing Committee also invited the Secretariat to submit relevant reports adopted by CITES to the CBD Secretariat to assist with the work on the post-2020 Strategic Plan for Biodiversity. Notification and relevant reports of CITES to CBD.

During discussion of this agenda item, interventions were made by the representatives of Central and South America and the Caribbean (Peru) and Europe (Hungary), by Cameroon, India, Mexico, and the United States of America, and by the Convention on Biological Diversity and the Convention on Migratory Species.

20. Cooperation with the Global Strategy for Plant Conservation of the Convention on Biological Diversity

The Chair of the Plants Committee introduced document SC70 Doc. 20, proposing to amend the language contained within the draft decisions in the annex to keep the mandate for cooperation with the Global Strategy for Plant Conservation (GSPC) mainly with the Plants Committee.

The Convention on Biological Diversity (CBD) welcomed the draft decisions outlined in the Annex and outlined elements of the Convention's work where there was further opportunity for collaboration with CITES, including, *inter alia*, forestry, taxonomy, and e-commerce.

The Standing Committee noted progress in the implementation of Decisions 17.53 and 17.54 and requested the Plants Committee to present for consideration of the Conference of the Parties at its 18th meeting, the deletion of Decisions 17.53 and 17.54, and the adoption of the following amended draft decisions:

Directed to the Secretariat

18.AA The Secretariat shall:

- a) publish and maintain updated on its website the summary of the Periodic Review proposals submitted to Conference of the Parties for amendments to Appendices I and II, taxa selected for Periodic Review of species included in Appendices I and II, and Review of Significant Trade in specimens of Appendix II species, with relevant updates derived from the 23rd and 24th meetings of the Plants Committee and the 18th meeting of the Conference of the Parties;
- b) in collaboration with the Plants Committee, update the report on the contribution of CITES to the implementation of the Global Strategy for Plant Conservation (GSPC) [CoP17 Doc. 14.6 (Rev. 1)], to take account of the outcomes of the 18th meeting of the Conference of the Parties, and provide it to the Secretariat of the Convention on Biological Diversity (CBD) for further consideration by the CBD at the 15th meeting of its Conference of the Parties;
- c) consult the Secretariat of CBD concerning the post-2020 future of the GSPC, and collaborate with the Plants Committee in drafting any required revision of Resolution Conf. 16.5 on *Cooperation with the Global Strategy for Plant Conservation 2011-2020*; and
- d) report on progress with the implementation of paragraphs a) to ~~cd~~) to the Plants Committee and the Standing Committee, as appropriate, and submit recommendations ~~as appropriate~~ to the 19th meeting of the Conference of the Parties.

Directed to the Plants Committee

18.BB The Plants Committee shall:

- a) consider the updated report on the contribution of CITES to the implementation of the GSPC at its 25th meeting; and
- b) in collaboration with the Secretariat and if required, draft a revision to Resolution Conf. 16.5, taking into account the discussions under CBD regarding the post-2020 future of the GSPC, and present its recommendations to the Standing Committee, as appropriate.

~~*Directed to the Standing Committee*~~

~~18.CC The Standing Committee shall:~~

- ~~a) consider the recommendations of the Plants Committee concerning any proposed revision of Resolution Conf. 16.5, and make its own recommendations, as appropriate, taking account of the discussions regarding the post-2020 future of the GSPC; and~~
- ~~b) submit any proposed revisions of Resolution Conf. 16.5 to the Conference of the Parties for consideration at its 19th meeting.~~

During discussion of this agenda item, interventions were made by Mexico and by CBD.

21. Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES): Reports of the Secretariat and of the Chairs of the Animals and Plants Committees

The Secretariat introduced document SC70 Doc. 21, noting that the most significant development since SC69 from a CITES perspective was the decision to undertake a thematic assessment of the sustainable use of wild species. The Secretariat shared a request by the Executive Secretary of IPBES for information in relation to the thematic assessment and suggestions on short-term priorities and longer term strategic needs of CITES which could be included in IPBES' future work programme, with the intersessional working group on IPBES. The Secretariat also highlighted its proposal to turn the current Decisions adopted regarding IPBES into a permanent resolution, a draft version of which is included in Annex 1 of the document.

Committee Members and Parties were generally supportive of a new Resolution to replace the existing Decisions on relations with IPBES. One Committee Member suggested an amendment to the language and substance of the proposed Resolution, which was supported by Parties who spoke.

The Standing Committee requested the Secretariat, in consultation with the Chairs of the Animals, Plants and Standing Committees, to answer the request by IPBES to provide information on the thematic assessment of the sustainable use of wild species and suggestions on short-term priorities and longer term strategic needs of CITES that require attention and action by IPBES as part of its future work programme and invited Parties to provide advice to the Secretariat on how to best answer IPBES' request within two weeks of the 70th meeting of the Standing Committee.

The Standing Committee agreed to propose the draft resolution on *Cooperation with the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services* in Annex 1 of document SC70 Doc. 21 for adoption at the 18th meeting of the Conference of the Parties amended as follows:

3. INSTRUCTS the Standing Committee, working with the Chairs of the Animals and Plants Committees and the Secretariat, to ~~ensure that~~:
 - a) ensure that there is a two-way relationship between CITES and IPBES in which CITES is a user or beneficiary of IPBES, as well as a contributor to IPBES;
 - b) ensure that communication between CITES and IPBES is effective;
 - c) promote the needs of national Scientific and Management Authorities in the work of IPBES ~~takes into account the needs of national Scientific and Management Authorities~~ to foster the use of applied science for the implementation of CITES, including the making of non-detriment findings and the verification of legal acquisition, and related trade resolutions and decisions;
 - d) ensure that CITES requests and input to intersessional and regular work undertaken by IPBES are provided in accordance with relevant timelines; and
 - e) ensure that any inputs to IPBES shall, with the endorsement of the Chair of the Standing Committee after consultation with the Committee and the Chairs of the Animals and Plants Committees, be conveyed to IPBES by the Secretariat on behalf of the Standing Committee;

During discussion of this agenda item, interventions were made by the representatives of Europe (Hungary), by Mexico and the United States of America, and by the Chair of the Animals Committee.

22. Capacity building

22.1 Capacity-building needs of developing countries and countries with economies in transition: Report of the Secretariat

and

22.2 Proposed framework to facilitate coordination, transparency, and accountability of CITES capacity-building efforts

The Secretariat introduced document SC70 Doc. 22.1, noting that calls for capacity building support found in agenda items 27.2 and 29 showed an emergence of the need for a systematic approach to capacity building, noting its work with the Lao People's Democratic Republic and the Democratic

Republic of the Congo as examples of collaboration which could be replicated in providing support to other Parties with compliance-related capacity needs.

The United States of America introduced document SC70 Doc. 22.2, highlighting the development of their theory of change framework and monitoring tool presented in information document SC70 Inf. 26 outlining how a strategic approach to CITES capacity building could support sustainable legal trade and tackle illegal trade. It called for the cooperation of other Parties that may wish to join in the effort to refine the framework, with a view to submitting it at CoP18.

Parties supported the approaches outlined by the Secretariat and the United States of America, particularly noting the need to also recognise the work of regional organizations and the importance of capacity building efforts to address specific needs identified by developing country Parties themselves.

The Standing Committee welcomed the capacity-building framework proposed by the Secretariat in Annex 5 of document SC70 Doc. 22.1 and noted that such a framework could look at capacity-building needs identified by Parties, the role played by regional bodies and other organizations and invited the Secretariat to be mindful of the proposed framework by the US.

The Standing Committee agreed to submit the draft decisions in Annex 1 of document SC70 Doc. 22.1 to the Conference of the Parties at its 18th meeting.

The Standing Committee noted the intention of the United States of America to propose a framework to facilitate coordination, transparency, and accountability of CITES capacity-building efforts and invited Parties to provide comments to the United States of America.

During discussion of this agenda item, interventions were made by the representatives of Africa (Niger), Asia (Kuwait), Central and South America and the Caribbean (Peru), Europe (Portugal) and Oceania (New Zealand), and by Chad, Mexico, Senegal and the United States of America.

23. United Nations World Wildlife Day: Report of the Secretariat

The Secretariat introduced document SC70 Doc. 23, highlighting its two proposed amendments to Resolution Conf. 17.1 regarding focal point of communication with the Secretariat and the selection of future themes.

The Standing Committee noted document SC70 Doc. 23 and noted that the Secretariat intends to propose to the Conference of the Parties the draft amendments to Resolution Conf. 17.1 in the Annex to document SC70 Doc. 23.

There were no interventions.

24. Follow-up of the Youth Forum for People and Wildlife and South Africa's Youth Conservation Programme: Report of the Secretariat

The Secretariat introduced document SC70 Doc. 24, noting that the Secretariat was of the view that Parties should establish long term strategies in youth engagement as reflected in an amendment to Resolution Conf. 17.5.

Parties supported the recommendations of the Secretariat. Two Parties suggested minor edits to the suggested amendments to Resolution Conf. 17.5 to keep it within the remit of CITES, and to maintain an emphasis on plants as well as animals. Parties also noted the importance and value of work being carried out by Parties to engage young people.

The Standing Committee noted document SC70 Doc. 24 and commended the Parties that have reported on progress made in youth engagement and empowerment.

The Standing Committee agreed to submit to the Conference of the Parties at its 18th meeting the draft revision of Resolution Conf. 17.5 on *Youth Engagement* in Annex 2 of document SC70 Doc. 24 with the following amendments:

ACKNOWLEDGING that today's youth will one day be in decision-making positions and that CITES Parties organizations responsible for wildlife conservation decisions must engage these people now to equip them to be stronger leaders in the future;

5. ENCOURAGES Parties to use the annual World Wildlife Day as an opportunity to incentivise wildlife conservation awareness among younger generations and to provide platforms for them to engage with one another on conservation issues; and

During discussion of this agenda item, interventions were made by the representatives of Central and South America and the Caribbean (Peru), Europe (Portugal) and the Previous Host Country (South Africa), and by Senegal and the United States of America.

25. National laws for implementation of the Convention: Report of the Secretariat

The Secretariat introduced document SC70 Doc. 25 (Rev. 1), noting that while the number of Parties with legislation in Category 1 under the National Legislation Project (NLP) remained unchanged, a number of Parties had made good progress. Referring to the legislative status table contained in SC70 Inf. 12, the Secretariat also provided an update on information received from Parties since the document was finalised.

Committee Members and Parties provided additional updates on work being conducted to strengthen legislation and harmonise laws across regions. One Party suggested that trade suspensions implemented for failure to adopt adequate measures for implementation of the Convention should be for all trade and not only trade for commercial purposes.

An NGO observer noted that some Parties with legislation in Category 1 had weak legislation regarding the import and trade of non-native species, and requested the Secretariat to draft new decisions that would (1) identify Parties where this is an issue and (2) list such Parties in Category 2 until remedial action had been taken.

The Standing Committee commended Parties that have made substantive progress in adopting measures for the effective implementation of the Convention, including Angola, Benin, Bosnia and Herzegovina, Côte d'Ivoire, Mauritania, Myanmar, Pakistan, Sri Lanka, Tunisia, the United Republic of Tanzania and Uzbekistan.

The Standing Committee recommended that all Parties suspend commercial trade with Comoros and Ecuador. The Secretariat shall inform the Parties concerned of this measure immediately after the present meeting. The recommendation shall take effect 60 days after it is agreed, unless the Party concerned adopts appropriate measures before the expiry of the 60 days or submits an appropriate legislative timetable or takes steps to effectively implement an existing legislative timetable. Upon the expiry of the 60 days after the recommendation is agreed, the Secretariat shall issue Notification to the Parties informing them of the recommendations to suspend commercial trade taking effect from that date.

The Standing Committee agreed to issue a formal warning to the Parties that have not reported any legislative progress since CoP17 (at the time of writing this included Belarus, Bhutan, Burundi, Dominica, Eswatini (former Swaziland), Grenada, Jordan, Libya, Oman, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Sao Tome and Principe, Seychelles, Sudan and the former Yugoslav Republic of Macedonia), 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. The Standing Committee noted the oral update by Belarus.

The Standing Committee recognized and welcomed the support provided by Parties, international intergovernmental and non-governmental organizations in support of the development and adoption of national measures to effectively implement and enforce the Convention.

During discussion of this agenda item, interventions were made by the representatives of Africa (Congo), Central and South America and the Caribbean (Peru) and Europe (Russian Federation), by Belarus, Botswana, India, Kazakhstan, Kenya, Tunisia, Uganda, the United Republic of Tanzania, the United States of America and Uzbekistan, and by the World Wildlife Fund.

26. National reports

26.1 Submission of annual reports

The Secretariat introduced document SC70 Doc. 26.1, giving an updated list of Parties that had not submitted annual reports for the past two years, and noting that, for the first time ever, no additional Parties had failed to submit annual reports for three consecutive years during the period 2015–2017.

A Committee Member noted that for small Parties the preparation of annual reports could be a significant burden, and that many have issues with capacity.

The Standing Committee noted that, for the first time ever, no Parties have failed to submit annual reports for three consecutive years (or more) during the period 2015–2017 and commended all Parties for their efforts to submit annual reports within the deadline.

The Standing Committee, pursuant to Resolution Conf. 11.17 (Rev. CoP17), and on the basis of the present report and any updated information received by 31 October 2018, instructed the Secretariat to determine whether Albania, Fiji, Guatemala, Iceland, Mauritius, Papua New Guinea, Saint Kitts and Nevis, Solomon Islands and Somalia have failed to provide annual reports for three consecutive years, without having provided adequate justification. If so determined, the Secretariat will issue a Notification (60 days after the deadline of 31 October 2018) recommending that Parties not authorize any trade in specimens of CITES-listed species with those Parties until they have provided the missing reports.

During discussion of this agenda item, interventions were made by the representatives of Oceania (New Zealand) and by the United States of America.

26.2 Improving access to annual report data

The Secretariat introduced document SC70 Doc. 26.2 on improving access to annual report data, principally by allowing Parties to access non-aggregated shipment by shipment data. The document presents two options for allowing shipment-by-shipment downloads of CITES trade data without revealing permit numbers; the Secretariat noted that it favoured 'Option 2', where a unique identifier is generated by executing a script during the generation of the download from the CITES Trade Database.

Committee Members expressed agreement with the Secretariat's preference for 'Option 2'. Committee Members also asked for information on the future capacity and storage requirements this new system would generate, noted that it would be useful to have a handbook to ensure proper use, and noted an interest in developing better search options within the CITES Trade Database.

The Standing Committee noted that the Secretariat intends to:

- a) work with the World Conservation Monitoring Centre of the United Nations Environment Programme (UNEP-WCMC) to implement a download of the CITES Trade Database in addition to the existing search function. The download shall include trade data on a per-shipment basis. The download shall not include the confidential permit numbers which shall instead be replaced by a unique identifier. It shall not be possible to derive the original permit number from the unique identifier.
- b) generate the unique identifiers by a script as described in option 2, contained in paragraph 12 of document SC70 Doc. 26.2 for the technical implementation.
- c) monitor the need for more frequent updates of the download and implement improved technical solutions when deemed necessary, provided the availability of the necessary resources and report back to the Standing Committee as necessary.

During discussion of this agenda item, interventions were made by the representatives of Central and South America and the Caribbean (Peru), Europe (Portugal) and North America (Canada).

26.3 Annual illegal trade reports: Report of the Secretariat

The Secretariat introduced document SC70 Doc. 26.3, noting that it considers that it would be preferable for the costs for the storage and management of the CITES illegal trade data to be built into the core budget of the Secretariat.

Committee Members and Parties generally supported the proposal prepared by UNODC for the development of a database to store and manage illegal trade data. One Committee Member suggested that funding for the database should be conditional on active reporting by a minimum number of Parties. Some Parties did not agree that funding for the database should come from the core budget, and that, if this model is adopted, savings should be made in other areas of the budget to ensure its overall size remains the same.

The Standing Committee approved the detailed proposal by UNODC for the development of a database to store and manage illegal trade data collected through the annual illegal trade reports, in the Annex to document SC70 Doc. 26.3.

The Standing Committee agreed to submit the following draft decision to the 18th meeting of the Conference of the Parties for consideration:

18.AA The Secretariat shall contract UNODC to establish, host and maintain a database for the storage and management of illegal trade data collected through annual illegal trade reports, meeting the requirements outlined in the detailed proposal prepared by UNODC, as presented in the Annex to document SC70 Doc. 26.3 on Annual illegal trade reports.

The Standing Committee noted that the Secretariat intends to include the cost associated with the storage and management of illegal trade data, as indicated in paragraph 9 in document SC70 Doc. 26.3, in its draft CITES Trust Fund (CTL) budget for the years 2020-2022, to be considered by the Conference of the Parties at its 18th meeting, together with draft decision 18.AA, and requested the Secretariat to take account of the comments made during the discussion.

The Standing Committee recommended to the 18th meeting of the Conference of the Parties that paragraphs 3 and 4 in Resolution Conf. 11.17 (Rev. CoP17) on *National reports* be amended as follows:

3. *URGES all Parties, ~~commencing in 2017~~, to submit an annual illegal trade report by 31 October each year covering actions in the preceding year and in accordance with the report format distributed by the Secretariat, as may be amended by the Secretariat from time to time with the concurrence of the Standing Committee;*
4. *DIRECTS the Secretariat AGREES that, unless otherwise specified by the reporting Party, to share the data collected in the annual illegal trade report and included in the database should be made available to Parties for research and analysis of wildlife and forest crime as it affects them, and with to the members of the International Consortium on Combating Wildlife Crime (ICWC), to allow data to be used in for ICWC global research and analysis studies on wildlife and forest crime.*

During discussion of this agenda item, interventions were made by the representatives of Asia (Indonesia) and Europe (Portugal), and by Japan.

27. Compliance matters

27.1 Guidance for verifying the legal acquisition of CITES specimens to be exported

The Secretariat introduced document SC70 Doc. 27.1, noting that the aim of the guidance for verifying the legal acquisition of CITES specimens, provided in Annex 1 of the document, was to provide common ground for the understanding and application of this key requirement to Management Authorities and enforcement authorities. The Secretariat proposed a small amendment to paragraph 4 of Annex 1.

Committee Members and Parties generally supported the draft resolution and decisions, but several speakers suggested amendments noting that some of the language was inconsistent with text in convention and some sections were believed to be overly directive. Speakers also discussed whether paragraph 5 of the draft resolution on due diligence should remain; some Parties believed it should be

deleted and moved to Resolution Conf. 11.3 (Rev. CoP17) on *Compliance and enforcement*, whereas others argued it was important for the resolution to explicitly recognize the obligations of importing Parties.

NGO observers agreed with the need for explicit recognition of obligations of importers, and further noted that the requirements of the new resolution should ensure that legal trade would not be unnecessarily delayed.

The Standing Committee requested Canada, Hungary and the United States of America to prepare revisions to the draft resolution in Annex 1 of document SC70 Doc. 27.1 by ensuring that the language remains non-binding and that the draft resolution focuses on Article III, paragraph 2(b), Article IV, paragraph 2(b), and Article V, paragraph 2(a) of the Convention.

Later in the meeting, Canada introduced document SC70 Com. 16 containing a revised draft resolution on *Verification of legal acquisition of CITES specimens*. The United States of America noted that consensus was not reached regarding the changes and deletions in paragraphs 4 and 5 of the Resolution regarding the responsibilities of importing Parties.

The Standing Committee agreed to submit to the Conference of the Parties the draft resolution on *Verification of legal acquisition of specimens* in document SC70 Com. 16 with the following amendments to paragraph 4 and paragraph 2 b) in Annex 1, noting that the Secretariat, in consultation with the Chair of the Standing Committee, would review the text of the draft resolution for editorial issues.

4. RECOMMENDS that ~~cooperation between~~ Management Authorities of Parties be guided by the recommendations in Resolution Conf. 11.3 (Rev. CoP 17) on Compliance and enforcement paragraph 2 e), including with respect to specimens of Appendix-I species, and Resolution 12.3 (Rev. CoP17) on Permits and certificates paragraph 5 i) and paragraph 22 k) to m), following principles:

Annex 1

- b) ~~Where a Management Authority is required to~~ To verify legal acquisition, ~~it~~ the Management Authority ~~first~~ should ~~first~~ review all the documentary and other evidence presented by the applicant. The ~~evidence and~~ documentation should, to the extent practicable, provide information on the entire chain of custody back to the source of the specimen. Such information may include records demonstrating that the specimen or parental stock was removed from the wild in accordance with relevant laws (licenses, collection permits, etc.) records identifying the specific specimen (band numbers or other marks, etc.) and documenting the history of transfers of ownership (sales, receipts, invoices, etc.), and records showing that the specimen was reared at a particular facility, for example. Where a Management Authority considers that the evidence is incomplete, it should provide the applicant with an opportunity to produce additional information evidence.

During discussion of this agenda item, interventions were made by the representatives of Europe (Hungary) and North America (Canada), by Japan and the United States of America, and by the Center for International Environmental Law, the International Wood Products Association (speaking also on behalf of Fender Musical Instrument Corp.) and the World Wildlife Fund.

27.2 Possible establishment of a Compliance Assistance Programme: Report of the Secretariat

The Secretariat introduced document SC70 Doc. 27.2, highlighting that resources for providing targeted assistance to Parties are scarce and therefore there is a need to be strategic when prioritising support. The Secretariat further highlighted the collaboration with UNEP-WCMC on the development of an automated tool to monitor the level of compliance in reported trade transactions, and thanked the United States of America for providing the necessary funding.

Committee Members and Parties expressed their support for the compliance assistance programme, and the recommendation for the Secretariat, in consultation with the Chair, to prepare a more detailed proposal for submission to CoP18. One Committee Member noted that smaller Parties often struggle to meet recommendations to enable sanctions and suspensions to be lifted and that the programme could be an avenue through which they could make progress on these matters.

Some speakers raised questions regarding the funding of the proposed programme; namely how the required amount of seed funding was calculated and whether the amount suggested would be sufficient. One Party suggested that the programme should be funded by external funds and should not have an impact on the core budget of the Secretariat.

The Standing Committee noted document SC70 Doc. 27.2 and instructed the Secretariat to submit, in consultation with the Chair of the Standing Committee, a more detailed proposal for consideration at the 18th meeting of the Conference of the Parties, specifying the additional cost and source of funding for such a programme and ensuring that a Compliance Assistance Programme is part of a holistic approach to capacity-building as outlined in document SC70 Doc. 22.2.

During discussion of this agenda item, interventions were made by the representatives of Europe (Portugal) and Oceania (New Zealand); and by Japan and the United States of America.

27.3 Application of Article XIII

27.3.1 Application of Article XIII in the Lao People's Democratic Republic

The Secretariat introduced document SC70 Doc 27.3.1, noting it was encouraged by the progress of the Lao People's Democratic Republic (Lao PDR) towards compliance and by assistance and support that had been made available to Lao PDR, thanking donors and partners for providing such support. Partners were invited to make efforts to maximise effectiveness and minimise overlap of their interventions.

Lao PDR provided an update of its efforts towards achieving full compliance, including, *inter alia*, confiscations of illegally traded king cobra (*Ophiophagus hannah*) and pangolin (*Manis* spp.) specimens and changes to legislation. The Party explained it was currently undertaking a non-detriment finding for *Dalbergia cochinchinensis* and was seeking experts to provide assistance.

Committee Members and Parties commended Lao PDR on the progress it has made, and were optimistic that further progress could be achieved. Some speakers were concerned about the lack of progress regarding legal acquisition, the adoption of a new penal code, and scientifically based non-detriment findings, and noted that capacity in Lao PDR remained limited despite significant progress. One Party also raised concerns regarding the process of converting tiger farms within Lao PDR into safari parks, without, *inter alia*, having a robust estimate of the number of tigers held in such facilities. They also noted that Lao PDR appeared to have no clear criteria for inspections of such facilities to ensure that no specimens are laundered into the illegal trade. The Party urged Lao PDR to conduct the full inventory (as specified in document SC69 Doc 29.2.2), and to provide an explanation of discrepancies noted in two captive-breeding facilities that the Secretariat visited during its mission to Lao PDR in July 2017. One Party noted that despite the identification of Lao PDR as a major importer of lion bone, Lao PDR had not reported any import or export of lion products. The Party requested that Lao PDR report on its movement of lion products between Lao PDR and South Africa, and suggested that, if no progress could be made in this regard, a trade suspension should be implemented.

A number of NGO observers noted particular concern with the outcome of Lao PDR's tiger audit appearing to have been pre-empted through the conversion of farms into safari parks. They also noted that five out of the six declared tiger farms had been implicated in illegal activities. Finally, NGO observers noted Lao PDR's lack of progress in implementing its NIAP, and suggested that trade suspensions should be put in place for the appropriate species.

The Standing Committee agreed the following recommendations:

1. *Regarding management of exports of Dalbergia spp.*
 - a) Parties shall suspend commercial trade in specimens of the genus *Dalbergia* spp., including finished products such as carvings and furniture, from Lao PDR, until Lao PDR makes scientifically based non-detriment findings for trade in the relevant species, including *D. cochinchinensis* and *D. oliveri*, to the satisfaction of the Secretariat.

2. *Regarding national legislation for the implementation of CITES*

Lao PDR shall, as a matter of priority:

- b) adopt adequate legislative measures to implement the Convention that meet the minimum requirements set out in Resolution Conf. 8.4 (Rev. CoP15) on *National laws for implementation of the Convention*;
- c) ensure that the amended Penal Code enters into force and is disseminated widely among all relevant law enforcement and criminal justice stakeholders;

3. *Regarding CITES Authorities*

Lao PDR shall

- d) continue to monitor and address the need for capacity building and training of staff in CITES Management and Scientific Authorities as well as in customs and border controls on CITES-related matters with the support of the CITES Secretariat;
- e) every three months, submit to the Secretariat copies of export permits and other CITES permits and certificates issued by the Management Authority;

4. *Regarding enforcement*

Lao PDR shall

- f) continue to effectively implement existing relevant plans, in particular its National Ivory Action Plan (NIAP), and report on progress in implementation according to the fixed formats and deadlines;
- g) take urgent steps to progress the implementation of its National Wildlife Crime Response Strategy Plan to tackle illegal trade in wildlife as adopted by Decision MAF No. 1559 (2018)
- h) implement and collect data on the enforcement indicators of the International Consortium on Combating Wildlife Crime (ICWC) with the assistance of the ICWC partners;
- i) continue to effectively disseminate and implement PM Order No. 05/2018 and take steps to disseminate and implement the revised Penal Code as soon as it enters into force;
- j) investigate and prosecute mid- to high-profile cases involving organized or transboundary activities, such as those identified by various international partners; and continue to provide to the Secretariat the results (arrests and prosecutions) of any investigations conducted by competent national authorities to determine the origin of specimens in illegal trade, the identities of individuals involved in smuggling, and the results of any legal proceedings against alleged perpetrators for the period July 2018-January 2019; and
- k) continue to work with the law enforcement agencies from China, Malaysia, Singapore, Thailand and Viet Nam, in the context of the Wildlife Enforcement Network of the Association of Southeast Asian Nations (ASEAN-WEN) and other relevant networks to facilitate the exchange of information and best practices with the objective of improving the mechanisms for justice and police cooperation on the issues of trade and transiting of illegal wildlife and illegal wildlife 'tourism'.

5. *Regarding monitoring of wildlife farms and related trade*

Lao PDR shall

- l) enact and implement the legislative guidelines for systematic management of wildlife farming in order to ensure compliance with the provisions of the Convention and relevant Resolutions and Decisions;
- m) finalize the full audit of the tigers kept in captivity, combined with a marking scheme and genetic analysis of the animals to establish their origin in collaboration with relevant international organizations to comply with paragraph 1 g) of Resolution Conf. 12.5 (Rev. CoP17) on *Conservation of and trade in tigers and other Appendix-I Asian big cat species* and Decision 14.69; and

- n) establish an appropriate advisory mechanism with involvement of relevant international organizations to provide support and advice on the transformation of the tiger farms.

6. *Regarding awareness raising*

- o) Lao PDR shall continue to implement outreach campaigns targeted to raise awareness among nationals, traders, visitors and consumers from neighbouring countries about the laws and regulations of the State for the protection of fauna and flora. Campaigns should particularly continue to focus on raising awareness in special economic zones.

7. *Regarding capacity-building and technical assistance*

- p) Parties, the CITES Secretariat, international non-governmental organizations and development partners shall make efforts to respond to the requests for capacity-building and technical support expressed by Lao PDR to implement the action plan and aim to coordinate their support to maximize effectiveness and minimize overlap.

- 8. The Standing Committee requested that Lao PDR submit a report to the Secretariat by 1 February 2019 on the implementation of the recommendations 1-6 in order for the Secretariat to convey this report and its comments and recommendations to the next meeting of the Standing Committee (SC71) and agreed to review progress made by Lao PDR at its 71st meeting and take appropriate compliance measures, including a recommendation to suspend all commercial trade, if progress is considered insufficient.

During discussion of this agenda item, interventions were made by the representatives of Asia (China and Indonesia), Lao People's Democratic Republic, the European Union, the United States of America, and the Environmental Investigation Agency UK (speaking also on behalf of the Center for International Environmental Law).

27.3.2 Application of Article XIII in the Democratic Republic of the Congo

27.3.2.1 Report of the Democratic Republic of the Congo

and

27.3.2.2 Report of the Secretariat

The Democratic Republic of the Congo (DRC) introduced document SC70 Doc. 27.3.1, noting that over 70% of the recommendations directed to it by the 69th meeting of the Standing Committee (document SC69 Com. 8, paragraph 51) had now been completed. The DRC also highlighted recent seizures of ivory, pangolin scales and African grey parrots. Regarding concern over the conversion rates used for *Pericopsis elata*, the DRC noted it had carried out a preliminary review of conversion rates for this species and was looking forward to receiving funding from the CITES-Tree programme to pursue next steps.

The Secretariat then introduced document SC70 Doc. 27.3.2. and congratulated the DRC on progress made, particularly on the concrete steps taken regarding fraud prevention, and encouraged authorities to keep up recent efforts. The Secretariat also encouraged Parties in a position to work with the DRC Management Authority to look at funding opportunities regarding *Psittacus erithacus*.

Committee Members and Parties commended the DRC on progress made, but several speakers noted with concern the decision by the DRC to export stockpiles of pangolin (*Manis* spp.) scales collected while pangolins were listed on Appendix II. Several Committee Members and Parties expressed diverging views on whether these stockpiles could be traded for commercial purposes in compliance with the Convention and whether such matters were best decided at CoP18. One Party noted concern for the high conversion rate used in the DRC's latest non-detriment finding for *Pericopsis elata*.

The Standing Committee agreed the following recommendations:

Regarding quota setting and management

- a) The Democratic Republic of the Congo (DRC) shall strengthen its Scientific Authorities by building capacity and allocating sufficient modern resources for the making of the non-detriment findings and the setting of annual export quotas based on the best available science;

Regarding the management of trade in Psittacus erithacus

- b) Parties shall maintain the suspension of trade in specimens of the species *Psittacus erithacus* from DRC pending compliance with the recommendations made at SC69;
- c) Donors and cooperation agencies are encouraged to support DRC in the undertaking of population surveys and development of management plans for *Psittacus erithacus*;

Regarding trade in pangolin stockpiles

- d) Parties shall suspend trade in stockpiled specimens of *Manis* spp. from DRC, until further guidance is provided by the Conference of the Parties at its 18th meeting (CoP18);

Regarding trade in Pericopsis elata

- e) The Plants Committee is requested to assess the third revision of the non-detriment finding for *Pericopsis elata* submitted by DRC and make appropriate recommendations in the context of the Review of Significant Trade for this species/country combination, including on exports of timber exported outside the annual export quota under claims of second transformation;

Regarding illegal trade

- f) DRC shall intensify efforts to conduct analyses of available information to map organized crime groups active in the country and convene multi-disciplinary investigative teams involving all relevant authorities, to work in close collaboration with local authorities in key identified areas, and initiate intelligence-driven operations and investigations, with a particular focus on pangolins and ivory;

Regarding compliance assistance

- g) Parties, partners and donors are encouraged to provide joint and coordinated financial, technical and logistical support to DRC to support the implementation of the above recommendations with a particular focus on scientific-related assistance;

Regarding reporting

- h) DRC should report to the Secretariat on progress made on the implementation of these recommendations by 31 December 2019, in order for the Secretariat to convey this report and its comments to the 73rd meeting of the Standing Committee.

During discussion of this agenda item, interventions were made by the representatives of Africa (Niger), Asia (China) and Europe (Israel), and by Chad, the Democratic Republic of the Congo, the European Union, Gabon, India, Senegal and the United States of America.

27.3.3 Application of Article XIII in Guinea

The Secretariat introduced the agenda item, noting that there was no document associated with this item as it did not have sufficient additional information to report. Guinea was noted to have previously made limited progress in implementing recommendations made by the Standing Committee in 2011, and a suspension for all commercial trade in CITES-listed species remained in place. The Secretariat noted that its intention to undertake a mission to Guinea in early 2019, and that the preliminary program for the mission was currently being developed together with relevant partners. The Secretariat would report on its mission at the 71st meeting of the Standing Committee, and also propose a revised set of recommendations.

Senegal encouraged the Secretariat to undertake the mission, noting that it suspected that illegal wildlife trafficking was occurring across the Senegalese-Guinea border. In this regard, the Party noted it would be useful to have a clearer understanding of the situation.

Guinea was not present at the 70th meeting of the Standing Committee.

The Standing Committee noted the oral update by the Secretariat; agreed that the suspension of all commercial trade in CITES-listed species with Guinea be maintained and requested the Secretariat to present the results of its technical mission in the country at its 71st meeting.

During discussion of this agenda item, an intervention was made by Senegal.

27.3.4 Introduction from the sea of sei whale (*Balaenoptera borealis*) by Japan

The Secretariat introduced document SC70 Doc. 27.3.4, highlighting that the approach to compliance matters set out in Resolution Conf. 14.3 was supportive and non-adversarial aiming to ensure long-term compliance. The Secretariat noted that four compliance issues had been identified during the technical mission of the Secretariat to Japan and invited the Standing Committee to express its views on the two approached suggested for the fourth issue.

Japan stated that, while it agreed with several of the points raised within the document, it did not with others. Regarding a) the description of the specimens introduced from the sea by Japan; b) the introduction from the sea (IFS) certificates issued by the Management Authority of Japan; and c) the use of source codes in the annual reports submitted by Japan before 2016, Japan stated it was prepared to undertake immediate technical remedial actions to satisfy the points raised by the report and report back to the Secretariat by February 2019. Regarding compliance matters under Article III, Japan noted that the whole body of sei whales caught, including their muscle and blubber, is used for research; and that the sale of research by-products is ancillary to the research in order to comply with Japan's obligations under the International Convention for the Regulation of Whaling. It was also noted that all proceeds from this sale were used for the research in the following years. Japan therefore believed that sei whales introduced from the sea were not being used for primarily commercial purposes in conformity with the Convention. However, Japan noted that if the Standing Committee agreed otherwise, it would undertake remedial action, following due process in accordance with Resolution Conf. 14.3, and report progress thereon by February 2019.

Several Committee Members and Parties agreed that Japan was introducing sei whales from the sea primarily for commercial purposes in breach of Article III, paragraph 5 (c) of the Convention. Parties also noted their concern regarding Japan's use of lethal research methods, noting their assertion that current technology allows for the use of non-lethal and non-invasive methods to gather certain samples and the assertion at the 67th meeting of the International Whaling Commission that lethal research methods are unnecessary, while Japan pointed out that the discussion on the research methods was out of the scope of the Convention.

Committee Members and Parties requested assurance from Japan that no sei whales would be introduced from the sea before its remedial actions had been considered at the 71st meeting of the Standing Committee (SC71). In response, Japan noted that it would delay the departure of research vessels for sei whales and issuance of any new Introduction from the Sea (IFS) certificates until SC71 had made its recommendations. It also noted that there were no outstanding IFS certificates issued for sei whales. The Russian Federation asked for its intervention to be included in the summary record. This can be found in Annex 1 of this summary record.

NGO observers generally agreed that Japan's introduction from the sea of sei whales was for primarily commercial purposes in breach of the Convention; however, one NGO argued that the decision over whether the purpose of introduction was primarily commercial should be taken by that Party's Management Authority only. NGOs argued that Japan's assertion that the sale of whale meat was necessary under the provisions of the International Convention for the Regulation of Whaling selectively misquoted, in that the Convention requires that Parties conducting research whaling process whales so far as is practicable. The NGOs argued that, since IFS for primarily commercial purposes was in breach of CITES, it was not practicable for the Party to sell them. Finally, a private sector representative argued that the commercial aspects of scientific whaling do not take away from the fact that the whaling itself may be primarily scientific in nature.

The Standing Committee agreed that the provisions of the Convention are not being effectively implemented with regard to: a) the description of the specimens introduced from the sea by Japan; b) the certificates for introduction from the sea issued by the Management Authority of Japan; and c) the use of source codes in the annual reports submitted by Japan before 2016, and noted that Japan had committed to adopting technical remedial actions.

The Standing Committee agreed that the introduction from the sea (IFS) of certain specimens (e.g. whale meat and blubber) of sei whales (*Balaenoptera borealis*) from the North Pacific population was not in compliance with Article III, paragraph 5(c), of the Convention. The Standing Committee reached this conclusion on the basis of the analysis in paragraphs 52 to 60 of document SC70 Doc. 27.3.4 and approved the analysis and conclusion referred to as option a).

The Standing Committee recommended that Japan take immediate remedial action to comply with Article III, paragraph 5(c), of the Convention.

The Standing Committee noted and accepted Japan's commitment to delay the departure of its research whaling vessels to the western North Pacific until after the 71st meeting of the Standing Committee (SC71) and to not issue any IFS certificates for specimens of sei whales from the North Pacific population prior to SC71, noting that there were no outstanding IFS certificates for sei whales that could be used.

The Standing Committee requested Japan to report to the Secretariat by 1 February 2019 on i) the implementation of the technical remedial actions mentioned above, and ii) the remedial actions implemented and proposed by Japan to accommodate the compliance matters concerning Article III, paragraph 5(c), of the Convention. The Standing Committee requested the Secretariat to convey these reports and its recommendations to the 71st meeting of the Standing Committee. At its 71st meeting, the Standing Committee shall review the Secretariat's report and, if not satisfied that the provisions of Article III, paragraph 5(c), are met, take compliance measures.

The Standing Committee noted the observation that guidance on the interpretation of "exceptional circumstances" in Article II, paragraph 1, of the Convention may be warranted.

During discussion of this agenda item, interventions were made by the representatives of Africa (Congo, Namibia and Niger), Asia (China and Indonesia), Central and South America and the Caribbean (Honduras and Peru), Europe (Israel, Portugal and Russian Federation), North America (Canada), Oceania (New Zealand) the Depositary Government (Switzerland) and the Previous Host Country (South Africa); by Argentina, Australia, Brazil, Chad, the European Union, Gabon, Japan, Kenya, Mexico, Senegal, the United States of America and Zimbabwe, and by the Animal Welfare Institute (speaking also on behalf of Born Free Foundation, the Center for Biological Diversity, the Environmental Investigation Agency, Eurogroup for Animals, Humane Society International, the Japan Tiger and Elephant Fund, the Japan Wildlife Conservation Society, ProWildlife, Species Survival Network, Natural Resources Defence Council, Wildlife Conservation Society, Whale and Dolphin Conservation, and World Animal Protection), IWMC, OPES OCEANI, and the Wildlife Conservation Society.

27.3.5 Application of Article XIII in Nigeria

The Secretariat introduced document SC70 Doc. 27.3.5, noting its concern that exports of *Pterocarpus erinaceus* after its mission in May/June 2018 had significantly increased despite the absence of non-detriment findings, and that their recommendations included an immediate suspension of commercial trade in specimens of *Pterocarpus erinaceus* from Nigeria until the Party makes scientifically based non-detriment findings (NDF) to the satisfaction of the Secretariat and the Chair of the Plants Committee.

Nigeria affirmed its commitment to abide by the rules of the Convention and noted that it agreed with all but two of the 17 recommendations included in the document. Firstly, the Party asked for the recommendation for the suspension of trade in *Pterocarpus erinaceus* to instead be tied to a specific timeline of when the NDF should be concluded. If the NDF was not completed within this timeframe, the recommendation to suspend trade would then be discussed at CoP18. Secondly, regarding recommendation 3 m), Nigeria noted that additional capacity was

needed to ensure that export permits and re-export certificates be endorsed, with quantity, signature and stamp, by an inspecting official, such as customs, in the export endorsement block of the document. Nigeria instead suggested that the recommendation be rephrased to leave the responsibility for ensuring the endorsement of export and re-export facilities to remain with the Management Authority. Parties expressed diverging views on whether they considered these amendments to be appropriate.

Two Parties suggested additional amendments to the recommendations in the document, relating firstly to whether Parties should be encouraged to consider inviting the Secretariat to conduct technical missions in order to strengthen cooperation between range States and importing countries and identify further recommendations to ensure that timber trade is conducted in accordance with the Convention [recommendation 1 c)], and secondly to the timeframe through which Nigeria should report to the Secretariat on progress made on the implementation of recommendations [recommendation 4 p)]

NGOs observers agreed with the recommendations in the document, and noted Nigeria's limited ability to currently conduct scientifically based NDFs.

The Standing Committee established an in-session working group on Nigeria with the mandate to review the recommendations in paragraph 52, subparagraphs a), c), m) and p) of document SC70 Doc. 27.3.5.

The membership of the working group was agreed as follows: Portugal (Chair), Cameroon, China, European Union, Gabon, Nigeria, Senegal, the United States of America and Viet Nam; Environmental Investigation Agency (USA) and World Resources Institute; and ForestBased Solutions.

Later in the meeting, Portugal introduced document SC70 Com. 6.

The Standing Committee adopted the recommendations in paragraph 52 subparagraphs b), d), e), f), g), h), i), j), k), l), n), o) and q) in document SC70 Doc. 27.3.5 and the recommendations a), c), m) and p) in document SC70 Com. 6 as follows:

1. *Regarding management of trade in specimens of Pterocarpus erinaceus*

- a) Parties shall suspend commercial trade in specimens of the species *Pterocarpus erinaceus* from Nigeria until the Party makes scientifically based non-detriment findings for trade in the species in the country to the satisfaction of the Secretariat and the Chair of the Plants Committee.
- b) The Standing Committee encouraged all importing Parties to inform the Secretariat about the volumes of timber of *Pterocarpus erinaceus* imported from Nigeria since the entry into force of the Appendix II listing.
- c) The Standing Committee invited the importing Parties to share with the Secretariat the administrative, legislative and enforcement arrangements put in place to ensure that trade in specimens of this species only takes place when Parties are satisfied that it is in line with the requirements of the Convention, including any relevant stricter domestic measure to verify legality and ensure sustainability; and encouraged those Parties to consider inviting the Secretariat to conduct technical missions in order to strengthen cooperation between range States and importing countries and identify further recommendations to ensure that timber trade is conducted in accordance with the Convention.
- d) The Standing Committee requested the Plants Committee to consider the inclusion of *Pterocarpus erinaceus* from all range States in the Review of Significant Trade and report its findings and recommendations to the 73rd meeting of the Standing Committee (SC73).
- e) Nigeria shall strengthen the CITES Scientific Authorities by building capacity on forestry issues, and allocating sufficient modern resources to undertake population surveys of *Pterocarpus erinaceus* that can be used in the making of the non-detriment

findings, on the setting of annual export quotas prior to authorizing trade in specimens of CITES-listed species, and on the enhancement of scientific capacities of the country.

2. *Regarding legislation and law enforcement*

- f) Nigeria shall strengthen the regulatory framework in relation to forestry management, including forestry legislation at the State level, notably to bridge the gaps and close the loopholes that may be generated by the distribution of competences between Federal and State levels.
- g) Nigeria shall consider developing and implementing a strategy to counter corruption linked to illegal wildlife trade at all levels, including anti-bribery policies, and intensify efforts to ensure full implementation of Resolution Conf. 17.6 on *Prohibiting, preventing, detecting and countering corruption, which facilitates activities conducted in violation of the Convention*. The strategy should include recommendations to protect officials responsible for the implementation and enforcement of CITES from undue pressure, obstruction and threats.
- h) Nigeria shall assess relevant authorities' law enforcement capacity, their mandates and needs to strengthen the control of trade in CITES-listed species and the fight against transnational organized wildlife crime. Based on the assessment, Nigeria shall build capacity among law enforcement agencies to strengthen CITES controls, using risk-based management approaches, in particular container controls at seaports, as well as control of mailed parcels and of air cargo; combat transnational organized wildlife crime by strengthening criminal intelligence, exchange of intelligence, controlled delivery, wildlife crime investigation and prosecution, and financial investigations linked to wildlife crime.
- i) Nigeria shall establish a national platform for enforcement cooperation and coordination between relevant authorities with the aim to strengthen the control of trade in CITES-listed species and to combat transnational organized wildlife crime, in line with paragraphs 9 a) and b) and Annex 3 of Resolution Conf. 11.3 (Rev. CoP17) on *Compliance and enforcement*.
- j) Nigeria shall scale up efforts to conduct analyses of available information to map out organized crime groups active in the country and convene multi-disciplinary investigative teams involving all relevant authorities, to work in close collaboration with local authorities in key identified areas, and initiate intelligence-driven operations and investigations, with a particular focus on pangolins and ivory.

3. *Regarding issuance of export permits and information systems*

- k) Nigeria shall establish an efficient information system, preferably an electronic system resources permitting, to facilitate the issuance of permits and certificates and the verification of the legal acquisition of specimens in trade (verification of legal acquisition), while making the manipulation of CITES permits and certificates after issuance more difficult.
- l) Nigeria shall facilitate liaison and integration with other permitting/certification systems relating to the harvest of and trade in CITES-listed resources, e.g. timber concession authorizations, phytosanitary/veterinary documentation, or customs declarations.
- m) Nigeria shall ensure that export permits and re-export certificates be endorsed, with quantity, signature and stamp, by an inspecting official, such as wood grading and inspectorate unit, instead of the CITES Management Authority, in the export endorsement block of the document.

4. *Handling and disposal of seized stockpiles*

- n) Nigeria shall ensure that adequate control measures are put in place to secure storage facilities for seized stocks of CITES-listed species, notably pangolins and ivory, and reduce the risk of leakage. In order to ensure strict application of these measures, Nigeria shall develop a uniform protocol for the marking, recording, handling, storage and disposal of seized and confiscated specimens.
- o) Nigeria shall maintain an inventory of all seized stocks of CITES listed species and ensure strict implementation of Resolution Conf. 17.8 on *Disposal of illegally traded and confiscated specimens of CITES-listed species*.
- p) The Standing Committee recommended that Nigeria report to the Secretariat on progress made on the implementation of recommendations e) through o) by 31 December 2019, in order for the Secretariat to convey this report and its comments, as well as recommended follow-up measures in case of continued non-compliance, to the 73rd meeting of the Standing Committee.
- q) The Standing Committee invited Parties, ICCWC partners and donors to provide financial, technical and logistical support to Nigeria to support the implementations of the above recommendations of the Standing Committee.

During discussion of this agenda item, interventions were made by the representatives of Asia (China), by Nigeria, the European Union, Senegal and the United States of America, and by Environmental Investigation Agency (speaking also on behalf of the World Resources Institute, Species Survival Network, World Wildlife Fund, and the Center for International Environmental Law) and the Wildlife Conservation Society.

27.4 National ivory action plans process: Report of the Secretariat

The Secretariat introduced document SC70 Doc. 27.4 and its Addendum, noting that, since writing the document, reports had been submitted by Congo, Gabon, and Nigeria. These reports were received late and as such the Secretariat had not had sufficient time to evaluate them. Togo had not submitted a report. The Secretariat noted that its work related to national ivory action plans (NIAPs) continued to escalate, and encouraged Parties to reflect on this issue at CoP18. The country-specific recommendations on Congo, Gabon, and Nigeria were noted to have been updated in the Addendum.

Committee Members and Parties working towards achieving their NIAPs gave updates on measures they were undertaking to make further progress on implementation. Speakers generally agreed that six of the Parties the report considered to have 'substantially achieved' their NIAPs [China (excluding Hong Kong SAR of China), Kenya, the Philippines Thailand, Uganda, and the United Republic of Tanzania] should exit the NIAP process. A number of speakers commented that it was important for the NIAP process to have an achievable end point.

Some Committee members and Parties raised concerns regarding the procedure for allowing Parties to exit the NIAP process as well as the proposed changes to Annex 3 to Resolution Conf. 10.10 (Rev. CoP17), particularly in relation to the need to consult with independent experts when reviewing the reports submitted by Parties. One Committee member argued that the current process for evaluating reports was unclear, and several speakers considered that cooperation with independent experts, such as the African Elephant Specialist Group of the Species Survival Commission of the International Union for Conservation of Nature (IUCN/SSC), should be compulsory. In contrast, some speakers argued that the Secretariat was best placed to determine which experts should be engaged with, and that changes to the suggested amendments may restrict the actions the Secretariat is able to take.

Speakers also discussed a number of other issues related to the NIAP process; including, *inter alia* the merits of allowing exit from the NIAP process only if Parties are not identified as a country of concern in subsequent ETIS reports.

Finally, a number of NGO observers noted that the high levels of poaching and trafficking identified in the latest reports from Monitoring the Illegal Killing of Elephants (MIKE) and the Elephant Trade Information System (ETIS) showed that there remained key gaps in implementation, and considered that it was premature for the Standing Committee to agree to any Party exiting the NIAP process at the present time. The observers noted with concern that appropriate consultation with independent experts did not appear to be taking place, and that the decision to include experts in the review process may

help to ease the Secretariat's workload. The observers agreed that the decision to allow a Party to exit the NIAP process should be based on indicators derived from the situation on the ground, for example estimates of poaching levels. Lastly, observers argued that Japan, Singapore and South Africa should be requested to develop NIAPs and take part in the NIAP process.

The Standing Committee established an in-session working group on the national ivory action plan process (NIAP) with a mandate to review the proposed amendments to paragraph b) of Step 5 of Annex 3 on *Guidelines to the National Ivory Action Plans Process* of Resolution Conf. 10.10 (Rev. CoP17) on *Trade in elephant specimens* as contained in Annex 3 of document SC70 Doc. 27.4.

The membership of the in-session working group on NIAP was agreed as follows: Canada (Chair), Belgium, Cameroon, China, Ethiopia, European Union, France, Gabon, Israel, Japan, Kenya, Malaysia, Mozambique, Netherlands, Niger, Singapore, South Africa, Thailand, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America and Viet Nam; and China Wildlife Conservation Association, David Shepherd Wildlife Foundation, Environmental Investigation Agency (U.K.), Fondation Franz Weber, Wildlife Conservation Society, World Wildlife Fund and Zoological Society of London.

The Standing Committee agreed the following recommendations:

Parties that continue with NIAP implementation

Angola

a) The Standing Committee:

- i) agreed an overall rating of 'limited progress' in line with Step 4 paragraph e) of the *Guidelines*;
- ii) requested Angola to take urgent steps to significantly progress the implementation of its revised and updated NIAP between SC70 and SC73, with a particular focus on:
 - A. finalizing the new Criminal Code to enable authorities to take strong action against wildlife crime, as anticipated by action A.1 in the revised and updated NIAP; and
 - B. taking steps to put in place the Action Plan as reported upon against action C.1 in the revised and updated NIAP, and to mobilize the Ivory Seizure Task Force as reported on against action D.6 in the NIAP, with a particular focus on addressing any illegal ivory carving industries in Angola, initiating inspections and enforcement actions in domestic markets, and scaling up inspections at ports and border checkpoints to detect, prevent and address illegal trade in worked ivory originating from the country.
- iii) encouraged Parties, governmental, intergovernmental and non-governmental organizations and others to, where possible, provide financial and technical assistance to Angola, in accordance with Decision 17.82, and recommendation I) on NIAPs agreed at SC69, as presented in document SC69 Sum.10 (Rev. 1).

Cambodia

b) The Standing Committee:

- i) welcomed the progress made by Cambodia and agreed an overall rating of 'partial progress' in line with Step 4, paragraph e), of the *Guidelines*; and
- ii) encouraged Cambodia to consider the proposals made by the Secretariat following its mission, as referred to in paragraph 13 in Annex 1 to document SC70 Doc. 27.4, and to draw upon the offer of support from the Secretariat and the United Nations Office on Drugs and Crime in this regard, as deemed appropriate.

Cameroon

c) The Standing Committee:

- i) noted the progress made by Cameroon in the implementation of its NIAP, and agreed an overall rating of 'limited progress' in line with Step 4, paragraph e), of the *Guidelines*; and

- ii) encouraged Parties, governmental, intergovernmental and non-governmental organizations and others to, where possible, provide financial and technical assistance to Cameroon.

Congo and Gabon

d) The Standing Committee:

- i) noted that Congo and Gabon submitted reports on progress with NIAP implementation, available as Annex 26 and 27 to document SC70 Doc. 27.4;
- ii) noted that the reports submitted by Congo and Gabon were not submitted 90 days in advance of the present meeting, as required by Step 4, paragraph a) of the *Guidelines*, and that the Secretariat was as a result, not able to evaluate the reports prior to the present meeting, as required by Step 4, paragraph c), of the *Guidelines*; and
- iii) requested the Secretariat to evaluate the progress reports from Congo and Gabon and bring any matters arising to the attention of the Standing Committee as may be needed.

Democratic Republic of the Congo

e) The Standing Committee:

- i) noted the revised and updated NIAP of the Democratic Republic of the Congo;
- ii) agreed an overall rating of 'limited progress' in line with Step 4, paragraph e), of the *Guidelines*;
- iii) requested the Democratic Republic of the Congo to enhance efforts to progress the implementation of its NIAP actions between SC70 and SC73; and
- iv) requested the Democratic Republic of the Congo to use the template for progress reports on NIAP implementation available on the NIAP webpage for future reporting on progress.

Egypt

f) The Standing Committee:

- i) agreed an overall rating of 'limited progress' in line with Step 4, paragraph e), of the *Guidelines*;
- ii) requested Egypt to revise and update its NIAP in accordance with Step 2 of the *Guidelines*, and to ensure that the actions in the NIAP respond to current ivory trafficking trends, taking into consideration the findings in the ETIS report prepared for SC69, as highlighted in paragraph 46 of Annex 1 to document SC70 Doc. 27.4; and
- iii) requested Egypt to submit the revised and updated NIAP to the Secretariat for assessment in accordance with Step 3 of the *Guidelines*, and commence implementation as soon as the revised and updated NIAP is accepted as 'adequate' by the Secretariat, and provide associated reporting in accordance with the provisions set out in the *Guidelines*.

Lao PDR

g) The Standing Committee:

- i) welcomed the progress made by Lao PDR and agreed an overall rating of 'partial progress' in line with Step 4, paragraph e), of the *Guidelines*;
- ii) encouraged Lao PDR to build upon the current momentum to ensure that urgent measures continue to be taken to progress NIAP implementation;
- iii) requested Lao PDR if it, as indicated in its progress report to SC70, decides to revise and update its NIAP found to be adequate in 2015, to do so using the template for NIAP development available on the NIAP webpage and, if applicable, to provide justification for the removal of any actions which have not yet been achieved or substantially achieved in the NIAP originally found to be adequate, but removed from the revised and updated NIAP; and

- iv) requested Lao PDR to submit any revised and updated NIAP to the Secretariat for assessment in accordance with Step 3 of the *Guidelines*.

Malawi

- h) The Standing Committee welcomed the progress made by Malawi in implementing its NIAP, and agreed an overall rating of 'partial progress' in line with Step 4, paragraph e), of the *Guidelines*.

Malaysia

- i) The Standing Committee:
 - i) noted the revised and updated NIAP of Malaysia;
 - ii) agreed an overall rating of 'partial progress' in line with Step 4, paragraph e), of the *Guidelines*;
 - iii) requested Malaysia to pursue further capacity building activities to implement action 2.2 in its NIAP, and to reach out to the Secretariat for support in this regard, if needed; and
 - iv) requested Malaysia to continue to progress the implementation of its revised and updated NIAP between SC70 and SC73, and to provide sufficiently detailed reporting to SC73, to justify progress ratings allocated to its NIAP actions, and to enable the Secretariat to fully assess the progress made.

Nigeria

- j) The Standing Committee:
 - i) noted that Nigeria successively did not submit its reports on progress with NIAP implementation in time for its progress to be assessed and reflected in the documents on NIAPs prepared by the Secretariat for SC66, SC67, SC69 and SC70;
 - ii) noted the report on progress with NIAP implementation submitted by Nigeria on 11 September 2018, available as Annex 25 to document SC70 Doc. 27.4, that this report was not submitted 90 days in advance of the present meeting, as required by Step 4, paragraph a) of the *Guidelines*, and that the Secretariat was as a result, not able to evaluate the report prior to the present meeting, as required by Step 4, paragraph c), of the *Guidelines*;
 - iii) noted the concerns regarding the escalation of illegal trade in ivory and other wildlife specimens from Nigeria, as detailed in paragraphs 82 to 85 of Annex 1 to document SC70 Doc. 27.4;
 - iv) requested the Secretariat to evaluate the progress report received from Nigeria, available as Annex 25 to document SC70 Doc. 27.4;
 - v) in the event that the Secretariat, in accordance with the provisions of Step 4, paragraph d), of the *Guidelines*, finds that the progress report does not provide sufficient detail of the activities delivered to justify allocated progress ratings, and does not confirm that progress has been made towards NIAP implementation, requested the Secretariat to, on behalf of the Committee, in accordance with Step 4, paragraph f), of the *Guidelines*, issue a Notification to the Parties recommending all Parties to suspend commercial trade in CITES-listed species with Nigeria; and
 - vi) agreed that, if implemented, the recommendation to suspend commercial trade in CITES-listed species with Nigeria referred to in recommendation j) v) above, remain in place until Nigeria submits a progress report to the Secretariat, assessed by the Secretariat as providing sufficient detail of the activities delivered to justify allocated ratings, and confirming that progress has been made towards NIAP implementation.

Qatar

- k) The Standing Committee agreed an overall rating of 'partial progress', in line with Step 4 paragraph e) of the *Guidelines*.

Togo

- l) The Standing Committee, regarding Togo as Category A Party, noted that this Party did not submit a report on progress with NIAP implementation that allowed for its progress to be reflected in document SC70 Doc. 27.4;
- m) In the absence of any report or oral update on progress with NIAP implementation to SC70 by Togo, the Standing Committee requested the Secretariat in accordance with Step 4, paragraph f), of the *Guidelines*, on behalf of the Committee to:
 - i) issue a warning, requesting Togo to submit its NIAP progress report within 60 days of the conclusion of SC70 to the Secretariat; and
 - ii) if there is no satisfactory response by Togo, issue a Notification to the Parties recommending all Parties to suspend commercial trade in CITES-listed species with Togo until it submits a progress report to the Secretariat confirming that progress has been made towards NIAP implementation.

Viet Nam

- n) The Standing Committee:
 - i) noted the NIRAP of Viet Nam and the report on progress with implementation prepared for the present meeting;
 - ii) requested Viet Nam to continue to progress the implementation of its NIRAP between SC70 and SC73; and
 - iii) requested Viet Nam to use the template for progress reports on NIAP implementation, available on the NIAP webpage, for future reporting on progress with NIRAP implementation.

Parties reporting to the present meeting that they have 'substantially achieved' their NIAPs

Ethiopia

- o) The Standing Committee:
 - i) welcomed the progress made by Ethiopia and agreed an overall rating of 'partial progress' in line with Step 4, paragraph e), of the *Guidelines*; and
 - ii) requested Ethiopia to continue to progress the implementation of its NIAP between SC70 and SC73.

Mozambique

- p) The Standing Committee:
 - i) agreed an overall rating of 'achieved' in line with Step 4, paragraph e), of the *Guidelines*, and commended Mozambique for achieving its NIRAP;
 - ii) encouraged Mozambique to complete the implementation of any NIRAP actions that have not yet been 'achieved';
 - iii) requested Mozambique to report to the 73rd meeting of the Standing Committee on any further measures and activities implemented to address poaching and illegal trade in ivory and rhinoceros horn as it affects Mozambique, with a particular focus on measures and activities implemented to:
 - A. further strengthen detection of illegal ivory and rhinoceros horn consignments at its ports;
 - B. strengthen efforts to gather intelligence about the criminal syndicates that continue to operate from Mozambique, to map out these criminal networks, and to initiate intelligence driven operations and investigations to address them; and
 - C. strengthen the implementation and impact of its amended national laws and regulations to combat poaching and ivory and rhinoceros horn trafficking;

- iv) requested the Secretariat to make the report referred to in recommendation p) iii) above available to the Committee, together with any recommendations it may have; and
 - v) requested the Secretariat to continue to monitor progress in accordance with paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17), and to bring any issues of concern that may arise to the attention of the Committee.
- q) The Standing Committee agreed that it will consider at SC73 whether Mozambique should revise and update its NIRAP, or exit the NIAP process, or if any other measures need to be taken, in accordance with Step 5, paragraph d), of the *Guidelines*.

United Republic of Tanzania

- r) The Standing Committee:
- i) agreed an overall rating of 'achieved' in line with Step 4, paragraph e), of the *Guidelines*, and commended the United Republic of Tanzania for achieving its NIAP;
 - ii) encouraged the United Republic of Tanzania to complete the implementation of any NIAP actions that have not yet been 'achieved';
 - iii) agreed that the United Republic of Tanzania exit the NIAP process in accordance with Step 5, paragraph d), of the *Guidelines*; and
 - iv) requested the Secretariat to continue to monitor progress in accordance with paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17), and to bring any matters of concern that may arise to the attention of the Committee.

Parties that 'substantially achieved' their NIAPs at previous meetings of the Standing Committee

China, Kenya, Philippines, Thailand and Uganda

- s) The Standing Committee:
- i) commended China, Kenya, Philippines, Thailand and Uganda for 'achieving' their NIAPs and for the further measures taken to address illegal trade in ivory;
 - ii) agreed that China, Kenya, Philippines, Thailand and Uganda exit the NIAP process in accordance with Step 5 paragraph d) of the *Guidelines*; and
 - iii) requested the Secretariat to continue to monitor progress in accordance with paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17), and to bring any matters of concern that may arise to the attention of the Committee.

Hong Kong SAR of China

- t) The Standing Committee:
- i) commended Hong Kong SAR of China for implementing its NIAP, the additional measures and activities implemented to address illegal trade in ivory, and the firm commitment demonstrated to build upon the progress made to date;
 - ii) encouraged Hong Kong SAR of China to submit a comprehensive report to its 73rd meeting, on:
 - A. any further measures taken and activities implemented to combat illegal trade in ivory;
 - B. progress with the implementation of the three-step plan outlined in Notification to the Parties No. 2018/057 of 1 June 2018;
 - C. any measures and activities implemented to prevent the displacement of illegal trade in ivory to Hong Kong SAR, that may result from the closure of domestic ivory markets in mainland China; and
 - D. measures implemented to deter and detect worked ivory products moving out of Africa to Hong Kong SAR, and to penalize offenders involved;

- iii) requested the Secretariat to continue to monitor progress in accordance with paragraph 9 of Resolution Conf. 10.10 (Rev. CoP17), and to bring any issues of concern that may arise to the attention of the Committee; and
- iv) agreed that it will consider at SC73, whether Hong Kong SAR of China should exit the NIAP process, in accordance with Step 5, paragraph d), of the *Guidelines*.

Other matters

Actions recommended by the meeting of representatives of NIAP Parties

- u) The Standing Committee:
 - i) noted the actions agreed by participants in the meeting of representatives of Parties concerned with the development and implementation of NIAPs, presented under headings 1-5 in Annex 2 to document SC70 Doc. 27.4;
 - ii) requested the Secretariat to make the actions presented under headings 1-5 in Annex 2 to document SC70 Doc. 27.4 available on the NIAP webpage in English, French and Spanish, as guidance for new and existing NIAP Parties to consider when developing and implementing their NIAPs; and
 - iii) encouraged Parties to draw upon the actions concluded and agreed, as presented under headings 1-5 in Annex 2 to document SC70 Doc. 27.4, when developing and implementing their NIAPs.

Revision of the Annex to Resolution Conf. 14.3 on *CITES compliance procedures*

- v) The Standing Committee agreed to propose to CoP18 to include Resolution Conf. 10.10 (Rev CoP17) on *Trade in elephant specimens* in the footnote to paragraph 30 in the Annex to Resolution Conf. 14.3 on *CITES compliance procedures*.

Later in the meeting, Canada introduced document SC70 Com. 2.

The Standing Committee agreed to propose to the Conference of the Parties the amendments to Annex 3 to Resolution Conf. 10.10 (Rev. CoP17) in Annex 3 of document SC70 Doc. 27.4 with Step 5, paragraph b), amended as in document SC70 Com. 2.

During discussion of this agenda item, interventions were made by the representatives of Africa [Congo, Ethiopia, Niger (speaking also on behalf of the African Elephant Coalition)], Asia (China), Europe (Israel), North America (Canada), the Depositary Government (Switzerland) and the Previous Host Country (South Africa); by the European Union, Kenya, Malaysia, Malawi, Singapore, Thailand, Uganda, the United Republic of Tanzania, the United States of America, Viet Nam, and the Zoological Society of London (speaking also on behalf of the Environmental Investigation Agency, the Wildlife Conservation Society, and the World Wildlife Fund).

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

27.5.1 Report of Madagascar

and

27.5.2 Report of the Secretariat

Madagascar introduced document SC70 Doc. 27.5.1, giving an update on progress made on, *inter alia*, the setup of a Special Court for rosewood and ebony, monitoring of ports and Madagascar's maritime and coastal space, regional information sharing that enables neighbouring states to track the movements of suspect vessels, legislative review and updates, current prosecutions, and a national inventory for *Dalbergia* and *Diospyros* stockpiles. Madagascar thanked Parties and partners who had provided assistance in undertaking these activities but noted that several funding shortfalls remained; particularly for the completion of the inventory work. Madagascar also introduced its Stockpile Verification Mechanism and Business Plan (Annex 3 of the document), noting it had been revised in light of discussions at a workshop held in June 2018, as well as recommendations from the

Standing Committee. Madagascar noted that several Parties had raised concerns regarding compensation for stockpile holders. Madagascar shared these concerns but believed this was the only way to ensure stockpiles could be appropriately monitored, and assured the Standing Committee that it had no current intention of authorising the sale of rosewood and ebony stocks. Madagascar also noted that current stocks of rosewood are widely scattered and difficult to monitor, and that it may request technical and financial assistance to implement its Business Plan.

The Secretariat then introduced document SC70 Doc. 27.5.2, commending Madagascar on progress made regarding rosewood and ebony, but noting that certain issues regarding the dismantling of trafficking networks and the implementation of measures proposed by the United Nations Office on Drugs and Crime (UNODC) for precious timbers remained pertinent. The Secretariat noted that it attended the workshop held in June 2018 on Madagascar's Business Plan for precious timbers and considered that the plan was much improved. However, it still believed that the trade suspension for *Dalbergia* should not be lifted at this point. Furthermore, the Secretariat recommended that the Standing Committee consider the draft decisions concerning Malagasy ebonies (*Diospyros* spp.) and palisanders and rosewoods (*Dalbergia* spp.) in Annex 4 of document SC70 Doc. 27.5.2, in order for them to be considered by the Conference of the Parties at its 18th meeting.

Committee Members and Parties noted that Madagascar had made positive progress on issues relating to *Dalbergia* and *Diospyros* but expressed differing opinions on whether the Business Plan should be approved. Some speakers did not agree with the proposed remuneration process for stockpiles, believing that compensating stockpile owners would set the wrong precedent and could potentially reward those who had engaged in illegal activities. One Party suggested an amendment to the draft decisions on Malagasy ebonies (*Diospyros* spp.), and palisanders and rosewoods (*Dalbergia* spp.) for consideration at CoP18, which would require Madagascar to submit a modified use plan for consideration only after substantial progress had been made on the other recommendations relating to the identification of stocks, the development of non-detriment findings, the production of identification materials, and strengthening of control and enforcement measures against illegal logging. Madagascar offered to review the remuneration process in light of the comments raised at the meeting.

The International Tropical Timber Organization (ITTO) noted that, if the current proposal for a remuneration process was not accepted, the Standing Committee should advise on alternative methods.

NGO observers also expressed concerns regarding proposed remuneration measures, arguing that they could encourage further logging to take place during the stockpile verification process. They also recommended that proceeds of such sales, if they were to go ahead, should go to an independent and transparent trust fund, and be earmarked for further conservation and governance measures.

The Standing Committee established an in-session working group on Madagascar with the mandate to provide comments and advice to Madagascar on its business plan in Annex 3 of document SC70 Doc. 27.5.1; and to consider draft decision 18.BB, paragraph f), in Annex 4 of document SC70 Doc. 27.5.2 and propose revisions as needed.

The membership of the working group was agreed as follows: Switzerland (Chair), Chad, China, Congo, European Union, France, Madagascar and the United States of America; the International Tropical Timber Organization (ITTO); and the Environmental Investigation Agency (USA), TRAFFIC, Wildlife Conservation Society, World Resources Institute; and ForestBased Solutions, Llc.

Later in the meeting, Switzerland introduced document SC70 Com. 14.

The Standing Committee agreed the recommendations in document SC70 Com. 14 with the deletion of the text in square brackets for paragraph f) of Decision 18.BB as follows:

Regarding the business plan

- a) The Standing Committee recognized that the revised Business Plan submitted by Madagascar in Annex 3 of document SC70 Doc. 27.5.2 presents substantial improvements. While the plan in its current form needs further strengthening and revision and thus cannot be approved at this stage, Madagascar is encouraged to implement steps 1 and 2 of phase 1 of the business plan and proceed with the inventory of declared stockpiles.
- b) Regarding the *Governance Structure of the Stockpile Audit Mechanism and Business Plan*, and in order to ensure transparency, and effective and independent oversight, the Standing Committee recommended Madagascar to:
 - i) consider the function of an independent observer, to be funded from external sources;
 - ii) strengthen the oversight mechanism for both the financing of the plan and the allocation of revenues; and
 - iii) establish a monitoring system to assess possible impacts of any sales on illegal logging and timber trafficking, with the support of relevant partners.
- c) Regarding Phase 1, the Standing Committee recommended that:
 - i) For Steps 1 and 2: Madagascar is encouraged to implement the inventory and secure the funding required with the support of external donors; and
 - ii) For Steps 3 and 4: Madagascar, in consultation with relevant stakeholders, should explore alternatives to the current proposed compensation schemes to take official control of the wood, in compliance with national legislation and relevant legal procedures in place, and ensure that there will be no financial benefit to those involved in illegal activity. The relevant sections of the use plan should be amended accordingly.
- d) Regarding Phase 2, the Standing Committee recommended that:

Concerning the allocation of potential revenues, Madagascar be encouraged to explore alternatives regarding the allocation of these revenues in order to make them more conservation friendly. This could include establishing an independent trust fund (pending approval by the Ministry of Finance and Budget).
- e) Taking into consideration the above, Madagascar is encouraged to ensure that the new version of the business plan reflects the proposed comments and advice, and be edited for clarity and consistency, with support of partners and the Secretariat.

The Standing Committee agreed to propose to the Conference of the Parties the following draft decisions to replace Decisions 17.203 to 17.208:

Directed to Parties and other relevant partners

- 18.AA Parties and relevant partners, such as the International Tropical Timber Organization (ITTO), the Food and Agriculture Organization of the United Nations (FAO) and other intergovernmental and non-governmental organizations, are invited to:
- a) enforce all measures that are recommended by the CITES Standing Committee concerning commercial trade in specimens of Malagasy *Diospyros* spp. and *Dalbergia* spp. from Madagascar;
 - b) as appropriate, collaborate with Madagascar in the implementation of the agreed parts (inventories, i.e. steps 1 and 2 of Phase 1) of the use plan to manage timber stockpiles of specimens of these species from Madagascar; and
 - c) provide technical and financial assistance to support the implementation of Decisions 18.BB to 18.EE.

Directed to Madagascar

18.BB Madagascar shall:

- a) continue to identify the main commercially valuable species in the genera *Dalbergia* and *Diospyros* from Madagascar, in cooperation with the Secretariat and relevant partners, such as the International Tropical Timber Organization (ITTO), the Food and Agriculture Organization of the United Nations (FAO) and other intergovernmental and non-governmental organizations;
- b) continue to make progress in the development of non-detriment findings for commercially valuable species in the genera *Dalbergia* and *Diospyros*, including implementation of appropriate monitoring mechanisms, and report on progress to future meetings of the Plants Committee;
- c) for those species identified under paragraph a) establish, in collaboration with the CITES Secretariat, a precautionary export quota based upon a scientifically robust non-detriment finding;
- d) continue the production of identification materials for timber and timber products of species of the genera *Dalbergia* and *Diospyros* from Madagascar;
- e) for those species identified under paragraph a), strengthen control and enforcement measures against illegal logging and export at the national level including seizures, investigations, arrests, prosecutions, and sanctions;
- ~~f) implement the use plan for managing stockpiles of species of *Dalbergia* and *Diospyros* from Madagascar in Annex 3 of document SC70/Doc. 27.5.1; and~~
- f) submit regular updates on audited inventories of at least a third of the stockpiles of species of *Dalbergia* and *Diospyros* from Madagascar, and submit a modified use plan for consideration, approval and further guidance from the Standing Committee; and
- g) provide reports on progress with the implementation of paragraphs a) to d) of this Decision to the Plants Committee; and on progress with the implementation of paragraphs e) and f) of this Decision to the Standing Committee.

Directed to the Plants Committee

18.CC The Plants Committee shall:

- a) review reports from Madagascar and the Secretariat as appropriate on the implementation of Decisions 18.BB and 18.EE, and provide recommendations to the Standing Committee and the Secretariat; and
- b) provide assistance to Madagascar with the implementation of paragraphs a) to d) of Decision 18.BB.

Directed to the Standing Committee

18.DD The Standing Committee shall review reports from Madagascar and the Secretariat on the implementation of Decisions 18.BB and 18.EE, and make recommendations to Madagascar, relevant Parties and the Secretariat as appropriate, and take compliance measures in accordance with Resolution Conf. 14.3 on CITES compliance procedures if Madagascar fails to satisfactorily implement the actions directed to it in Decision 18.BB.

Directed to the Secretariat

18.EE The Secretariat shall:

- a) assist Madagascar, relevant Parties, and the Standing and Plants Committees in the implementation of Decisions 18.AA to 18.DD;

- b) subject to external funding, assist with relevant capacity-building activities in Madagascar and transit and destination countries concerned by the trade in specimens of *Diospyros* spp. and *Dalbergia* spp. from Madagascar, including activities related to ~~the implementation of the use plan to manage timber stockpiles of specimens of these species from Madagascar in Annex 3 of document SC70 Doc. 27.5.1; Decision 18.AA~~; and
- c) provide reports on progress with the implementation of this Decision to the Plants Committee and the Standing Committee, as appropriate.

During discussion of this agenda item, interventions were made by the representatives of Asia (China), Europe (Portugal) and the Next Host Country (Sri Lanka), by the European Union, Madagascar, Senegal, and the United States of America, by the International Tropical Timber Organization, and by the Wildlife Conservation Society (speaking also on behalf of World Wildlife Fund, the World Resources Institute, TRAFFIC, the Environmental Investigation Agency, and the Center for International Environmental Law).

28. Domestic controls in consumer markets for specimens of CITES-listed species for which international trade is predominantly illegal: Report of the Secretariat

The Secretariat introduced document SC70 Doc. 28, giving an overview of actions taken by Parties relating to domestic controls in ivory consumer markets and highlighting areas of priority for consideration in improving regulation of domestic controls of ivory trade.

Viet Nam issued a correction to paragraph 9 of the document, to clarify that the Party has banned trade in all elephant populations and not just native populations.

Committee Members and Parties generally agreed with the document's recommendations with one small change proposed and agreed by the Committee. They further welcomed actions taken by Parties and Committee Members such as China, Hong Kong SAR, the United States of America and the United Kingdom of Great Britain and Northern Ireland to close their domestic ivory markets. One Party noted that exemptions to ivory bans presented major challenges, and that bans in one country could cause ivory markets to shift to other countries. They further stressed the importance of international coordinated action and the closure of all domestic ivory markets.

NGO observers echoed concerns regarding the movement of ivory markets to adjacent countries in the wake of domestic ivory market bans. Some expressed concern regarding Japan's domestic ivory market, noting seizures of specimens illegally traded from Japan to China, that a large amount of pre-convention stock remained in private hands in Japan, and that the current system contained loopholes that allowed illegal trade to continue. One NGO observer did not believe that domestic ivory market bans were effective in preventing illegal ivory trade.

The Standing Committee agreed to propose for the consideration of the Conference of the Parties at its 18th meeting, the amendment to Resolution Conf. 10.10 (Rev. CoP17) on *Trade in elephant specimens* contained in Annex 1 to document SC70 Doc. 28; and to present the revised Decisions 17.87-17.88, contained in Annex 2 to document SC70 Doc. 28, for consideration and possible adoption by the Conference of the Parties at its 18th meeting, as follows:

Decision 17.87 (Rev. CoP18) directed to the Secretariat

The Secretariat, subject to external funding and in consultation with relevant Parties, is requested to:

- a) contract independent consultant(s) to undertake a study of the domestic controls in consumer markets for specimens of CITES-listed species for which international trade is predominantly illegal, other than elephant ivory; and
- b) report the findings and recommendations of this study, as well its own recommendations, to the Standing Committee.

Decision 17.88 (Rev. CoP18) directed to the Standing Committee

The Standing Committee, at its 73rd meeting, shall review the findings and recommendations of the report referred to in Decision 17.87 (Rev. CoP18) and any recommendations of the Secretariat and make recommendations for consideration at the 19th meeting of the Conference of the Parties, including appropriate revisions to existing resolutions, to strengthen domestic controls addressing illegal trade in specimens of CITES-listed species for which international trade is predominantly illegal.

During discussion of this agenda item, interventions were made by the representatives of Africa (Niger, on behalf of the African Elephant Coalition), by Senegal, Uganda, the United States of America, and Viet Nam, by the IUCN, and by IWMC- World Conservation Trust, Humane Society International, the Japan Tiger and Elephant Fund (speaking also on behalf of the Environmental Investigation Agency, Born Free, the Center for Biological Diversity, the Natural Resources Defence Council, Eurogroup for Animals, Japan Wildlife Conservation Society, Fondation Franz Weber, and Annamiticus).

29. Review of Significant Trade in specimens of Appendix-II species

29.1 Implementation of recommendation of the Animals and Plants Committees

The Secretariat introduced document SC70 Doc. 29.1 and its Annexes, outlining the comprehensive review that been undertaken for all ongoing cases in the Review of Significant Trade (RST). The Secretariat pointed out that on page 9 of document AC29 Doc. 29.1, in paragraph 9, subparagraph b) that it should refer to *Trioceros melleri* rather than *Trioceros montium*. The Secretariat also noted that for *Testudo graeca* from Jordan, a recommendation was omitted with a timeframe of two years to “*Implement/ improve a system to ensure individuals in trade originating from captive / ranched production systems are distinguished from wild-sourced specimens if both wild specimens and non-wild specimens are in trade*”.

Committee Members and Parties expressed general agreement with the recommendations contained in the document as amended by the Secretariat orally. Some Parties provided oral updates concerning quota-setting for and management of RST species. Several speakers noted the need for confirmation of zero quotas on the CITES website prior to removal of species from the RST process.

The Standing Committee noted the revised current lists of on-going Review of Significant Trade cases for animal and plant species/country combinations presented in Annexes 1 and 2 to document SC70 Doc. 29.1.

Concerning *Trioceros melleri* from Mozambique, the Standing Committee urged Mozambique to implement recommendations a), c), e), f) and g) of the Animals Committee by 1 February 2019 so that the matter can be discussed again at SC71;

Concerning *Antipatharia* from Taiwan, Province of China, the Standing Committee requested the Secretariat to publish a zero export quota for Antipatharia from China, which will remain in place until a scientific justification for the resumption of trade is provided to the Secretariat and the Chair of the Animals Committee for their approval.

The Standing Committee agreed the following concerning species/country combinations selected for RST post CoP16:

Concerning *Amazona festiva* from Guyana, the Standing Committee urged Guyana to publish an interim quota of 60 birds per year by 1 December 2018; encouraged Guyana to review the interim quota on the basis of Guyana’s planned population studies of psittacines; and urged Guyana to implement all outstanding recommendations by 22 September 2019.

Concerning *Trioceros montium* from Cameroon, the Standing Committee recommended that all Parties suspend commercial trade in specimens of *T. montium* from Cameroon until that country provides sufficient information to the Secretariat and the members of the Animals Committee, through its Chair, to demonstrate compliance with Article IV, paragraphs 2 (a) and 3, for this species.

Concerning *Varanus ornatus* from Togo, the Standing Committee requested the Secretariat and the Chair of the Animals Committee to continue to consult with Togo, and establish a quota by 1 December 2018, so that the matter can be discussed again at SC71.

Concerning *Malayemys subtrijuga* from Indonesia, the Standing Committee acknowledged the progress made by Indonesia in implementing recommendations a) to c) of the Animals Committee; encouraged Indonesia to finalize the implementation of the remaining recommendations by 22 September 2019.

Concerning *Notochelys platynota* from Indonesia, the Standing Committee acknowledged the progress made by Indonesia by implementing recommendations a) to c) of the Animals Committee; and encouraged Indonesia to finalize the implementation of the remaining recommendations by 22 September 2019.

Concerning *Chelonoidis denticulatus* from Guyana, the Standing Committee acknowledged the progress made by Guyana by implementing recommendations a) to c) of the Animals Committee; and encouraged Guyana to finalize the implementation of the remaining recommendations by 22 September 2019.

Concerning *Chelonoidis denticulatus* from Suriname, the Standing Committee noted the information provided by Suriname; and encouraged Suriname to fully implement recommendation a) by working with the Secretariat and the Chair of the Animals Committee to establish a conservative quota for 2019, including a maximum straight carapace length (SCL) of 10cms before 1 February 2019.

Concerning *Testudo graeca* from Jordan, the Standing Committee urged Jordan to implement recommendations a) to c) by 1 December 2018 by either establishing a zero quota for wild taken specimens or proposing an interim conservative quota to be agreed by the Secretariat and the Chair of the Animals Committee, and implement recommendations e) and f) as soon as possible. If Jordan fails to meet that deadline the Standing Committee requested the Secretariat to publish a zero export quota as an interim quota and encouraged Jordan to implement recommendations d) and e) by 1 February 2019. The Standing Committee noted that recommendation d) remains in force until recommendation f) is implemented.

Concerning *Hoodia gordonii* from Namibia, the Standing Committee was informed that following consultations with the members of the Plants Committee and the Chair of the Standing Committee, as per paragraph 1 k) i) of Resolution Conf. 12.8 (Rev. CoP17), it had been determined that the recommendations have been met and that Namibia could be removed from the process, subject to the zero export quota being published on the CITES website.

Concerning *Prunus africana* from Cameroon, the Standing Committee requested Cameroon to comply with recommendation a) by establishing by 1 December 2018 a zero export quota for the North west region of Cameroon for 2019; requested Cameroon to clarify the situation concerning the published quotas for P. africana for 2017; requested Cameroon to establish an interim quota of not more than 455 tons of dry bark for 2018 and 2019; and encouraged Cameroon to finalize the implementation of recommendations c), d) and e) by 22 March 2019.

Concerning *Prunus africana* from the Democratic Republic of the Congo, the Standing Committee acknowledged the progress made by the Democratic Republic of the Congo by implementing recommendation a) of the Plants Committee; and encouraged the Democratic Republic of the Congo to finalize the implementation of the remaining recommendations by 22 September 2019, *inter alia*, by developing and implementing management plans for the four provinces in the country where P. africana occurs, and monitoring the impacts of the agreed export quotas.

Concerning *Nardostachys grandiflora* from Nepal, the Standing Committee urged Nepal to implement recommendation a) by 1 December 2018. If Nepal fails to meet that deadline, the Standing Committee requested the Secretariat to publish a zero export quota as an interim measure. The Standing Committee encouraged Nepal to implement recommendations b) and c) by 1 February 2019 so that the matter can be discussed again at SC71; and urged Nepal to implement all outstanding recommendations by 22 September 2019.

Concerning *Pterocarpus santalinus* from India, the Standing Committee encouraged India to continue to provide regular updates on the amount of confiscated stock that is remaining to the Secretariat; and urged India to implement recommendation b) before 1 February 2019 so that the matter can be considered at SC71.

Concerning *Bulnesia sarmientoi* from Paraguay, the Standing Committee noted the information provided by Paraguay; encouraged Paraguay to fully implement recommendations a) and b) by

working with the Secretariat and the Chair of the Plants Committee to establish conservative quotas for 2018/2019; encouraged Paraguay to share with the Secretariat the study of 2018 mentioned in its letter to the Secretariat of 2 August 2018; reminded Paraguay of recommendations c) to e); and urged Paraguay to implement all outstanding recommendations by the deadline of 22 September 2019.

The Standing Committee noted the problems identified by the Animals and Plants Committees during the Review of Significant Trade that are not related to the implementation of Article IV, paragraph 2(a), 3 or 6(a) that are found in Annex 6 to document SC70 Doc. 29.1 and requested the Secretariat to follow-up with Mali on the issues raised concerning *Balearica pavonina* from Mali.

During discussion of this agenda item, interventions were made by the representatives of Asia (Kuwait) and Europe (Hungary and Israel), and by Cameroon, the DRC, India, and the United States of America.

29.2 Review of recommendations to suspend trade made more than two years ago

The Secretariat introduced document SC70 Doc. 29.2, with the United Nations Environment Programme – World Conservation Monitoring Centre (UNEP-WCMC) introducing Annex 2 to the document.

Committee Members and Parties generally agree with the recommendations outlined in the document. Some Parties provided updates on proposed quotas for species included in the review. A Committee Member suggested that the removal of a country from the RST process on the basis of no anticipated trade should be conditional on the country publishing a zero export quota on the CITES website. Noting concerns relating to trade in wild-sourced specimens of species subject to trade suspensions, one Party suggested that the non-compliance issues highlighted should be noted by the Standing Committee, and that a Notification should be issued reminding Parties of species/countries that are subject to suspensions.

Concerning *Hippocampus kuda* from Viet Nam, the International Union for Conservation of Nature (IUCN) noted the challenges of needing to make non-detriment findings for wild-sourced parental stock for export of F1 specimens, and the substantial illegal trade of this species within the country.

NGO observers encouraged the Secretariat to request a copy of field studies of *Agapornis fischeri* from the United Republic of Tanzania, and cautioned against lifting the trade suspension for *Malacochersus tornieri* on the basis of its global threat status and noting high fluctuations in captive-produced trade.

The Standing Committee noted the nomenclature changes in the updated list of 66 species/country combinations currently subject to a trade suspension under the Review of Significant Trade, as shown in Annex 1 to document SC70 Doc. 29.2.

The Standing Committee agreed to

- a) remove the trade suspensions for: *Stigmochelys pardalis*/Democratic Republic of the Congo, *Phelsuma breviceps* and *P. standingii*/Madagascar, *Pocephalus fuscicollis*/Mali, and *Hippocampus kuda*/Viet Nam;
- b) remove the trade suspensions for: *Agapornis fischeri*, *Malacochersus tornieri* and *Prunus africana*/United Republic of Tanzania, subject to the publication of a zero export quota on the CITES website for these species. Should the United Republic of Tanzania wish to resume trade in these species, it would need to present a non-detriment finding to the Secretariat and the Chair of the Animals or Plants Committee, as appropriate;
- c) maintain the trade suspension for *Pocephalus fuscicollis* from the Democratic Republic of the Congo, until the Democratic Republic of the Congo establishes a conservative quota to be agreed with the Secretariat and the Chair of the Animals Committee;
- d) remove the trade suspension for Stangeriaceae and Zamiaceae for Mozambique, and replace the suspension for Cycadaceae from Mozambique with the species *Cycas thouarsii* only; and
- e) maintain the suspensions for the remaining species/country combinations for all other species in Table 3 pages iii) to x) in Annex 2 for the reasons outlined in the document.

Concerning Lao PDR, the Standing Committee agreed to the removal of *Ptyas mucosus*, *Python reticulatus*, *Naja* spp., *Heosemys annandalii*, *H. grandis* and *Cuora galbinifrons* for the Lao People's Democratic Republic, subject to the Lao People's Democratic Republic agreeing to establish zero export quotas until such time as it provides an evidence-based justification for any proposed increase in the quota, to be agreed with the Secretariat and the Chair of the Animals Committee, and to maintain the suspensions for *Macaca fascicularis* and *Dendrobium nobile*;

For the remainder of the current RST suspensions, the Standing Committee encouraged the Secretariat to continue to engage with the range States concerned to address any outstanding recommendations from the Animals and Plants Committees.

The Standing Committee noted concerns about illegal trade in *Strombus gigas* from Grenada and Haiti (non-Party) and *Ornithoptera priamus* and *O. victoriae* from Solomon Islands subject to trade suspensions and requested the Secretariat to review this and remind Parties of current trade suspensions under the Review of Significant Trade in a Notification.

The Standing Committee agreed with the suggested way forward proposed in paragraphs 26 and 27 in document SC70 Doc. 29.2.

The Standing Committee requested the Secretariat to propose amendments to paragraph 1 o) of Resolution Conf. 12.8 (Rev. CoP17) for consideration at CoP18 as follows:

- o) a recommendation to suspend trade in the affected species with the range State concerned should be withdrawn only when that range State demonstrates to the satisfaction of the Standing Committee, through in consultation with the Secretariat, ~~which shall act, through the Chair, in consultation with~~ and the members of the Animals or Plants Committee, through the relevant Chair, in compliance with Article IV, paragraph 2 (a), 3 or 6 (a);

During discussion of this agenda item, interventions were made by the representatives of Europe (Hungary and Israel); by Cameroon, the United Republic of Tanzania and the United States of America; by the International Union for Conservation of Nature (IUCN); and by ProWildlife and the Species Survival Network.

29.3 Country-wide Significant Trade Reviews

The Chair of the Plants Committee introduced document SC70 Doc. 29.3, noting that the document seeks a mandate to explore whether issues identified in the Review of Significant Trade (RST) can be integrated into existing mechanisms or whether a new mechanism is needed.

Committee Members recognised the potential benefit of country-wide approach, noting that a number of countries are regularly selected under RST which struggle to fulfil recommendations. This suggests that capacity building requirements and technical support needed by Parties are much broader than those which are required for a scientifically-based non-detriment finding to be conducted. Committee Members also noted significant crossovers between the country-wide significant trade review process, capacity-building programmes and the Compliance Assistance Programme discussed in document SC70 Doc. 27.2.

One Party noted that progress on the evaluation of the Review of Significant Trade significantly increased with the creation of an advisory body and suggested that such a body could potentially be set up for the country-wide significant trade review process.

The Standing Committee noted document SC70 Doc. 29.3 and invited the Chairs of the Animals and Plants Committees, in consultation with the Secretariat, to further develop and submit the draft decisions in paragraph 9 of document SC70 Doc. 29.3 for consideration by the Conference of the Parties, in replacement of Decision 17.111, noting the suggestions to include in the draft decisions: the establishment of an advisory body, the necessity to adapt to the proposed Compliance Assistance Programme, and the inclusion of timeframes and the consideration of the need for external funding.

During discussion of this agenda item, interventions were made by the representatives of Central and South America and the Caribbean (Peru), Europe (Hungary), and the Depositary Government (Switzerland) and by the United States of America.

30. Enforcement

30.1 Enforcement matters: Report of the Secretariat

and

30.4 Wildlife crime enforcement support in West and central Africa

The Secretariat introduced document SC70 Doc. 30.1, noting the importance of efforts to tackle corruption and the implementation of national regulations, and highlighting its recommendation to encourage all Parties to review their implementation of Resolution Conf. 10.8 (Rev. CoP14) on *Conservation of and trade in bears*. The Secretariat also noted that closed user groups on the WCO CENcomm platform had not attracted significant use, and drew Parties' attention to its new webpages on Enforcement and Wildlife Forensics.

Niger introduced document SC70 Doc. 30.4 submitted on behalf of the Economic Community of West African States (ECOWAS), by Niger, Senegal and Nigeria, noting that sub-regional collaboration was imperative for stemming illegal wildlife trade. Niger highlighted that the West African subregion was seeking input from Parties with regard to the development of the *Wildlife Strategy on Combating Illegal Exploitation and Illegal Trade in Wild Fauna and Flora in West Africa* (West Africa Strategy on Combating Wildlife Crime or WASCWC). Niger invited parties to respond to the questionnaire and asked the Secretariat to distribute it in the form of a Notification.

Parties agreed the need for co-ordinated action at a sub-regional level to tackle illegal wildlife trade.

The Standing Committee agreed to recommend to the Conference of the Parties that Decision 17.85, paragraph b), has been implemented and can be deleted, and that strengthening cooperation and collaboration between CITES, the United Nations Convention against Corruption and the United Nations Convention against Transnational Organized Crime, be further pursued in accordance with the provisions of Resolution Conf. 17.6, paragraph 15.

The Standing Committee requested the Secretariat to:

- a) in consultation with the Chair of the Standing Committee, review the findings and recommendations emanating from the threat assessment commissioned in accordance with Decision 17.97, paragraph a),
- b) take into consideration the content of document SC70 Doc. 30.4 and the *Strategic Areas of Intervention and Priority Recommendations to Develop a Counter Wildlife Trafficking Response in West Africa* available in information documents SC70 Inf. 2 and SC70 Inf. 3 in developing recommendations for the sub-region; and
- c) as anticipated by Decision 17.98, prepare recommendations for consideration at the 18th meeting of the Conference of the Parties.

The Standing Committee encouraged all Parties, particularly bear range and consuming countries, to review their implementation of Resolution Conf. 10.8 (Rev. CoP14) on *Conservation of and trade in bears*, to ensure the effective implementation of the Resolution, and to continuously review poaching and trafficking trends, to ensure that the measures implemented to prevent and combat illegal trade in bear parts and derivatives, remain effective and are quickly adapted to respond to any new emerging trends;

The Standing Committee noted the *Customs-Police Cooperation Handbook* jointly developed by INTERPOL and the World Customs Organization, and encouraged Parties to promote the use of the handbook amongst their national customs and police authorities.

The Standing Committee encouraged Parties to, where the creation of closed user groups was requested, communicate the establishment of such closed user groups to their relevant national authorities, and to encourage their use.

The Standing Committee noted document SC70 Doc. 30.4.

The Standing Committee requested the Secretariat to distribute the questionnaire reproduced in the Annex to document SC70 Doc. 30.4 and the *Strategic Areas of Intervention and Priority Recommendations to Develop a Counter Wildlife Trafficking Response in West Africa* to CITES Parties and other stakeholders in a CITES Notification to support the *West Africa Strategy on Combating Wildlife Crime Steering Committee* in the efforts they lead to develop the *West Africa Strategy on Combating Wildlife Crime (WASCWC)* and its associated implementing mechanisms.

During discussion of these agenda items, interventions were made by the representatives of Africa (Niger), and by Nigeria and Senegal.

30.2 International Consortium on Combating Wildlife Crime (ICWC): Report of the Secretariat

The Secretariat introduced document SC70 Doc. 30.2, noting that a significant number of activities envisaged under the ICWC Strategic Programme 2016-2020 were underway. The Secretariat also noted that the ICWC Project Coordinator post at the Secretariat will be advertised shortly.

The United States of America noted the recent success of Operation Thunderstorm, highlighted that it was important to move beyond seizures and to achieve successful prosecutions, and encouraged that ICWC in future activities, where possible, include support to facilitate successful prosecutions. It also suggested that the Environmental Guide for Frontline Customs Officers currently being developed by the World Customs Organization should be classified as a law enforcement sensitive document, as it includes overviews of techniques used to detect smuggling as well as other enforcement techniques.

The Standing Committee noted document SC70 Doc. 30.2.

During discussion of this agenda item, an intervention was made by the representatives of the United States of America.

30.3 Combating wildlife cybercrime

30.3.1 Report of the working group

and

30.3.2 Report of the Secretariat

As Chair of the working group on combatting wildlife cybercrime, Kenya introduced document SC70 Doc. 30.3.1, noting that the group achieved consensus on the proposed revisions to Resolution Conf. 11.3 (Rev. CoP17) on *Compliance and enforcement*.

The Secretariat introduced document SC70 Doc. 30.3.2, noting that INTERPOL had informed it that in mid-November it will have increased capacity to tackle wildlife cybercrime and that the guidelines on how to combat illegal trade linked to the internet were under development. The Secretariat noted it will provide further updates at CoP18.

Committee members and Parties gave updates on national efforts to combat wildlife cybercrime. Committee members and Parties generally supported the recommendations outlined in both documents, and noted their support for work on this issue to continue after CoP18. Some Committee Members and Parties suggesting minor amendments to the proposed changes to Resolution Conf. 11.3 (Rev. CoP17). One Committee Member expressed doubts regarding the feasibility of establish an ongoing national monitoring programme for Appendix II species [as recommended in the revisions to Resolution Conf. 11.3 (Rev. CoP17), paragraph 11 e)].

Committee Members and Parties also discussed the terminology to be used in Resolution Conf. 11.3 (Rev. CoP17), with some differing views on whether the term used should be “illegal online trade in wildlife”, or “wildlife crime linked to the internet”.

The Standing Committee agreed to propose to the Conference of the Parties revisions to Resolution Conf. 11.3 (Rev. CoP17) on *Compliance and enforcement* under **Regarding e-commerce of specimens of CITES-listed species** as follows:

Regarding illegal online trade in ~~e-commerce~~ of specimens of CITES-listed species

11. RECOMMENDS that Parties:

- a) evaluate or develop their domestic measures to ensure that they are sufficient to address the challenges of controlling legal wildlife trade, investigating illegal wildlife trade and punishing the perpetrators, giving high priority to the offer for sale of specimens of species listed in Appendix I;
- b) establish, at the national level, a unit dedicated to investigating wildlife crime linked to the Internet or incorporate wildlife trade issues into existing units that investigate or monitor computer or cyber-crime; ~~and~~
- c) establish at the national level a mechanism to coordinate the monitoring of Internet-related wildlife trade and to provide for the timely sharing between designated contact points in CITES Management and Enforcement Authorities of information that results from these activities; ~~and~~
- d) appoint national points of contact with knowledge and training on online investigations, evidence gathering, and prosecutions to serve as focal points for enquires from other Parties and intergovernmental organisations;
- e) establish an ongoing national monitoring programme, and in conjunction with relevant experts, develop a list of Appendix II specimens that are most commonly found in illegal trade on digital and online platforms;
- f) require the national points of contact under paragraph d) to identify key contacts at online technology and data companies that can facilitate the provision of information upon request from Parties in support of investigations;
- g) engage online platforms to:
 - i) introduce and publish policies to address and prevent the use of such platforms for illegal trade in wildlife including measures to ensure compliance with such policies;
 - ii) ensure that such policies are presented as clearly and visibly as possible;
 - iii) encourage them to inform their users about illegal online trade in wildlife, by using targeted alerts and other technology to ensure users are aware of relevant laws and website policies;
- h) Raise awareness of illegal online trade in wildlife through public outreach and by engaging directly with online technology companies; and
- i) Encourage the cooperation and engagement of postal, transport, logistical and financial service providers and relevant retail sectors;

12. RECOMMENDS further that Parties and ICPO-INTERPOL:

- a) submit information to the Secretariat on methodologies used by other agencies that may assist in the evaluation of mechanisms to regulate legal commerce of CITES-listed species via the Internet;
- b) ensure that sufficient resources are directed to:
 - i) the investigation and targeting of illegal Internet-related trade in specimens of CITES-listed species;
 - ii) conduct training and awareness raising as well as monitoring and enforcement of illegal online trade in protected specimens;

- c) use the data acquired during monitoring activities to establish strategies regarding enforcement, capacity building and public awareness; and
- d) consider ways in which funding may be provided for the establishment of a full-time position, dedicated to e-commerce aspects of wildlife crime, within the General Secretariat of ICPO-INTERPOL. The responsibilities of such a position should include ensuring that all information or intelligence regarding illegal online trade e-commerce is consistently collected and disseminated to the relevant Enforcement Authorities designated by Parties;

The Standing Committee agreed to submit the following draft decision to the 18th meeting of the Conference of the Parties.

Directed to the Secretariat:

XX. The Secretariat shall include as appropriate terminology relevant to “illegal online trade in wildlife” on the CITES Glossary and the new webpage on *Wildlife crime linked to the Internet* on the CITES website

The Standing Committee agreed to renew Decisions 17.92 and 17.93 with the necessary changes to reporting requirements.

The Standing Committee agreed that it would be more appropriate to use ‘wildlife crime linked to the Internet’ as per the terminology in Resolution Conf. 11.3 (Rev. CoP17) on *Compliance and enforcement*; and to include in its report to the 18th meeting of the Conference of the Parties, in accordance with Decision 17.96, a recommendation on the most appropriate terminology to use, including recommending that the Secretariat amend all references in relevant Resolutions and Decisions with the terminology agreed at CoP18.

During discussion of this agenda item, interventions were made by the representatives of Asia (China), Central and South America and the Caribbean (Peru) and Europe (Israel, Portugal and Russian Federation), and by Kenya, Malaysia and the United States of America.

31. Trade in specimens bred in captivity or artificially propagated

31.1 Review of ambiguities and inconsistencies in the application of Article VII, paragraphs 4 and 5, and related Resolutions: Report of the Secretariat

and

31.2 Definition of the term ‘artificially propagated’: Report of the Plants Committee

The Secretariat introduced document SC70 Doc. 31.1, noting that the proportion of international wildlife trade reported as artificially propagated or bred in captivity has increased in recent years. Regarding the report in Annex 7 of the document, the Secretariat noted that the general consensus was that matters relating to captive bred and artificially propagated specimens are spread across numerous Resolutions that are not harmoniously linked, which could lead to confusion and non-compliance.

The Chair of the Plants Committee then introduced document SC70 Doc. 31.2.

Although several Committee Members and Parties were supportive of some of the recommendations in document SC70 Doc. 31.1, some speakers believed that the recommendations were premature and that further study on the different approaches and assumptions adopted by Parties on current resolutions relating to captive breeding and artificial propagation was required. One Committee Member questioned whether the current number of different source codes were necessary, noting that some codes were seldom (if ever) used, and that there were misunderstandings over the differences between them.

Some Committee Members and Parties also expressed concerns regarding the new paragraphs suggested for Resolution Conf. 12.10 (Rev. CoP15) (relating to trade in specimens of an animal species included in Appendix I bred in captivity for commercial purposes, or of a plant species included in Appendix I artificially propagated for commercial purposes). In particular, speakers did not believe that

Panthera tigris should be singled out for special measures relating to the scale of commercial activities that should be permitted, and that the process for calculating the size of the captive population that was conducive to supporting the conservation of wild tigers was flawed.

Finally, speakers raised concerns regarding recommendations relating to the register of operations that breed Appendix-I animal species in captivity for commercial purposes, and whether the responsibility for keeping such registers should be with the Secretariat or with Parties themselves. Parties encouraged further discussion on this matter to be facilitated after CoP18.

Speakers supported proposing the adoption of a new code “Y” to CoP18.

NGOs observers who spoke mirrored concerns raised by Parties regarding amendments to Resolution Conf. 12.10 (Rev. CoP15), and raised concerns that merged source codes could create loopholes for laundering wild specimens and create lower standards for non-detriment findings for certain populations. Some also expressed concern about the implications of delegating the registration of operations that breed Appendix-I animal species in captivity for commercial purposes to the Parties.

The Standing Committee established an in-session working group on trade in specimens bred in captivity or artificially propagated with the mandate to revise Decisions 17.101 to 17.107 or to draft new decision(s) that would address the following elements: an update of the *Review of CITES provisions related to trade in specimens of animals and plants not of wild source* in Annex 7 of document SC70 Doc. 31.1 including the comments found in Annex 8 of document SC70 Doc. 31.1; an exploration of the underlying CITES policy assumptions that may have contributed to the uneven application of Article VII, paragraph 4 and 5; further research and analysis; the engagement of the Animals and Plants Committees; and a reference to document SC70 Doc. 31.1.

The membership of the working group was agreed as follows: United States of America (Chair), Canada, China, European Union, France, and the United Kingdom of Great Britain and Northern Ireland; and China Wildlife Conservation Association, Global Eye, Humane Society International, Lewis and Clark – International Environmental Law Project and Species Survival Network.

Later in the meeting, the United States of America introduced document SC70 Com. 12.

The Standing Committee agreed the recommendations in document SC70 Com. 12 as follows:

The Standing Committee agreed to propose to the Conference of the Parties at its 18th meeting the draft decisions below in order to advance the work reflected in document SC70 Doc. 31.1. The Standing Committee agreed to consider establishing at its 72nd meeting an intersessional working group to carry out the draft decision directed to the Standing Committee, if adopted, so that work may begin as soon as possible following CoP18. As stated in document SC70 Doc. 31.1, the Secretariat will update the review of CITES provisions related to trade in specimens of animals and plants not of wild source, in Annex 7 to document SC70 Doc. 31.1, for consideration by Parties at CoP18.

18.AA Directed to the Animals and Plants Committees

The Animals Committee, at AC31, and the Plants Committee, at PC25, shall consider the Secretariat’s update of the review of CITES provisions related to trade in specimens of animals and plants not of wild source in Annex 7 of document SC70 Doc. 31.1, identify the key scientific issues and challenges in the application of the Convention to non-wild specimens, and provide their recommendations to address these issues and challenges to the Standing Committee in time for SC73.

18.BB Directed to the Standing Committee

The Standing Committee shall:

- a) consider at SC73 the Secretariat’s update of the review of CITES provisions related to trade in specimens of animals and plants not of wild source in Annex 7 of document SC70 Doc. 31.1; the underlying CITES policy assumptions that may have contributed to the uneven application of Article VII, paragraphs 4 and 5; the Secretariat’s recommendations in the Annexes to SC70 Doc. 31.1; and the recommendations of the Animals and Plants Committees under Decision 18.AA; and

- b) review the key issues and challenges in the application of the Convention to non-wild specimens and make appropriate recommendations, including amendments to existing Resolutions or development of a new Resolution or Decisions, to address these issues and challenges for consideration at the 19th meeting of the Conference of the Parties.

The Standing Committee agreed to submit to the Conference of the Parties the amendments to Resolution Conf. 11.11 (Rev. CoP17), as contained in Annex 2 to document SC70 Doc. 31.2 and the inclusion of the new source code “Y” in Resolution Conf. 12.3 (Rev. CoP17) as contained in Annex 1 to document SC70 Doc. 31.2.

The Standing Committee requested the Secretariat to propose consequential changes to other Resolutions for consideration by the Conference of the Parties at its 18th meeting.

The Standing Committee agreed to submit the following draft decisions to the Conference of the Parties at its 18th meeting:

Directed to the Plants Committee

- 18.AA The Plants Committee shall review the implementation of paragraph 4 of Resolution Conf. 11.11 (Rev. CoP17) and the trade in specimens of artificially propagated Appendix-I species. The report shall include consideration of conservation benefits to wild populations and any adverse effects on the conservation of Appendix-I species that have been subject to the implementation of paragraph 4.
- 18.BB The Plants Committee, following the review under Decision 18.AA, shall consider any changes to paragraph 4 of Resolution Conf. 11.11 (Rev. CoP17), and as appropriate, propose such amendments for consideration of the Standing Committee.

Directed to the Standing Committee

- 18.CC The Standing Committee shall consider the recommendations of the Plants Committee made in accordance with Decisions 18.AA and 18.BB, and make recommendations, as appropriate, for consideration at the 19th meeting of the Conference of the Parties.

During discussion of this agenda item, interventions were made by the representatives of Asia (China and Kuwait), Europe (Hungary and Israel) and North America (Canada), by Australia, the Lao People’s Democratic Republic, Japan, Mexico and the United States of America, and by the China Wildlife Conservation Society, Global Eye, and Humane Society International (speaking also on behalf of the Animal Welfare Institute, Annamiticus, Born Free, the Center for Biological Diversity, the David Shepherd Wildlife Foundation, ProWildlife, Species Survival Network, and World Animal Protection).

31.3 Implementation of Resolution Conf. 17.7 on *Review of trade in animal specimens reported as produced in captivity*: Report of the Secretariat

The Secretariat introduced document SC70 Doc. 31.3, thanking Parties for their engagement with this new process and noting that all but two Parties responded to questions posed by the Secretariat and drafted by the Animals Committee.

Committee Members and Parties agreed that the review had begun well. Parties generally agreed with the recommendations issued by the Animals Committee, and noted their regret that the former Yugoslav Republic of Macedonia and Sudan had failed to provide responses. The Chair of the Animals Committee suggested that it might be better for the Animals Committee to give feedback on responses received for consideration by the Standing Committee.

The Standing Committee endorsed recommendations 1 to 17 and recommendations 21 to 23 of the Animals Committee contained in document SC70 Doc. 31.3.

The Standing Committee agreed the following recommendation:

The former Yugoslav Republic of Macedonia shall establish immediately, and until the Standing Committee recommends otherwise, a zero export quota for *Testudo hermanni*, and Sudan shall establish a zero export quota for *Vulpes zerda* and *Centrochelys sulcata* – the quota in all cases

should apply to specimens from all sources. Both countries should provide responses to the questions posed by the Animals Committee at its 29th meeting to the Secretariat by 1 February 2019. The Secretariat will share the response(s) with the Animals Committee, through its Chair, and report to the 71st meeting of the Standing Committee.

During discussion of this agenda item, interventions were made by the representatives of Europe (Hungary and Israel) and by the Chair of the Animals Committee.

31.4 Observations and recommendations regarding the first iteration of Resolution Conf. 17.7 on *Review of trade in animal specimens reported as produced in captivity*

The Chair of the Animals Committee introduced document SC70 Doc. 31.4. The Chair noted that, as a complete review cycle under Resolution Conf. 17.7 has yet to be completed, the Animals Committee and the Secretariat believed it would premature to make changes to provisions of the Resolution and too soon to assess whether harmonisation with the process in Resolution Conf. 12.8 (Rev. CoP17) on *Review of Significant Trade in specimens of Appendix-II species* would be advisable. However, the document does include some provisional recommendations.

Committee Members agreed with the Secretariat's observation in Annex 2 of the document that the ability of some Parties to implement Resolution Conf. 17.7 could be compromised by a lack of external funds. They suggested that, in future, the implementation of Resolution Conf. 17.7 may require a budget line from core funds.

The Standing Committee agreed to propose to CoP18, the following amendments to Resolution Conf. 17.7:

The following new sub-paragraphs be added after paragraph 2 c):

Where the Animals Committee finds that a species/country combination raises concerns better dealt within the process of the Review of Significant Trade, it can introduce that combination into stage 2 of the process in accordance with Resolution Conf. 12.8 (Rev. CoP17), paragraph 1 d) as an exceptional case.

Recommends that the Animals Committee, when selecting species-country combinations for review under paragraph 2 c) of the present Resolution, not select species-country combinations where the Standing Committee has already entered a dialogue with the country concerned over the use of source codes C, D, F or R under another compliance process.

The following new paragraph be added after paragraph 2 j)

Recommends that the Standing Committee, when making recommendations to the country or countries under paragraph 2 j) of the present Resolution in relation to the use of source codes C, D, F or R, avoid duplication with other compliance processes.

The Standing Committee agreed to recommend to the Conference of the Parties that Decisions 17.103, 17.105 and 17.107 be replaced by the following draft decisions:

Directed to the Animals Committee

18.AA With the assistance of the Secretariat and in the light of its experiences with its implementation, the Animals Committee shall review the provisions of Resolution Conf. 17.7 (Rev. CoP18) and make any recommendations for improvements to the Standing Committee.

Directed to the Standing Committee

18.BB With the assistance of the Secretariat, taking account of any report from the Animals Committee and in the light of its experiences with its implementation, the Standing Committee shall review the provisions of Resolution Conf. 17.7 (Rev. CoP18) and make any recommendations for improvements to the 19th meeting of the Conference of the Parties.

During discussion of this agenda item, interventions were made by the representatives of Europe (Hungary and Israel).

32. Disposal of confiscated specimens: Report of the working group

As co-chair of the Standing Committee's working group on the disposal of illegally traded and confiscated specimens of Appendix I, II and III species, Switzerland introduced document SC70 Doc. 32. Switzerland noted that the principal challenges for Parties in this area included a lack of financial resources for taking care of confiscated live specimens, and a lack of appropriate facilities to which confiscated specimens could be sent. The working group had considered the merits of, *inter alia*, creating a list of rescue centres for the disposal of live specimens, the addition of guidelines on how to determine what a suitable designated rescue centre is, and defining of minimum standards for rescue centres; however, consensus was not reached to enable the development of these suggestions into concrete proposals.

One Committee Member noted the low response rate to the questionnaire distributed to Parties by the CITES Secretariat under Decision 17.118, and that those who had responded tended to be better-financed countries that could afford good facilities for the disposal of live specimens. Although the working group failed to achieve consensus, the Committee Member believed it was clear that there was a compelling need for revising Resolution Conf. 17.8 in light of a number of inconsistencies between its provisions and the text of the convention itself.

Speakers expressed diverging views regarding whether the term "disposal" of live specimens should be used, and whether the development of a list of rescue centres for the disposal of live specimens should be a priority for the Secretariat.

The Standing Committee established an in-session working group on disposal of confiscated specimens with the mandate to draft a new decision to carry forward the work begun under Decisions 17.118 and 17.119.

The membership of the working group was agreed as follows: Switzerland (Chair), Argentina, Canada, China, European Union, France, Israel, Italy, Netherlands, Peru, Spain, Sweden and the United States of America; and Eurogroup for Animals, European Association of Zoos and Aquaria, International Fund for Animal Welfare, and San Diego Zoo Global.

Later in the meeting, Switzerland introduced document SC70 Com. 3, containing two draft decisions on the disposal of confiscated specimens for consideration at CoP18. NGO observers noted that a register of rescue centres would be useful and were concerned by the draft decisions' lack of provision for further discussion on this issue.

The Standing Committee agreed to submit to the Conference of the Parties the draft decisions in document SC70 Com. 3 as follows:

Draft decision 18.AA directed to the Secretariat

The Secretariat shall collect information on existing networks and resources on the management of seized and confiscated live animals and make it available to Parties.

Draft decision 18.BB directed to Parties

Parties are encouraged to make use of the information collected by the Secretariat under Decision AA, including in capacity-building activities.

During discussion of this agenda item, interventions were made by the representatives of Europe (Israel and Portugal), by Argentina, Malaysia and the United States of America, by Born Free (speaking also on behalf of the Animal Welfare Institute, AAP Animal Advocacy and Protection, Eurogroup for Animals, European Alliance of Rescue Centres and Sanctuaries, Humane Society International, International Fund for Animal Welfare and the Species Survival Network) and by the European Association of Zoos and Aquaria (speaking also on behalf of the Association of Zoos and Aquariums, the World Association of Zoos and Aquariums and San Diego Zoo Global).

33. Specimens produced from synthetic and cultured DNA: Report of the Secretariat and of the working group Chair

The Secretariat introduced document SC70 Doc. 33 and provided the status on the Notification, the background study it had commissioned, and the recommendations made at the joint meeting of the Animals and Plants Committees, including changing the title to *specimens produced through biotechnology*. It then requested Mexico, as Chair of the intersessional working group on synthetic and cultured DNA, to provide an oral update.

Mexico noted that the working group provided feedback to the study commissioned by the Secretariat on *Wildlife products produced from synthetic or cultured DNA*. The general view was that the study enabled Parties to have a stronger understanding of options and potential challenges posed by specimens produced from synthetic and cultured DNA. The working group discussed the need for more clarity on the terms used to denote the scope of the discussion, and the need to identify how trade in these specimens may impact the survival of the species in the wild. Noting the urgency of the issue driven by the rapid development of the technologies involved, the working group expressed the need for specific action to move the discussion forward at CoP18, including the introduction of a new source code, though it also noted the need to be cautious and not give recommendations prematurely. Mexico suggested an in-session working group be struck to consider amendments to the draft decisions contained in Annex 1 of the document and any further recommendations on the way forward in regulating specimens produced through biotechnology, including the need for a new resolution on specimens produced through biotechnology.

Speakers generally agreed with the recommendations and draft decisions set out in the document. Some Committee Members and Parties raised concerns over the term 'readily recognizable parts and derivatives' used in Resolution Conf. 9.6 (Rev. CoP16), noting that the term had become antiquated and needed to have a more thorough and updated definition. Some Parties also considered that it would be premature to develop a new source code for specimens produced through biotechnology, noting that the creation of a source code should instead be discussed after Parties had agreed on whether and how to regulate such specimens. One Party also emphasized the importance of collaboration with other Multilateral Environmental Agreements, such as the CBD's Ad Hoc Technical Expert Group on Synthetic Biology.

NGO observers noted with concern that products produced through biotechnology such as rhino horn could reach markets before the 19th Conference of the Parties (CoP19), and believed that Parties should consider Resolution Conf. 9.3 (Rev. CoP16) as applying to specimens produced through biotechnology. They noted that products, not processes, are regulated by CITES, and that the definition of 'readily recognizable parts and derivatives' was purposefully broad.

The Standing Committee established an in-session working group on biotechnology with the mandate to review the information and recommendations referred to in document SC70 Doc. 33; propose changes to the draft decisions on *Specimens produced through biotechnology* contained in Annex 1 of document SC70 Doc. 33 based on the comments made during the plenary session; and consider any further recommendations on the way forward in regulating specimens produced through biotechnology, as needed.

The membership of the working group was agreed as follows: Mexico (Chair), France, Norway and the United States of America; and Center for Biological Diversity, China Wildlife Conservation Association, Lewis and Clark – International Environmental Law Project and San Diego Zoo Global.

Later in the meeting, Mexico introduced document SC70 Com. 5, containing a revised set of recommendations and draft decisions for CoP18 which had been reached through consensus. Some Committee Members and Parties did not support the full range of recommendations, arguing that they amounted to a legal interpretation of whether or not specimens produced by biotechnology fell under the remit of CITES. Speakers argued that more time was needed to discuss such fundamental issues.

The Standing Committee agreed the recommendations in paragraph 4 of document SC70 Com. 5 amended as follows:

Specimens produced through biotechnology

Directed to the Parties

18.AA Parties are invited to provide information to the Secretariat regarding:

- a) cases where they have issued, or received requests to issue, CITES permits and certificates for specimens produced through biotechnology;
- b) other situations when they have applied the interpretation of Resolution Conf. 9.6 (Rev. CoP16) on Trade in readily recognizable parts and derivatives to fauna and flora products produced through biotechnology; and
- c) technological developments and applications taking place, particularly in their jurisdiction, that may result in the manufacture of specimens produced through biotechnology that may have impact on the interpretation and implementation of the Convention.

Directed to the Animals and Plants Committees

18.BB The Animals and Plants Committees shall:

- a) review the complete study on “Wildlife products produced from synthetic or cultured DNA”, and make recommendations for consideration by the Standing Committee, including appropriate revisions to existing resolutions; and
- b) provide any relevant scientific advice and guidance on matters relevant to international trade in specimens produced through biotechnology and communicate it to the Standing Committee, as appropriate.

Directed to the Standing Committee

18.CC The Standing Committees shall:

- a) discuss how to apply the term “readily recognizable part or derivative” to trade in products of biotechnology, which might potentially affect international trade in CITES-listed specimens in a way that would threaten their survival;
- b) communicate to the Animals and Plants Committees any matters that may require scientific advice and guidance, as appropriate; and
- c) make recommendations for consideration at the 19th meeting of the Conference of the Parties, including appropriate revisions to existing resolutions or the development of a new resolution on trade in specimens produced from biotechnology.

Directed to the Secretariat

18.DD The Secretariat shall:

- a) present the study on “Wildlife products produced from synthetic or cultured DNA”, along with the Secretariat’s findings and recommendations, to the Animals and Plants Committees;
- b) collate information received from Parties in relation to Decision 18.AA, as well as any other information received from Parties, governmental, intergovernmental and nongovernmental organizations and other entities related to the issue of specimens produced through biotechnology;
- c) communicate with the Secretariat of the Convention on Biological Diversity (CBD), the United Nations Food and Agricultural Organization (FAO), the International Union for Conservation of Nature (IUCN) and other relevant organizations as appropriate, to keep abreast of the discussions taking place on other fora on issues that may be relevant to specimens produced through biotechnology; and
- d) report progress to the Animals and Plants Committees, and the Standing Committee, as appropriate.

During discussion of this agenda item, interventions were made by the representatives of Asia (China) and Europe (Hungary and Israel), by the European Union, Mexico, Norway and the United States of America, by

the Chair of the Animals Committee, and by Lewis and Clark (speaking also on behalf of the Center for Biological Diversity, the Wildlife Conservation Society, World Wildlife Fund and the Natural Resources Defence Council).

34. Introduction from the Sea: Report of the Secretariat

The Secretariat introduced document SC70 Doc. 34.

Committee Members noted that they did not believe that specific guidance regarding introduction from the sea certificates needed to be added to Resolution Conf. 12.3 (Rev. CoP17) on *Permits and certificates*, but that continued capacity building on introduction from the sea was necessary. The Committee agreed with the other recommendations in the document.

The Standing Committee noted document SC70 Doc. 34 and the information contained therein and agreed that adding specific guidance regarding introduction from the sea certificates to Resolution Conf. 12.3 (Rev. CoP17) on *Permits and certificates* would not be necessary.

The Standing Committee agreed to submit to the Conference of the Parties the draft decisions contained in Annex 2 of document SC70 Doc. 34 as a replacement to Decisions 16.48 (Rev. CoP17) to 16.51 (Rev. CoP17).

During discussion of this agenda item, interventions were made by the representatives of Europe (Israel and Portugal).

35. Purpose codes on CITES permits and certificates: Report of the working group

As Chair of the Standing Committee's intersessional working group on purpose codes, Canada introduced document SC70 Doc. 35, noting that the working group's mandate included clearly defining the term 'purpose-of-transaction code', defining each purpose code clearly, particularly purpose code H (hunting trophy), and considering the possible elimination of current codes and the inclusion of new ones. The working group was noted to have not yet finished its work, and the document included a recommendation to strike an in-session working group to finish a key element of its mandate in "clearly defining purpose of-transaction codes to encourage their consistent use, and consider the possible elimination of current codes or the inclusion of new ones".

The Standing Committee established an in-session working group with the mandate to clearly define purpose-of-transaction codes to encourage their consistent use, and consider the possible elimination of current codes or the inclusion of new ones, with the aim of adding these to the amendments to Resolution Conf. 12.3 (Rev. CoP17) on *Permits and certificates* in the Annex to document SC70 Doc. 35 for consideration at the 18th meeting of the Conference of the Parties; or, if no consensus is achieved, propose a draft decision to continue this discussion after the 18th meeting of the Conference of the Parties.

The membership of the working group was agreed as follows: Canada (Chair), Argentina, Australia, Belgium, Chad, China, European Union, Finland, France, Japan, Malaysia, Netherlands, South Africa, Spain and the United States of America; and Alliance of Marine Mammal Parks and Aquariums, Association of Zoos and Aquariums, Global Eye, Lewis and Clark – International Environmental Law Project, Pet Industry Joint Advisory Council, San Diego Zoo Global, Species Survival Network, TRAFFIC and World Association of Zoos and Aquariums.

Later in the meeting, Canada introduced document SC70 Com. 4 noting that it included a draft decision to allow the working group to continue its work past CoP18.

The Standing Committee agreed to propose to the Conference of the Parties the amendments to Resolution Conf. 12.3 (Rev. CoP17) and the renewal of Decision 14.54 (Rev. CoP17) as amended in document SC70 Com. 4.

During discussion of this agenda item, interventions were made by the European Union, the United States of America, and the World Association of Zoos and Aquariums (speaking also on behalf of the European Association of Zoos and Aquaria, the Association of Zoos and Aquariums, the Alliance of Marine Mammal Parks and Aquariums, and the Wildlife Conservation Society).

36. Simplified procedures for permits and certificates: Report of the working group

As Chair of the Standing Committee's working group on simplified procedures for permits and certificates, Australia introduced document SC70 Doc. 36. Australia noted that the working group had considered the exemption under Resolution Conf. 11.15 (Rev. CoP12), Article VII in relation to the movement of CITES samples for forensic or enforcement purposes; the introduction from the sea of CITES biological samples; and the urgent international movement of CITES biological samples for diagnostic and other health/disease related purposes

Committee Members generally agreed with the recommendations set out in the document. Speakers suggested minor amendments to the revised Resolution Conf. 11.15 (Rev. CoP12) and expressed concerns with one amendment proposed to Resolution Conf. 12.3 (Rev. CoP17). One Committee Member noted it would be useful for Parties to be provided with further training and assistance regarding the use of simplified procedures and exemptions under paragraph 6 of Article VII.

NGO observers noted that delays in the transfer of emergency diagnostic specimens could impede timely diagnosis and control of wildlife disease epidemics, and that there was confusion among Parties regarding how and when to expedite transactions. One observer suggested that reference to diagnostic specimens be made more explicit throughout the document.

The Standing Committee noted that wider access of Parties' to electronic permitting services could significantly complement the work of the simplified procedures for permits and certificates working group, and could alleviate many of the concerns regarding slow issuance of permits following application.

The Standing Committee noted the availability of tools to assist in application of forensic research such as the ICCWC Guidelines on Methods and Procedures for Ivory Sampling and Laboratory Analyses¹ and the ICCWC Best Practice Guide for Forensic Timber Identification².

The Standing Committee noted the global review of forensic laboratory capacity undertaken by the Secretariat in conjunction with the United Nations Office on Drugs and Crime³, in particular the areas for future development, as well as the recommendations for resource prioritization, and to take these into account when initiating activities to develop wildlife forensic science, or to promote its use to combat wildlife crime.

The Standing Committee noted that use of simplified permitting procedures depends on the capacity of Parties to implement partially completed permits and to rapidly process applications for these types of permits and welcomed initiatives for capacity-building on using simplified procedures.

The Standing Committee agreed to propose the amendments to Resolution Conf. 12.3 (Rev. CoP17) on *Permits and certificates* in Annex 2 of document SC70 Doc. 36 for consideration at the 18th Conference of the Parties.

The Standing Committee invited the Secretariat, in consultation with the Chair of the Standing Committee and Australia as chair of the intersessional working group, to incorporate the proposed amendments to Resolution Conf. 11.15 on *Non-commercial loan, donation or exchange of museum and herbarium specimens* in Annex 1 of document SC70 Doc. 36, including to ensure consistency in the use of the term research or scientific to qualify forensics laboratories; to change the title of the Resolution to reflect the proposed amendments; to include “, as appropriate” at the end of the first sentence in paragraph 3 b); to replace “every five years” by “at the discretion of the Management Authority” in paragraph 3 e); and to amend paragraph 3 f) ix) to make it less burdensome on Parties, for transmission to the Conference of the Parties.

The Standing Committee noted the responses received by Parties in relation to Notification to the Parties No. 2018/067.

The Standing Committee agreed to transmit the following draft decision to the 18th Conference of the Parties.

¹ http://www.unodc.org/documents/Wildlife/Guidelines_Ivory.pdf

² http://www.unodc.org/documents/Wildlife/Guide_Timber.pdf

³ <https://cites.org/sites/default/files/eng/cop/17/WorkingDocs/E-CoP17-25-A4.pdf>

Directed to the Secretariat

- 18.XX a) The Secretariat shall issue a notification every five years requesting that Parties review and update their register of scientific institutions that are entitled to the exemption provided by Article VII paragraph 6, of the Convention, and communicate any changes to the Secretariat.
- b) The Secretariat shall issue the first notification 90 days after CoP18. In order to be able to distinguish between the different qualifications of the registered institutions (taxonomic, species conservation research or wildlife forensic research), the Secretariat should encourage Parties to include this information in response to the notification.

During discussion of this agenda item, interventions were made by the representatives Asia (Indonesia), Central and South America and the Caribbean (Peru), North America (Canada) and the Depositary Government (Switzerland), by Australia, Norway, Senegal and the United States of America, by IUCN, and by the Wildlife Conservation Society.

37. Physical endorsement of permits and certificates

Australia introduced document SC70 Doc. 34 (Rev. 1), highlighting that the process of wet-stamping as set out in Resolution Conf. 12.3 (Rev. CoP17) on *Permits and certificates* was outdated and did not align well with electronic border clearance processes.

The Standing Committee noted document SC70 Doc. 37 (Rev. 1) and agreed to support the pursuit of intersessional work on this issue between the 18th and 19th meetings of the Conference of the Parties as part of draft decision 18.CC under agenda item 39 above, if such a draft decision is approved by the Conference of the Parties.

During discussion of this agenda item, interventions were made by the representatives of Central and South America and the Caribbean (Peru), North America (Canada) and the Depositary Government (Switzerland), and by Mexico and the United States of America.

38. Definition of the term 'appropriate and acceptable destinations'

38.1 Report of the Secretariat and the Animals Committee

38.2 Report of the working group

and

38.3 Definition of the term 'appropriate and acceptable destinations': Trade in live elephants

The Secretariat introduced document SC70 Doc. 38.1.

As Chair of the Standing Committee's working group on the definition of the term "appropriate and acceptable destinations", the United States of America introduced document SC70 Doc. 38.2.

Niger introduced document SC70 Doc. 38.3, noting concerns regarding the current trade in live elephants; particularly the conditions under which animals are kept. Niger noted that the Animals Committee had, at its 30th meeting, considered the development of non-binding guidance for Scientific Authorities to use when assessing if the proposed recipient is suitably equipped to house and care for a living specimen. Niger reaffirmed its position that the only "appropriate and acceptable" destinations for live wild elephants are *in situ* conservation programmes within their wild natural range.

Committee Members and Parties disagreed over whether the developed guidance should be binding, as well as Niger's position of the only "appropriate and acceptable" destinations for live wild elephants. Some Parties issued strong reservations regarding developing guidelines where the criteria "appropriate and acceptable" destinations for live wild elephants was different than that endorsed by Niger. One Party suggested that the Secretariat could consult with Parties that have exported live elephants, asking them to share the process via which the Scientific Authority of the country of import had ensured that the proposed recipient of a living specimen was suitably equipped to house and care for it.

NGO observers offered to share their expertise to assist the development of species-specific guidelines for African elephants and southern white rhinoceroses.

The Standing Committee agreed to propose to the Conference of the Parties the outline of the non-binding guidance and the set of draft decisions presented in paragraphs 8 and 9 of document SC70 Doc. 38.1, respectively; and confirmed that Decisions 17.178 to 17.180 have been fully implemented.

The Standing Committee agreed to propose to the Conference of the Parties the following additional draft decision:

Directed to the Secretariat

The Secretariat shall consult with Parties whose elephants are listed in Appendix II and who have exported wild caught elephants to a non-elephant range State since CoP11 on their implementation of Resolution Conf. 11.20 (Rev. CoP17), in particular considering the role and responsibility of the State of export in Article IV and Resolution Conf. 16.7 (Rev. CoP17) and Resolution Conf. 11.20 (Rev. CoP17).

The Standing Committee noted the concerns raised in document SC70 Doc. 38. 3 and requested the Secretariat to consult with Parties that have imported live elephants to share their findings that the Scientific Authority of the State of import is satisfied that the proposed recipient of a living specimen is suitably equipped to house and care for it; and that the Scientific Authorities of the State of import and the State of export are satisfied that the trade would promote *in situ* conservation in accordance with Resolution Conf. 11.20 (Rev. CoP17) on *Definition of the term 'appropriate and acceptable destinations'*.

During discussion of this agenda item, interventions were made by the representatives of Asia (China) and the Previous Host Country (South Africa), by Gabon, Nigeria, Senegal, Uganda, the United States of America, and Zimbabwe, and by the Association of Zoos and Aquariums (speaking also on behalf of the European Association of Zoos and Aquaria, San Diego Zoo Global, the World Association of Zoos and Aquariums, the Wildlife Conservation Society, the Zoological Society of London) and Born Free (speaking also on behalf of the Animal Welfare Institute, Annamiticus, the David Shepherd Wildlife Foundation, the Environmental Investigation Agency, Eurogroup for Animals, European Alliance of Rescue Centres and Sanctuaries, Humane Society International, Pro Wildlife, Species Survival Network, and World Animal Protection).

39. Electronic systems and information technologies: Report of the working group

As Chair of the Standing Committee's intersessional working group on information technologies and electronic systems, Switzerland introduced document SC70 Doc. 39. Switzerland noted that, since submission of the document, further discussion resulted in consensus that more discussion was needed regarding its suggested amendments to Resolution Conf. 12.3 (Rev. CoP17); it therefore withdrew the proposed amendments in Annex 2 of the document and presented revised draft decisions in addendum SC70 Doc. 39 Add.

One Party noted it would like to see the working group's considerations extended to other electronic systems as well as ASYCUDA.

The Standing Committee agreed to submit the following draft decisions to the Conference of the Parties at its 18th meeting:

18.AA *Directed to Parties*

Parties are invited to

- a) support the working group on electronic permit processing and efficient control procedures electronic systems and information technologies; and
- b) consider the eCITES Implementation Framework and the recommendations contained within this document in regard to its potential usefulness in when planning and implementing electronic CITES systems and report-back on which information is useful to their own particular efforts and what additional support is needed to address other issues affecting implementation such as governance structure, technical capacity, and law

~~enforcement restrictions, their experiences and lessons learned during the implementation of these systems to be shared in future revisions of this Framework.~~

Parties are requested:

- a) to consider the implementation of electronic CITES systems in a manner designed to increase transparency and efficiency of the permit issuance and control process, to prevent use of fraudulent permits, and to provide quality data for improved sustainability assessment; and
- b) to take note of the UNCTAD eCITES system as a low cost, off-the-shelf solution that is now available to Parties for implementation;
- c) if using electronic CITES systems to:
 - i) Consider UN/CEFACT Recommendation 14 on Authentication of trade documents as good practice when implementing the electronic equivalent of signatures and seals for electronic CITES permitting systems and exchanges;
 - ii) Authenticate ~~each all~~ users ~~who that has have~~ access to the electronic system using username and passwords, and/or similar technologies, or both;
 - iii) Ensure that electronic CITES systems keep an audit trail, i.e. keep electronic records (including, but not limited to, confirmation of transmission and receipt with associated time stamps and message headers) that enable the Management Authority to identify ~~each the~~ person who requested, approved, processed, issued, endorsed, or altered electronic CITES permits and certificates; and
 - iv) Keep archives of audit trails ~~trials~~ for no fewer than 5 years after the expiry date of the permit or certificate, or no fewer than 5 years after the date that the trade was reported in the Party's annual report, whichever is later; and
 - v) Provide the CITES Secretariat with copies of all valid electronic signatures it uses for issuance of permits and certificates in accordance with Article IX(4) of the Convention and paragraph 3(p) of Resolution Conf. 12.3 (Rev. CoP17);
 - vi) Notify the secretariat immediately when authenticated users are removed or no longer authenticated; and
 - vii) Recognize that in electronic CITES systems that meet the above requirements i) – v) the electronic equivalent of a physical signature and a seal ~~is provided~~ may be provided through the authenticated identification of the permit applicant, ~~the identification of the official who that issued or authorized the permit or certificate document, any official who altered the permit or certificate, and the identification of the issuing authority agency, and the endorsement by the inspecting official who endorsed the permit or certificate. Customs office.~~
- d) to establish a systematic dialogue and ongoing collaboration between their Management Authorities and their national Customs and border control agencies to implement an efficient, risk based control system for cross border trade in CITES listed species where possible and appropriate; and
- e) to provide information to the Secretariat on the state of automation ~~automaton~~ of CITES permit processes and the implementation control systems for cross border trade in CITES listed species and share their lessons learned.

18.BB Directed to the Standing Committee

The Standing Committee shall establish a working group on electronic systems and information technologies ~~electronic permit processing and efficient control procedures~~ to work in collaboration with the CITES Secretariat to undertake the following tasks:

- a) work with the United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT), the United Nations Conference on Trade and Development (UNCTAD), the International Trade Centre (ITC), the World Bank, the World Customs Organization (WCO), the World Trade Organization (WTO) and other relevant partners, to continue the development of joint projects that would facilitate Parties' access to electronic permitting services and their alignment to international trade standards and norms, such as the further development and implementation of the UNCTAD eCITES system;
- b) work with the World Customs Organization, the United Nations Office on Drugs and Crime, the Global Container Control Programme and other relevant national and international organizations and initiatives to develop recommendations, guidelines and training materials to support the establishment of risk based trade control systems to combat illegal trade in wildlife and facilitate compliant trade where possible and appropriate;
- c) develop recommendations and best practice guidelines for CITES permit issuance and control processes when using electronic CITES permit systems and information exchanges;
- d) work with all relevant partners on the development of standards and solutions for Electronic Permit Information eXchange (EPIX) for the exchange of CITES permits and certificates and to improve the validation of CITES permit data by CITES Management Authorities and Customs officials;
- e) work with the Secretariat of the International Plant Protection Convention (IPPC), National Plant Protection Organizations (NPPOs) and other relevant organizations to learn from their efforts and work towards a harmonization of standards and procedures for licenses, permits and certificates frequently used in conjunction of cross border trade in CITES listed specimen; ~~and~~
- f) monitor and advise on Parties' work related to the development of traceability systems for specimens of CITES-listed species to facilitate their harmonization with CITES permits and certificates;
- g) develop the capacity of Management Authorities, especially those with the greatest needs, to electronically collect, secure, maintain, and transmit data using systems compatible with those of the Secretariat and other Management Authorities;
- h) develop recommendations for any appropriate revision of Resolution Conf. 12.3 (Rev. CoP17) on *Permits and certificates* to ensure electronic CITES permit systems and electronic border clearance processes are compliant with and incorporate the requirements of the Convention, including Articles III, IV, V and VI, examining in particular the issues of presentation and validation, to the 19th meeting of the Conference of the Parties; and
- i) develop recommendations for any appropriate revision of Resolution Conf. 11.17 (Rev. CoP17) on *National reports and Guidelines* for the preparation and submission of CITES annual reports distributed by the Secretariat.

18.CC Directed to the Standing Committee

The Standing Committee shall review the progress of implementation of the above Decision and make recommendations as necessary, including any appropriate suggestions for the revision of Resolution Conf. 12.3 (Rev. CoP17) on *Permits and certificates*, Resolution Conf. 11.17 (Rev. CoP17), on *National reports*, ~~and the amendment of~~ Guidelines for the preparation and submission of CITES annual reports distributed by the Secretariat, to the 19th meeting of the Conference of the Parties.; ~~and~~

18.DD Directed to the Secretariat

The Secretariat shall, subject to the availability of external funding

- a) Organize in collaboration with the working group on electronic systems and information technologies and relevant partners an international workshop on modern customs procedures for improved control of trade in CITES listed species to simplify compliant trade and combat against illegal trade in wildlife and prepare recommendations to the Standing Committee;
- b) Prepare a report on risk management systems for efficient control of trade in CITES listed species and prepare recommendations to the Standing Committee;
- c) Work with national and international organizations such as the World Customs Organization, the United Nations Conference on Trade and Development, the UN regional Commissions, the United Nations Office on Drugs and Crime, the World Trade Organization and the World Bank to support Parties in the implementation of efficient and risk based procedures for control in CITES-listed species using information technologies and modern trade control procedures;
- d) Maintain the eCITES website and publish the results of planned and ongoing projects undertaken by Parties related to automation of CITES procedures and controls and electronic permit information exchanges and outputs provided by the working group on electronic permit processing and efficient control procedures; and
- e) Provide capacity building and advisory services to support Parties interested in implementing electronic solutions for the management and control of CITES permits and certificates and support Parties in establishing electronic permit systems and information exchanges.

During discussion of this agenda item, an intervention was made by the representatives of Central and South America and the Caribbean (Peru), and the United States of America.

40. Traceability: Report of the working group

As one of the co-Chairs of the Standing Committee's intersessional working group on traceability, Switzerland introduced document SC70 Doc. 40 (Rev 1), noting that updated recommendations were contained in addendum SC70 Doc. 40 Add.

Committee Members generally agreed with the recommendations in document SC70 Doc. 40 Add.

The Standing Committee agreed the recommendations in document SC70 Doc. 40 Add. and requested the Secretariat, in consultation the Chair of the Standing Committee, Mexico and Switzerland as co-chairs of the intersessional working group, to propose these recommendations in an appropriate format for the Conference of the Parties.

During discussion of this agenda item, interventions were made by the representatives of Central and South America and the Caribbean (Peru) and Europe (Portugal).

41. Stocks and stockpiles of specimens of CITES-listed species: Report of the working group

Israel, as Chair of the Standing Committee's intersessional working on stocks and stockpiles, introduced document SC70 Doc. 41, noting that in a range of areas the working group had not yet achieved consensus. Israel noted that the working group mostly agreed that drafting a definition of the term "stockpile" would be useful, but noted that the criteria that should be applied to identify stockpiles, who has the authority to declare stocks, and the obligations of authorities with stockpiles remained disputed. Israel also noted that Notification No. 2018/008 requesting Parties to submit information on the status and management of stockpiles had had a poor response.

Committee Members and Parties generally agreed that work should continue, but with a more defined scope that excluded discussions regarding the management of stockpiles. Kenya, speaking on behalf of the African Elephant Coalition, noted they did not encourage a restrictive definition of stockpiles. Kenya also noted their

objection to Parties selling confiscated specimens, arguing that this could encourage illegal trade, and encouraged continuous reporting by Parties of government held stockpiles so as to maximise accountability.

The Standing Committee agreed to propose to the Conference of the Parties the following draft decision:

Decision 17.170 (Rev. CoP18)

Directed to the Standing Committee

The Standing Committee shall, with the assistance of the Secretariat, review the existing provisions agreed by the Parties concerning controls on stocks of specimens of CITES-listed species. It shall consider their objectives and implementation, and the resource implications for Parties and the Secretariat, and shall report its conclusions and recommendations at the 19th meeting of the Conference of the Parties.

During discussion of this agenda item, interventions were made by the representatives of Africa (Namibia), Asia (China), Central and South America and the Caribbean (Peru), Europe (Hungary and Israel) and the Previous Host Country (South Africa), and by Kenya (speaking on behalf of the African Elephant Coalition), Senegal and the United States of America.

42. Identification of specimens in trade

42.1 Identification Manual and identification of tiger skins: Report of the Secretariat

The Secretariat introduced document SC70 Doc. 42.1, noting that at the time of writing it had intended to propose a draft resolution on the identification of CITES listed species for CoP18 to replace Resolution Conf. 11.19 (Rev. CoP16). However, upon consultation with the Chairs of the Animals and Plants Committees, it proposed instead to draft a decision for the consideration at CoP18 containing actions to revise or replace Resolution Conf. 11.19 (Rev. CoP16) on *Identification Manual*, with the intention of submitting a draft resolution at CoP19. The Secretariat also noted that the development of a central photographic identification database for tigers had not been possible due to lack of funds, but that there had already been some collaboration between range States that have national databases.

India gave an update on its national repository of camera trap photographs of tigers, which is being regularly updated, and requested that other tiger range States work with them to add to database. Other Parties noted that they believed that databases of tiger skin images were of value, and encouraged Parties to share data and develop their own databases.

NGO observers noted disappointment with the low number of Parties that are currently sharing images of seized tiger skins. They also noted that there were abundant data available on photographic identification of tiger skins, citing work done by India, Thailand and the Russian Federation. The observers encouraged the Secretariat to issue a notification to Parties, asking them to share photos of tiger seizures.

The Standing Committee noted document SC70 Doc. 42.1 and the proposal by the Secretariat to prepare draft decisions to revise or replace Resolution Conf. 11.19 (Rev. CoP16) on *Identification Manual*; and agreed to propose to the Conference of the Parties that Decisions 17.164 to 17.165 can be considered completed.

During discussion of this agenda item, interventions were made by India and the United States of America; by the Chair of the Animals Committee, and by the Environmental Investigation Agency (speaking on behalf of the Environmental Investigation Agency UK, Annamiticus, the Animal Welfare Institute, Born Free, the David Shepherd Wildlife Foundation, the European Association of Zoos and Aquaria, Humane Society International, International Fund for Animal Welfare, Species Survival Network, TRAFFIC, World Animal Protection, the Wildlife Conservation Society, Wildlife Protection Society of India, World Wildlife Fund and the Zoological Society of London).

42.2 Identification of CITES-listed tree species: Report of the Plants Committee

The Chair of the Plants Committee introduced document SC70 Doc. 42.2.

Committee Members supported the draft decisions proposed. Canada noted it was looking forward to collaborating with Parties and observers to develop standards and techniques for the identification of wood products in trade.

The Standing Committee noted the progress made by the Plants Committee in its implementation of Decisions 17.166 and 17.167, and the findings and recommendations that the Plants Committee intends to report for consideration by the Conference of the Parties at its 18th meeting.

During discussion of this agenda item, an intervention was made by the representatives of North America (Canada).

43. Illegal trade in cheetahs (*Acinonyx jubatus*): Report of the Secretariat

The Secretariat introduced document SC70 Doc. 43, noting that, due to time limitations, a draft CITES cheetah trade resource kit was not ready for review at present meeting. The Secretariat suggested that the intersessional working group on cheetahs be invited to review the draft resource kit, to formulate comments and recommendations for consideration by the Standing Committee at its 71st meeting. The Secretariat thanked the United States for providing funding for this work. The Secretariat further noted that it had created a closed user group on cheetah on the WCO CENComm platform, and a webpage on cheetahs on the CITES website.

Parties and Committee Members agreed to invite the working group to review the draft CITES cheetah trade resource by the 71st meeting of the Standing Committee. Ethiopia noted that its cheetah population is small, and that even very low levels of trade could create a significant risk to the species' survival in the country. Parties noted that the assertion in paragraph 25 of the document (that although there is some illegal international trade in cheetahs, the available information suggests that this remains limited) is based on very limited seizures data and a limited response from Parties, and that the true scale of illegal trade may be higher. Parties highlighted the further information contained in information document SC70 Inf. 44, and also noted it was important to take into account trade in cheetah cubs and trade in products.

NGO observers agreed with Parties that illegal trade in cheetah may be much higher than the levels implied by the responses from Parties outlined in document SC70 Doc. 43, referring also to information document SC70 Inf. 44. Observers additionally noted that source countries of cheetahs appeared to be largely confined to the Horn of Africa, where populations are small and even small levels of trade may be detrimental.

The Standing Committee invited the intersessional working group on cheetahs to review the draft CITES cheetah trade resource kit and the recommendations of the Secretariat as outlined in Decision 17.125; and to formulate comments and recommendations on the finalization and dissemination of the CITES cheetah trade resource kit for consideration by the Standing Committee at its 71st meeting.

The Standing Committee encouraged Parties to communicate the establishment of the cheetah closed user group to their relevant national authorities, and to encourage its use;

The Standing Committee encouraged Parties affected by illegal trade of cheetahs on the Internet to, as appropriate, review their implementation of paragraphs 11 and 12 under *Regarding e-commerce of specimens of CITES-listed species*, in Resolution Conf. 11.3 (Rev. CoP17) on *Compliance and enforcement*, and to pursue the full implementation of these provisions;

The Standing Committee encouraged Parties affected by illegal trade in live cheetahs to, in accordance with the provisions of Annex 3 to Resolution Conf. 17.8 on *Disposal of illegally traded and confiscated specimens of CITES-listed species*, pursue the development of a plan of action that can be executed without delay in the event that live specimens are seized; and

The Standing Committee encouraged Parties affected by illegal trade in cheetahs, in particular destination countries, to consider illegal trade in cheetahs in their implementation of Resolution Conf. 17.4 on *Demand reduction strategies to combat illegal trade in CITES-listed species*.

The Standing Committee noted the concerns expressed by Parties, such as Ethiopia, Kenya and the United States of America, regarding illegal trade in cheetahs.

During discussion of this agenda item, interventions were made by the representatives of Africa (Ethiopia and Kuwait) and Europe (Portugal), by Botswana, Kenya, and the United States of America, and by the Zoological Society of London (speaking also on behalf of Born Free, Cheetah Conservation Fund and the Wildlife Conservation Society).

44. Sturgeons and paddlefish (*Acipenseriformes spp.*)

44.1 Definition of country of origin of caviar: Report of the working group

As Chair of the Standing Committee's intersessional working group on country of origin of caviar, Japan introduced document SC70 Doc. 44.1, noting that it had not been possible to reach consensus on a new and separate definition of "country of origin of caviar". The working group therefore recommended a draft decision for consideration at CoP18 to continue work on this issue.

One Committee Member suggested that the mandate of the draft decision should focus on issues where consensus can be reached, whereas a Party suggested that the working group could broaden its discussion to consider the wider context of the universal caviar labelling system, as well as the challenges faced and solutions used by aquaculture facilities producing caviar.

The Standing Committee acknowledged the different opinions expressed by the members of the working group and noted document SC70 Doc. 44.1.

The Standing Committee invited the Secretariat, in consultation with the Chair of the Standing Committee and Japan as chair of the intersessional working group, to propose a draft decision for consideration by the Conference of the Parties to continue work on this issue, taking into account the advice provided by the United States of America and Hungary at this meeting.

During discussion of this agenda item, interventions were made by the representatives of Europe (Hungary and Russian Federation) and by the United States of America.

44.2 Identification of sturgeons and paddlefish specimens in trade: Report of the Animals Committee

The Chair of the Animals Committee introduced document SC70 Doc. 44.2.

The Standing Committee noted document SC70 Doc. 44.2 and invited the Secretariat to submit renewed or, as necessary, revised draft decisions concerning *identification of products of Sturgeons and paddlefish (*Acipenseriformes spp.*) specimens in trade* for consideration at the 18th meeting of the Conference of the Parties.

There were no interventions.

45. European eels (*Anguilla anguilla*): Report of the Secretariat and of the Animals Committee

The Secretariat introduced document SC70 Doc. 45, noting that as the Standing Committee's intersessional working group on European eels had continued its work since the document had been submitted, Spain would give an oral update as the working group's Chair.

Spain noted that the working group had collated additional information on seizures of European eel from various sources, and had also looked at the recommendations outlined in Annexes 1 and 2 and considered how the Standing Committee may best reflect them. These included, *inter alia*, requesting that Parties report all live seizures in a timely manner (and indicating the life stage concerned); enhancing collaboration between (a) range States, (b) countries with eel farming industries and (c) consumer countries of processed products; and encouraging further research on the identification of the geographical origin of specimens. Spain also noted the intersessional working group had identified two areas that could be further considered through decisions: (1) the Standing Committee could be asked to review the forthcoming study by the United Nations Office on Drugs and Crime (UNODC) on European eels and to make recommendations as appropriate, and (2) the Animals Committee could be asked to provide advice on the potential risks and benefits of returning eels that have been seized to the wild, and where appropriate, to develop a protocol for such releases in the form of non-binding guidance.

The Zoological Society of London then introduced the report in Annex 1 on Illegal Trade in *Anguilla anguilla*, and summarised its conclusions.

Several speakers provided updates on the conservation status of their eel population and on recent operations to uncover illegal trade. Parties generally agreed with the recommendations from the Animals Committee as outlined in paragraph 21 of SC70 Doc. 45, and suggested language to be included in draft decisions for consideration at CoP18. One Party expressed an interest in becoming a member of the intersessional working group on European eel.

Observers noted that illegal trade in European eel was widespread, that trade in non-listed *Anguilla* species had also increased, and that trade often involved organised crime.

The Standing Committee requested the Secretariat to amend the *Guidelines for the preparation and submission of CITES annual reports* and the *Guidelines for the preparation and submission of CITES annual illegal trade reports* as proposed in paragraph 21 of document SC70 Doc. 45 for adoption at its 71st meeting (SC71, Colombo, May 2019) and to develop draft decisions on trade in European eels as outlined in paragraphs 22 and 23 of document SC70 Doc. 45 for consideration at the 18th meeting of the Conference of the Parties.

The Standing Committee established an in-session working group on European eels with the mandate to consider the information in relation to illegal trade in document SC70 Doc. 45 and its annexes and, taking into account any information coming from the Standing Committee's intersessional working group on European eels to develop further recommendations for adoption and draft decisions for the consideration of the Conference of the Parties at its 18th meeting, if appropriate.

The membership of the working group was agreed as follows: Spain (Chair), Belarus, Canada, China, European Union, France, India, Italy, Japan, Norway, Portugal, Republic of Korea, Romania, United Kingdom of Great Britain and Northern Ireland, and the United States of America; the United Nations Food and Agriculture Organization (FAO) and the International Union for Conservation of Nature (IUCN); and Association of Fish and Wildlife Agencies, Global Guardian Trust, IWMC-World Conservation Trust, Sustainable Eel Group, TRAFFIC, Zoological Society of London and OPES OCEANI.

Later in the meeting, Spain introduced document SC70 Com.1, which included 14 recommendations to tackle illegal trade in European eel and two draft decisions for consideration at CoP18. Speakers suggested minor edits to the terminology used in the recommendations.

The Standing Committee adopted the recommendations in document SC70 Com. 1 amended as follows:

1. Range States, along with aquaculture, transit and consumer Parties are encouraged to build on the successes of existing enforcement efforts through cross-border as well as cross-agency collaboration and sharing of intelligence.
2. All range States' management, scientific and enforcement authorities are encouraged to participate in ongoing and future *Anguilla anguilla* initiatives and/or anti-smuggling operations, as appropriate.
3. Law enforcement agencies in range States, along with aquaculture, transit and consumer Parties should strengthen regional initiatives with a view to planning targeted operations focusing on anguillid eels.
4. Parties are encouraged to monitor aquaculture facilities and points of sales to ensure illegally traded European eels are not being mis-represented as legal.
5. Parties should inform the countries of origin, transit and/or destination of all seizures of *Anguilla anguilla* in a timely manner.
6. Parties should include seizure data for *Anguilla anguilla* in their CITES annual illegal trade reports.
7. Law enforcement agencies are encouraged to report all *Anguilla anguilla* seizures using the INTERPOL Ecomessage system.
8. Law enforcement authorities should provide Management Authorities as many details as possible such as the life stage (i.e. fingerling, adult), meat, gross / net weight, and other pertinent information for CITES reporting purposes, including the CITES annual illegal trade reports.
9. When disposing of seized live eels, Parties are encouraged to consider the potential risks and benefits before returning any specimens to the wild.

10. Parties are encouraged to carry out appropriate sampling (DNA or other) for seizures of suspected *Anguilla anguilla* – live or dead – to an acceptable standard for use in prosecution.
11. Parties and other stakeholders (academia, industry, NGOs etc.) are encouraged to develop new rapid identification processes that are accurate, credible and inexpensive.
12. Range States, along with aquaculture, transit and consumer Parties are encouraged to explore the development of a standard reporting system throughout the value chain from the point of catch to the final point of sale, in order to track legal trade for European eel.

The Standing Committee agreed to propose to the Conference of the Parties the following draft decisions:

Directed to the Standing Committee

The Standing Committee shall consider information relating to illegal trade in European eel at its 73rd and 74th meetings, including the UNODC case study on European eel trafficking as part of the 2nd Wildlife Crime Report, and make recommendations as appropriate.

Directed to the Animals Committee

The Animals Committee at its 31st and 32nd meetings shall review available information relating to the potential risks and benefits of reintroducing seized, live eels to the wild and if appropriate provide advice on suitable protocols taking into account existing guidance and practices, for consideration at the 19th meeting of the Conference of the Parties.

During discussion of this agenda item, interventions were made by the representatives of Asia (China), by Belarus, the European Union, Spain and the United States of America, and by the UN Food and Agriculture Organisation (FAO), the International Union for the Conservation of Nature (IUCN) (speaking also on behalf of TRAFFIC and the Zoological Society of London), and the Zoological Society of London.

46. Review of precious corals in international trade (Order Antipatharia/Family Corallidae): Report of the Animals Committee

The Chair of the Animals Committee introduced document SC70 Doc. 46, noting that, as a result of administrative challenges, much of the work under Decisions 17.190 to 17.193 had yet to be undertaken.

The Standing Committee agreed to propose to the Conference of the Parties the renewal of Decisions 17.192 and 17.193 and noted the challenges posed by the lack of specific customs codes for international trade in precious corals and their parts and derivatives, when considering the finalized report of the United Nations Food and Agriculture Organization and making its recommendations, as appropriate.

During discussion of this agenda item, interventions were made by the representative of Europe (Israel).

47. Humphead wrasse (*Cheilinus undulatus*): Report of the Secretariat

The Secretariat introduced document SC70 Doc. 47.

Indonesia thanked the Groupers and Wrasses Specialist Group of the International Union for Conservation of Nature (IUCN) for its support, and noted its commitment to curb illegal trade in humphead wrasse by enforcing national legislation, while protecting the livelihoods of rural fisheries.

The Food and Agriculture Organization (FAO) noted that, despite Indonesia's request for funding to collaborate with FAO and CITES on a project to support it in achieving sustainable management of and trade in humphead wrasse, no such funding had yet become available. The FAO noted that such a project could greatly benefit both humphead wrasse populations and community livelihoods, as well as food security.

The Standing Committee agreed to submit to the Conference of the Parties the draft decision in Annex 1 to document SC70 Doc. 47.

During discussion of this agenda item, interventions were made by the representatives of Asia (Indonesia), and by the FAO.

48. Sharks and rays (Elasmobranchii spp.)

48.1 Report of the working group

and

48.2 Report of the Secretariat

As chair of the Standing Committee's intersessional working group on sharks and rays, Indonesia introduced document SC70 Doc. 48.1 (Rev. 1), noting the complexity of the implementation of CITES trade controls for shark trade and the challenges presented by stockpiles of shark fins.

The Secretariat then introduced document SC70 Doc. 48.2, providing a summary of the discussions of the Animals Committee at its 30th meeting and of the Secretariat's capacity building work pursuant to Decision 17.212, which is generously supported by the European Union.

Committee Members and Parties generally supported the recommendations outlined in document SC70 Doc. 48.1 (Rev. 1) and suggested a number of amendments. One Committee Member noted that, while one of the recommendations encouraged Parties to make legal acquisition findings, they are actually required under the Convention and not a voluntary measure. Committee Members and Parties highlighted the importance of working with Regional Fisheries Management Organisations (RFMOs), and noted that it would be useful for the working group to consider a mechanism for RFMO data to be dealt with transparently. One Party noted that RFMOs do not have a mandate to support CITES Parties to develop non-detriment findings, while the outcomes of stock assessments or other relevant data had already been made publicly available. The Party also suggested that an amendment be added to invite Parties that are not members of RFMOs/Regional Fishery Bodies (RFBs) to provide scientific data to relevant RFMO/RFBs such as shark catches and landings (to species level where possible) and effort by gear type. Committee Members and Parties also noted the importance of gathering information from Parties on pre-convention stockpiles, and the need to ensure that trade in stockpiles does not inadvertently support illegal trade and asked the Secretariat to share guidance on the management of stockpiles.

The FAO highlighted its work to improve compliance as well as continuing work on the iFin identification tool. The Convention on the Conservation of Migratory Species of Wild Animals (CMS) gave an overview of shark species recently listed in the CMS Appendices, and noted the upcoming 3rd Meeting of the Signatories to the Memorandum of Understanding on the Conservation of Migratory Sharks in December 2018.

NGOs observers noted that it was not yet known whether listings of shark species in the CITES Appendices had had a positive impact on their conservation and that the livelihoods of some fisheries are reliant on shark fishing. NGOs urged Parties to find a balance that encouraged sustainable use of shark products. An NGO also argued that the FAO and RFMOs should be the principal organizations responsible for shark species management, noting that fishery stocks were shared between countries and that this had presented significant challenges to the development of non-detriment findings. It also urged the Secretariat to evaluate the efficacy of current shark listings before new listings are considered.

The Standing Committee noted document SC70 Doc. 48.1 (Rev. 1) and the complexity of the implementation of CITES trade controls for shark trade, but also the notable successes in the implementation of shark and ray listing.

The Standing Committee noted the need for further discussion on labelling requirements for processed products of sharks and rays, to ensure effective implementation of the convention for such products, and take this into account in other pertinent discussions, e.g. on SC70 Doc.40 on traceability.

The Standing Committee encouraged Parties to evaluate and declare stockpiles of shark fins caught prior to the inclusion of the species in Appendix II, and requested the Secretariat to develop new or disseminate existing guidance on the control and monitoring of such stockpiles.

The Standing Committee noted document SC70 Doc. 48.2 presenting the recommendations adopted by the 30th meeting of the Animals Committee on the matter of sharks and rays, including the invitation to the Secretariat to propose amendments to Resolution Conf. 12.6 (Rev. CoP17) on *Conservation and management of sharks*.

The Standing Committee invited the Secretariat, in consultation with the Chair of the Standing Committee, to develop the following recommendations into draft decisions or into revisions to Resolution Conf. 12.6 (Rev. CoP17), as appropriate, for consideration by the Conference of the Parties at its 18th meeting.

a) The Secretariat is requested:

1. To facilitate the coordination with RFMO/RFB's and CMS in CITES implementation, including facilitating greater RFMO support for CITES implementation through the provision of catch and landings data, and regional stock assessments.
2. To compile lesson learned and best practices in CITES sharks and rays implementation on NDF development and traceability system.
3. To provide guideline on Legal Acquisitions Finding to address the traceability issues
4. To continue to seek external resources for capacity building on sharks and rays to support Parties, including in the development of NDF
5. To compile, subject to external funding, for the review of the Animals Committee:
 - a. scientific research on CITES listed sharks and rays to support NDF development;
 - b. Analysis of non-fin shark products in trade, including the level of species mixing in traded products

b) Parties are encouraged:

1. To implement measures and regulations under RFMO/ RFB or other multilateral environmental agreements where they are parties of it, including the Convention on Migratory Species (CMS), as support to implement CITES measures
2. To have a better coordination between CITES and RFMO national focal points
3. To take into consideration requirements that have been developed for the trade in specimens of other Appendix-II species, and their applicability to specimens of CITES-listed sharks and rays in trade; and legislative issues that might be hindering the implementation of the Convention for sharks and rays (at point of landing, processing, trading and distribution)
4. To develop procedure of Legal Acquisitions Finding for export of specimens of CITES listed sharks and rays, as part of addressing the traceability issue
5. To identify or develop a robust and low-cost systems to support the implementation of traceability systems for international trade
6. To improve the collection of shark fisheries and trade data at the species level, especially with respect to CITES-listed species;
7. To share experiences in:
 - a. The development of NDF under limited or poor data availability
 - b. The determination of legal acquisition for shark and ray products in trade; and
 - c. Knowledge of forensic means to efficiently, reliably and cost effectively identify shark products in trade, traceability implementation

c) The Animal Committee is requested:

1. To collate and analyse scientific research on CITES listed sharks and rays to support NDF development.

2. To analyse non-fin shark products in trade, including the level of species mixing in traded products.
 3. To provide guidance on capacity building material on sharks and rays to support parties in the development of NDF, where requested.
- d) Parties that are members of RFMOs/RFBs are invited to work through the respective mechanisms of these RFMO/RFBs for them:**
1. To update conservation and management measures of shark species such as catch limits or prohibition for heavily fished oceanic sharks considering the species listed on CITES.
 2. To provide data shark catches and landings (to species level where possible) and effort by gear type in accordance with confidential policy of each Organization/Body upon requests by Parties.
 3. To continue the assessment on fishing risk to sharks and rays at regional level.
- e) Parties that are not members of RFMOs/RFBs are invited to provide scientific data to relevant RFMOs/RFBs, such as shark catches and landing (to species level where possible) and effort by gear type.**

During discussion of this agenda item, interventions were made by the representatives of Central and South America and the Caribbean (Peru), Europe (Portugal and Israel) and the Next Host Country (Sri Lanka), by Argentina, Chile, Japan and Senegal, the Convention on the Conservation of Migratory Species of Wild Animals, by the FAO, and by the China Aquatic Products Processing and Marketing Alliance and the Global Guardian Trust.

49. Elephants (Elephantidae spp.)

49.1 Elephant conservation, illegal killing and ivory trade

The Secretariat introduced document SC70 Doc. 49.1.

Parties gave updates on steps taken to improve monitoring and legislation to protect their elephant populations and the status of stockpiles, and both range States and destination countries gave details of recent seizures and urged Parties with seizures to continue to provide samples for DNA analysis. Speakers also noted concerns regarding the emerging threat posed by trade in Asian elephant skins. Committee Members and Parties agreed that the scope of Decisions 17.217 and 17.218 should be expanded to cover trade in Asian elephant parts and derivatives, and not just trade in live specimens. One Party also suggested that range States keep registers of captive Asian elephant populations, and that the Secretariat issue a Notification to identify gaps in the needs of range States implementing Decisions 17.217 and 17.218. A Party also argued that the *AsESG Guidelines for registration of captive Asian elephants* and the *AsESG guidelines for captive Asian elephant management* needed to be updated, and encouraged Asian elephant range States to adopt double marking and registration systems.

Regarding Monitoring the Illegal Killing of Elephants (MIKE) programme and the Proportion of Illegally Killed Elephants (PIKE), speakers highlighted concern that overall PIKE values remained above 0.5. Parties also urged the methodology used for collecting MIKE data to be strengthened; one Party suggested that geo-referencing of encountered carcasses would allow for a more detailed analysis.

NGO observers echoed concerns raised by Parties about the emerging trade in Asian elephant skin and supported the call for a Notification to be issued by the Secretariat to identify gaps in the needs of range states implanting Decision s17.217 and 17.218. Another NGO observer noted concern over current MIKE methodologies and the interpretation of PIKE levels.

The Standing Committee noted the information contained in document SC70 Doc. 49.1 and its annexes.

The Standing Committee reminded Parties to use the *Guidelines for the preparation and submission of CITES annual reports*, published in January 2017, when reporting on trade in hunting trophies of *Loxodonta africana*.

The Standing Committee reminded Parties about the reporting requirements relating to ivory stockpile and ivory seizure information and the timeframes for submission of information as contained in Resolution Conf. 10.10 (Rev. CoP17).

The Standing Committee recognized the contributions that several Parties have made to the African Elephant Fund and the continued need for funding to support the implementation of the African Elephant Action Plan.

The Standing Committee encouraged Parties to provide financial support to TRAFFIC for the implementation of the request by SC69 concerning ETIS.

The Standing Committee noted that the MIKE and ETIS Subgroup intends to meet in the margins of the present meeting, and report back later in the week.

The Standing Committee encouraged Asian elephant range States to consider the *Guidelines for registration of captive Asian elephants of the Asian Elephant Specialist Group (AsESG) and the AsESG guidelines for captive Asian elephant management for their management of captive Asian elephants*.

The Standing Committee encouraged Parties to inform the Secretariat of the status or any changes to the status of the legality of their domestic ivory markets and efforts to implement the provisions of this Resolution, including efforts to close those markets that contribute to poaching or illegal trade, in accordance with paragraph 8 of Resolution Conf. 10.10 (Rev. CoP17).

The Standing Committee requested the Secretariat to assist the Standing Committee in its reporting to CoP18, summarizing the actions decided and determinations made by the Standing Committee regarding the elements of Resolution Conf. 10.10 (Rev. CoP17) addressed by the SC69 and SC70.

The Standing Committee encouraged Parties to provide samples of ivory seizures greater than 500 kilograms to forensic analysis institutions.

The Standing Committee requested the Secretariat to issue a notification asking Parties involved in the trade in live Asian elephants to provide information to the Secretariat on the implementation of Decision 17.217 and to identify gaps that must be addressed by range States, and to include this information in its report to the Conference of the Parties.

The Standing Committee recognized concerns raised regarding the emerging illegal trade in Asian elephant skins and agreed to propose to the Conference of the Parties the renewal of Decisions 17.217 and 17.218 amended as follows:

Directed to Parties

17.217 (Rev. CoP18)

All Parties involved in the trade in ~~live~~ Asian elephants and their parts and derivatives are encouraged to:

- a) undertake, as necessary, investigations into the illegal trade in ~~live~~ Asian elephants and their parts and derivatives, and endeavour to enforce, and where necessary improve, national laws concerning international trade in specimens of Asian elephants with the explicit intention of preventing ~~the illegal trade in live Asian elephants~~;*
- b) develop strategies to manage captive Asian elephant populations;*
- c) ensure that trade in, and cross-border movements of live Asian elephants are conducted in compliance with CITES, including the provisions in Article III, paragraph 3, for Asian elephants of wild origin;*
- d) collaborate in the development and application of a regional system for registering, marking and tracing live Asian elephants, requesting as necessary assistance from experts, specialized agencies or the Secretariat; and*

- e) *at the request of the Secretariat, provide information on the implementation of this Decision for reporting by the Secretariat to the Standing Committee.*

Directed to the Secretariat

17.218 (Rev. CoP18)

The Secretariat shall:

- a) *request a report from all Parties involved in trade in Asian elephants and their parts and derivatives on the implementation of paragraphs a) through d) of Decision 17.217 (Rev. CoP18);*
- b) *upon request and pending the availability of external funding, assist the range States of Asian elephants in their implementation of Decision 17.217; and*
- c) *incorporate information provided by range States in accordance with Decision 17.217 (Rev. CoP18), paragraph e), together with other findings and recommendations concerning trade in ~~live~~ Asian elephants and their parts and derivatives as appropriate, into its regular reporting to the Standing Committee on the implementation of Resolution Conf. 10.10 (Rev. CoP17) on Trade in elephant specimens.*

Later in the meeting, the Chair of the MIKE and ETIS Subgroup (Canada) introduced document SC70 Com.18.

Report of the MIKE and ETIS Subgroup

The Standing Committee noted the report⁴ and agreed the recommendations in paragraphs 2, 9 and 11 of document SC70 Com. 18 as follows:

The Standing Committee adopted the following amendment to section c) of the Terms of Reference of the MIKE and ETIS Subgroup to give effect to the clarification provided at its 61st meeting relating to attendance of the MIKE and ETIS Subgroup meetings.

Modus operandi

- c) *Meetings of the MIKE and ETIS Subgroup are open to members of the ETIS and MIKE Technical Advisory Groups, Party representatives, representatives of the IUCN/SSC African and Asian Elephant Specialist Groups, and any other observers as agreed to by the MIKE and ETIS Subgroup.*

The Standing Committee requested the Secretariat, together with TRAFFIC, to prepare an annex of the comments received from Parties on the ETIS report and circulate it as part of the document to be considered by the Parties at CoP18; and capture in the document whether comments were received and where possible, respond to issues raised by Parties.

The Standing Committee requested TRAFFIC to compile aggregated summaries of the validated ETIS data on an annual basis for presentation on the CITES website. Parties should continue to be involved in the validation of ETIS data.

The Standing Committee invited donors to make funding available to support the monitoring systems (MIKE and ETIS) established in terms of Resolution Conf. 10.10 (Rev. CoP17).

The Standing Committee requested the Secretariat to develop a proposal for consideration by the 73rd meeting of the Standing Committee on possible approaches to be explored to address the financial and operational sustainability of the MIKE and ETIS programmes.

⁴ *The Secretariat notes that the following sentence was part of the oral report of the Chair of the working group: "The Subgroup supported the review by the CITES Secretariat of the MIKE network in collaboration with the MIKE and ETIS Technical Advisory Group and in consultation with the current MIKE sites.", but was not included in in-session document SC70 Com. 18.*

During discussion of this agenda item, interventions were made by the representatives of the Next Host Country (Sri Lanka), by the European Union, India, Kenya, Malaysia, Mozambique, Thailand, the United Republic of Tanzania, the United States of America, Singapore and Zimbabwe, and by the China Wildlife Conservation Association, Elephant Family (speaking also on behalf of Born Free).

49.2 Implementing aspects of Decisions 17.172 to 17.172 on Stocks and stockpiles (elephant ivory)

Ethiopia introduced document SC70 Doc. 49.2, noting that poaching is a continuing crisis, and that while a small proportion of seized ivory is destroyed, most is added to government stockpiles. This presents continuing logistical challenges to governments that must ensure that stockpiles are held securely. Ethiopia asked the Standing Committee to take note of the recent approval of a project to develop “gold-standard” stockpile management system in three Africa elephant range States, and for a clear timetable to be developed for the submission of draft practical guidance for the management of ivory stockpiles. In response, the Secretariat presented a draft decision for the guidance to be reviewed at CoP19.

One Committee Member believed that the document did not adequately address differences in how stockpiles are managed, particularly between range and non-range States. Other Committee Members and Parties noted frustration at the slow rate of progress on this matter, and that there was a tendency to focus on range State stockpiles rather than non-range State stockpiles.

The Standing Committee noted document SC70 Doc. 49.2 and the different initiatives described therein.

The Standing Committee noted that the Secretariat intends to finalise the development and dissemination of practical guidance for the management of ivory stockpiles in time to report to SC71, prior to CoP18, in line with the instruction from the Conference of the Parties in paragraphs a) and b) of Decision 17.171.

The Standing Committee agreed to propose to the Conference of the Parties at its 18th meeting the replacement of Decision 17.172 by the following draft Decision:

Directed to the Standing Committee

18.AA The Standing Committee shall review the practical guidance for the management of ivory stockpiles, including their disposal, prepared by the Secretariat and make recommendations as appropriate for consideration at the 19th meeting of the Conference of the Parties.

During discussion of this agenda item, interventions were made by the representatives of Asia (China), Europe (Israel) and the Previous Host Country (South Africa), and by the European Union, India, Kenya, Uganda, and the United States of America.

49.3 Terms of reference for a review of the ETIS programme: Report of the Secretariat to the MIKE-ETIS Subgroup

The Secretariat introduced document SC70 Doc. 49.3, noting that external funding will be needed to carry out the review, which, if funding is secured, will be considered at SC73. The Secretariat considered that a group of independent experts with oversight to be provided by the MIKE and ETIS Subgroup (including a nominated member of the MIKE-ETIS Technical Advisory Group) would be the most appropriate way to carry out the review.

Parties noted that several Parties considered the current ETIS report to have shortcomings in its methodology, and noted the importance of consulting with Parties to ensure data used in the review are verified and from reliable sources. One Party expressed concern that some Parties may fail to report fully on ETIS because its outputs are used in assessments of NIAP implementation. One Party emphasized the value of ETIS to Parties in their efforts to stem illegal ivory trade and protect elephants.

TRAFFIC welcomed the review of the ETIS programme and was looking forward to working with the MIKE-ETIS Subgroup.

The Standing Committee agreed to refer the draft terms of reference for the review of the ETIS programme, as presented in Annex 1 to document SC70 Doc. 49.3, and the assessment of options for carrying out the review of the ETIS programme, presented in Annex 2 to document SC70 Doc. 49.3, to the MIKE-ETIS Subgroup for consideration; and requested the MIKE-ETIS Subgroup to take account

of the remarks by the Secretariat in paragraph 8 of the document SC70 Doc. 49.3 and the comments made during the plenary session, and report its findings and recommendations to the Committee, for consideration later at the meeting.

Later in the meeting, Canada introduced document SC70 Com. 15. One Party emphasized its support of the ETIS process, noting it was an essential tool that provides useful information on the illegal ivory trade and the NIAPs process.

The Standing Committee agreed the recommendations in document SC70 Com. 15 as follows:

The Standing Committee adopted the Terms of Reference for a review of the ETIS programme in the Annex to document SC70 Com. 15.

The Standing Committee requested the Secretariat to:

- i) subject to external funding, appoint a group of independent experts to carry out the review of the ETIS programme under the oversight of the MIKE and ETIS Subgroup and a nominated member of the MIKE and ETIS Technical Advisory Group; and
- ii) issue a Notification to Parties requesting Parties to submit written observations on the ETIS methodology to be considered in the review process to the Secretariat by 28 February 2019; and to provide financial support for the review of the ETIS programme.

The Standing Committee further requested the Secretariat to prepare a document on this matter for consideration at CoP18, which could include draft decisions on the conduct and delivery of the review, depending on advancements made.

During discussion of this agenda item, interventions were made by the representatives of Asia (China) and Europe (Israel), by the European Union, Kenya and the United States of America, and by TRAFFIC.

50. Hawksbill turtle (*Eretmochelys imbricata*) and other marine turtles (Cheloniidae and Dermochelyidae): Report of the Secretariat

The Secretariat introduced document SC70 Doc. 50, thanking Australia, the European Union, and the United States of America for providing funding for this work. The Secretariat noted that, due to administrative challenges, the study on the *Status, scope and trends of the legal and illegal international trade in marine turtles, its conservation impacts, management options and mitigation priorities* presented in Annex 2 had not been finalised. It additionally noted that some of the recommendations contained in the study fall outside of the remit of CITES intentionally as they are meant to inform discussions broader than CITES, in particular in the context of the collaboration with CMS and the Inter-American Convention for the Protection and Conservation of Sea Turtles (IAC).

Speaking as Chair of the Standing Committee's intersessional working group on marine turtles, the United States of America stated that it would be premature to review the preliminary study at the current meeting. One Party gave an update of the steps it had taken to protect marine turtles. Parties noted that conclusions and recommendations could not be drawn from the preliminary study on marine turtles.

An NGO observer argued that some conclusions could be drawn from the study in its current form in order to not lose time, and encouraged the Standing Committee to make some preliminary recommendations.

The Standing Committee agreed to propose to the Conference of the Parties at its 18th meeting the extension of Decisions 17.222 and 17.223.

During discussion of this agenda item, interventions were made by India, the United States of America and by the World Wildlife Fund.

51. Asian big cats (Felidae spp.): Report of the Secretariat

The Secretariat introduced document SC70 Doc. 51.

Committee Members and Parties provided updates on the steps being taken to combat illegal trade in Asian big cats, and stressed the importance of transboundary cooperation. Several speakers noted concerns

regarding the quality of data used and the balance achieved in the reports in Annex 2 and Annex 4 of the document [Review of facilities keeping Asian big cats (*Felidae* spp.) in captivity and Implementation of CITES Decision 17.228: Review of implementation of Resolution Conf. 12.5 (Rev. CoP17) on *Conservation of and trade in tigers and other Appendix-I Asian big cats*]. However, other speakers agreed with the document's recommendations and noted concerns regarding a growing illegal trade in Asian big cats and the laundering of specimens through captive breeding facilities.

One Party suggested the Standing Committee adopt time-bound, country- specific recommendations if sufficient progress on this issue is not made, and encouraged Parties to amend their laws to give non-native big cats the same level of protection as native big cats. A Party also encouraged the Standing Committee to put forward draft decisions for CoP18 addressing organised poaching of big cats, non-trade related killing and subsequent sale of parts, the role of captive facilities in supplying illegal markets, the increasing presence of other big cat species in illegal trade, internet and social media, and known illegal trade routes. Several Committee Members and Parties also noted that growing demand from Asia for big cat specimens had led to growth in the illegal trade of South American big cat species such as *Panthera onca*.

NGO observers also agreed with the need for time-bound country specific actions, and expressed disappointment at the lack of concrete recommendations. NGO observers also noted concern regarding the threshold of captive tigers that was determined to be the level supportive only to conserving wild tigers.

Concerning the implementation of Decisions 17.226 and 17.229 with respect to Asian big cats in captivity, the Standing Committee noted the progress reported in paragraphs 5 to 13 of document SC70 Doc. 51 and requested the Secretariat to take into consideration the concerns expressed during the plenary session in its implementation of Decision 17.229.

The Standing Committee encouraged Parties in whose territory there are facilities keeping Asian big cats in captivity, to be vigilant in their implementation of Decision 17.226, paragraphs a) and b); and

The Standing Committee encouraged Parties affected by illegal trade in Asian big cats, in particular consumer States, to consider illegal trade in Asian big cats in their implementation of Resolution Conf. 17.4 on *Demand reduction strategies to combat illegal trade in CITES-listed species*.

The Standing Committee established an in-session working group on Asian big cats with the mandate to consider Annex 4 of document SC70 Doc. 51 and draft overarching decisions for consideration by the Conference of the Parties.

The membership of the working group was agreed as follows: European Union (Chair), China, Czech Republic, Germany, India, Malaysia, Russian Federation, Thailand, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America and Viet Nam; and Association of Zoos and Aquariums, China Wildlife Conservation Association, Environmental Investigation Agency (UK), International Fund for Animal Welfare, Sand Diego Zoo Global, Wildlife Protection Society of India and World Wildlife Fund.

Later in the meeting, the European Union introduced document SC70 Com. 7.

The Standing Committee agreed the recommendations in document SC70 Com. 7 as follows:

The Standing Committee noted the report in Annex 4 of document SC70 Doc. 51, and:

- i) invited Parties that did not yet provide input to the report, to provide such input to the Secretariat;
- ii) invited Parties to point out any inaccuracies in the report for correction by the Secretariat;
- iii) invited Parties to submit any new relevant information to the Secretariat;
- iv) requested all Parties to provide the information requested in a) i) to iii) above to the Secretariat by 16 November 2018; and
- v) requested the Secretariat, to present the updated and revised report to CoP18, and on the basis of the report and any additional information, to prepare draft decisions for consideration by CoP18.

The Standing Committee encouraged all Parties, in particular Parties affected by illegal trade in Asian big cat specimens, to draw upon the best practices and challenges contained in the review on the

implementation of Resolution Conf. 12.5 (Rev. CoP17), presented in Annex 4 to document SC70 Doc. 51, and any future updated and revised iteration of the report, to:

- i) inform their decision-making when they develop appropriate law enforcement responses to address illegal trade in Asian big cat specimens, in particular taking note of the information concerning crime trends and illegal trade routes in the review; and
- ii) take note of the best practices highlighted in the review and consider how these may be applied to their own circumstances to further strengthen measures and activities implemented to address illegal trade in Asian big cats;

The Standing Committee requested Parties to take note of the concerns regarding illegal trade in leopard parts and derivatives as outlined in Annex 4 to document SC70 Doc. 51, as well as any future updated and revised iteration of the report, and any additional information, and to take this into account when developing work programmes and undertaking law enforcement operations.

During discussion of this agenda item, interventions were made by the representatives of Asia (China), Central and South America and the Caribbean (Peru) and Europe (Hungary and Russian Federation), by Brazil, India, Japan, Malaysia, Thailand, the United States of America, Viet Nam and by the Association of Zoos and Aquariums (speaking also on behalf of the World Association of Zoos and Aquariums, the European Association of Zoos and Aquaria, the Wildlife Conservation Society, the Zoological Society of London and San Diego Zoo Global), Species 360, and the Wildlife Protection Society of India (speaking also on behalf of the Animal Welfare Institute, Annamiticus, Born Free, the David Shepherd Foundation, Defenders of Wildlife, the European Association of Zoos and Aquaria, the Environmental Investigation Agency, Species Survival Network, the Wildlife Conservation Society and World Wildlife Fund).

52. Great apes (Hominidae spp.): Report of the Secretariat

The Secretariat introduced document SC70 Doc. 52, outlining the ongoing work with the UN Great Apes Survival Partnership (GRASP), which gave a summary of the Great Apes Status Report in the Annex. GRASP noted that all species of great ape face significant threats, including habitat loss, degradation and fragmentation, poaching, disease and illegal trade. It noted the importance of understanding local contexts, and that illegal trade in live animals was often a by-product of the impacts of other threats. GRASP hoped that the new illegal trade reporting mechanism will help to address known information gaps regarding cross-border bushmeat trade.

Committee Members and Parties highlighted the importance of cross-border collaboration to stem illegal trade, and of considering how to use all available levers from Multilateral Environmental Agreements to address the full suite of threats faced by great apes.

NGO observers endorsed the recommendations contained in the document. Some suggested an urgent review of Resolution Conf. 13.4 (Rev CoP16) was required, to restrict movement of great apes to that which was required strictly for *in situ* conservation efforts. Observers also recommended that Parties strengthen law enforcement efforts, halt development projects that threaten great ape habitat, and encouraged Parties to also consider threats to small apes (Hylobatidae).

The Standing Committee requested the Secretariat, in consultation with the Chair of the Standing Committee, the Great Apes Survival Partnership (GRASP) and the International Union for Conservation of Nature (IUCN), to review the current provisions in Resolution Conf. 13.4 (Rev. CoP16) on *Conservation of and trade in great apes*, and, taking account of recommendations emanating from the report in the Annex to document SC70 Doc. 52 and from the Standing Committee's intersessional working group on great apes, propose as appropriate, amendments to the Resolution for consideration at the 18th meeting of the Conference of the Parties; and agreed that Decisions 17.232 and 17.233 have been fully implemented.

During discussion of this agenda item, interventions were made by the representatives of Africa (Niger) and Europe (Hungary), by Malaysia and Senegal, by the Great Apes Survival Partnership (GRASP), and by Born Free (speaking also on behalf of the Animal Welfare Institute, the Environmental Investigation Agency, Eurogroup for Animals, the European Alliance for Rescue Centres and Sanctuaries, Humane Society International, Pro Wildlife and Species Survival Network) and the Wildlife Conservation Society (speaking also on behalf of World Wildlife Fund and the Zoological Society of London).

53. Rosewood timber species [Leguminosae (Fabaceae)]: Report of the Plants Committee

The Chair of the Plants Committee introduced document SC70 Doc. 53.

The United States of America noted they supported efforts to evaluate biological and trade status of rosewood species in trade, and suggested an amendment to the draft decisions included in paragraph 7 of the document that would direct the Standing Committee to identify implementation and enforcement issues in the international rosewood trade.

The Standing Committee requested the Plants Committee to submit to the Conference of the Parties at its 18th meeting the draft decisions in paragraph 7 of document SC70 Doc. 53 with the additional draft decision below:

Directed to the Standing Committee

18.DD The Standing Committee shall consider any report prepared in response to Decision 18.AA and identify any implementation and enforcement issues associated with the international trade in rosewood species, particularly those already listed in the Appendices, and develop recommendations for more effective implementation of the Convention for rosewood species. Considerations should include recommended revisions to annotations, identification of terms in annotations that require further clarification, identification of challenges to effective implementation, etc.

During discussion of this agenda item, an intervention was made by the United States of America.

54. African lion (*Panthera leo*)

54.1 Report of the Secretariat and of the Animals Committee

and

54.2 Report of the working group

The Chair of the Animals Committee introduced document SC70 Doc. 54.1, and Niger, as chair of the intersessional working group on the African lion, introduced document SC70 Doc 54.2. Niger highlighted that the African lion continued to experience decline, and that without concerted action current trends would continue. It also expressed concern that legal trade in lion from captive facilities could increase demand for lion products, and lead to illegal laundering of lion products through these channels. Increasing demand for body parts in Asia was noted to be an emerging trend, which may also impact other wild lion populations and other species of big cat. Niger noted that there were no provisions in existing Resolutions that provided guidance on the implications of listing African lion in Appendix II, and supported the creation of a specific Resolution on lions for submission to CoP18 by a consortium of lion range States as well as the creation of a fund to resource the work of the CITES Task Force on African lions envisaged in Decision 17.243. Niger called for Parties to put forward contributions and suggestions on this matter.

Parties who spoke echoed concerns voiced by Niger about emerging Asian markets for lion products (particularly lion bone) and the potential for legal exports of captive bred lions to stimulate demand in lion products. Some Parties noted the benefits of legal trade in lions, noting that moratoria on trophy hunting could have consequences that were detrimental to the species conservation status.

An NGO observer agreed that hunting operations can support anti-poaching efforts, and that these may be put at risk if new moratoria or changes to legislation are introduced.

The Standing Committee noted that Decision 17.243 has not yet been implemented and recommended that it be further discussed at the second African lion range States meeting in November 2018, taking into account the information and draft recommendations in documents SC70 Doc. 54.1 and 54.2.

The Standing Committee encouraged African lion range States to provide further inputs and comments to Niger as Chair of the intersessional working group on lions on the draft recommendations contained in document SC70 Doc. 54.2 prior to the second African lion range States meeting.

The Standing Committee requested the Secretariat to work with the Chairs of the Animals and Standing Committees in preparing and submitting a report on the implementation of Decisions 17.241 to 17.245 on African lion to the 18th meeting of the Conference of the Parties.

During discussion of this agenda item, interventions were made by the representatives of the Previous Host Country (South Africa), by Senegal, the United States of America and the United Republic of Tanzania, and by Conservation Force.

55. Quotas for leopard hunting trophies (*Panthera pardus*): Report of the Animals Committee

The Chair of the Animals Committee introduced document SC70 Doc. 34, noting submissions made by Parties to AC30 that have quotas for leopard hunting trophies established under Resolution Conf. 10.14 (Rev. CoP16) on *Quotas for leopard hunting trophies and skins for personal use*, and that information submitted late by the Central African Republic and Ethiopia had not been analysed by the Animals Committee. The Chair noted that the upcoming First Range States Meeting of the Joint CMS-CITES African Carnivores Initiative (ACI) will provide opportunities for range States to share experiences of undertaking non-detriment findings for leopards, and make recommendations for CoP18 addressing how the process can be improved.

Committee Members noted that, unlike Appendix II species (which are subject to the Review of Significant Trade), there was no similar process for Appendix I species with quotas established under Resolutions. Committee Members and Parties considered the Animals Committee's review to have been a useful exercise, and supported the establishment of a formal mechanism to undertake similar reviews in future. Speakers however also noted that a formal review process would place additional financial and administrative burden on range States, and suggested that these factors be taken into account when deciding on the form the mechanism should take and the assistance that will be available to Parties to undertake it. A number of range State Parties provided updates on their current quotas as well as legislation in place to regulate hunting.

CMS noted that one of the expected outcomes from the forthcoming First Range States Meeting of the Joint CMS-CITES ACI in Bonn was a draft resolution to consolidate all the Decision and Resolutions that currently make up the ACI to be proposed at CITES CoP18. IUCN drew attention to the information contained in information document SC70 Inf. 25, highlighting its recommendation that non-detriment findings be conducted according to agreed standards to allow for comparison, and its willingness to provide assistance to range States.

NGO observers expressed differing views on the need for a new review process for Appendix I species with quotas established under Resolutions. Observer NGOs also highlighted the need for independent scientific analysis of quotas, and for quotas to be based on robust data.

The Standing Committee agreed to propose to the Conference of the Parties draft amendments to Resolution Conf. 10.14 (Rev. CoP16) so as to remove quotas for Kenya and Malawi from this resolution.

The Standing Committee noted the evaluation of the Animals Committee concerning the quotas for Mozambique, Namibia, South Africa, the United Republic of Tanzania, Zambia, Uganda and Zimbabwe in this Resolution.

The Standing Committee agreed to propose to the Conference of the Parties the renewal of Decisions 17.114 to 17.117 for Botswana, the Central African Republic and Ethiopia, allowing the Animals Committee to evaluate the information and make appropriate recommendations after the 18th meeting of the Conference of the Parties.

The Standing Committee invited the Secretariat to propose to the Conference of the Parties draft amendments to Resolution Conf. 9.21 (Rev. CoP13) concerning approaches to review quotas for Appendix-I species, taking into consideration the recommendations of the Animals Committee in paragraph 5 f) of document SC70 Doc. 55 and opportunities to provide assistance to range States.

During discussion of this agenda item, interventions were made by the representatives of Africa (Ethiopia), Europe (Hungary and Israel) and the Previous Host Country (South Africa); by Botswana, Chad, Kenya, Malawi, Tanzania, the United States of America, by the Chair of the Animals Committee, by IUCN and CMS, and by the Center for Biological Diversity (speaking also on behalf of Born Free, the Environmental Investigation Agency UK, Humane Society International, ProWildlife, and Species Survival Network), Safari Club International (speaking also on behalf of the International Council for Game and Wildlife Conservation, the European Federation of Associations for Hunting and Conservation, Conservation Force, and IWMC – World Conservation Trust) and the Wildlife Conservation Society (speaking also on behalf of World Wildlife Fund and the Zoological Society of London).

56. Rhinoceroses (Rhinocerotidae spp.): Report of the working group

The United Kingdom, as Chair of the Standing Committee's intersessional working group on rhinoceroses, introduced document SC70 Doc. 56, noting that the document outlined specific actions for the four Parties identified as countries for priority attention, and the two Parties identified for consideration as Parties for priority attention.

Some of the Parties who spoke suggested that Mozambique, South Africa, Viet Nam and Zimbabwe should continue to be considered as countries for priority attention, and that China and Namibia should provide report addressing areas highlighted in the document as needing further attention. One Party considered that the information contained within Viet Nam's NIRAP did not contain enough detail for an assessment of progress to be made, and suggested that Viet Nam should be asked to provide a comprehensive report of actions taken to address recommendations. It also suggested that the recommendations in paragraphs 93 to 96 in document SC70 Doc. 56 should be transformed into draft decisions for CoP18, and expressed concern regarding the low number of countries that provided information on their rhino horn stockpiles.

India, Viet Nam and Zimbabwe gave oral updates on their progress on implementing Resolution Conf. 9.14 (Rev. CoP17); Viet Nam emphasized that it will provide a report to the 71st meeting of the Standing Committee, as requested in a recommendation agreed at the 69th meeting of the Committee. China did not agree with the recommendations outlined for it, and stated that it is not a country for priority attention, noting that it voluntarily provided a report on measures taken to tackle illegal trade in rhino products.

NGO observers commented about the paucity of responses provided by Parties, and noted that enforcement continues to be inadequate. Observers also suggested that China and Namibia should become countries for priority attention, and that Parties should be required to report against specific, time bound measures, which should be measured by tangible outcomes, such as the number of arrests.

The Standing Committee established an in-session working group on rhinoceroses with the mandate to review the recommendations in paragraph 92 of document SC70 Doc. 56 and make any necessary modifications and to indicate whether paragraphs 93 through 96 of document SC70 Doc. 56 should be submitted to the Conference of the Parties as draft decisions, after having ensured that these draft decisions are not duplicating provisions of Resolution Conf. 9.14 (Rev. CoP17) on *Conservation of and trade in African and Asian rhinoceroses*.

The membership of the working group was agreed as follows: United Kingdom of Great Britain and Northern Ireland (Chair), China, Kenya, Malaysia, Mozambique, Namibia, South Africa, United States of America, Viet Nam and Zimbabwe; the International Union for Conservation of Nature; and Born Free Foundation, Conservation Force, Humane Society International, TRAFFIC, Wildlife Conservation Society, World Wildlife Fund and Zoological Society of London.

Later in the meeting, the United Kingdom introduced document SC70 Com. 10. Committee Members and Parties agreed with the amended recommendations in this document.

The Standing Committee agreed the recommendations in document SC70 Com. 10 as follows:

- a) The Standing Committee requested the Secretariat in its formulation of draft decisions for consideration at the 18th meeting of the Conference of the Parties in accordance with paragraph 9 c) of Resolution Conf. 9.14 (Rev. CoP17), to take into consideration the summary of the working group on *Rhinoceros* as presented in document SC70 Doc. 56.
- b) The Standing Committee encouraged Parties concerned to submit additional information, if any, on the matters outlined in the summary of the working group on *Rhinoceros* in document SC70 Doc. 56 to the Secretariat by 30 November 2018 so that such information can be included in the report from the Secretariat to the Conference of the Parties as appropriate.
- c) The Standing Committee urged Parties to:
 - i) pursue strengthening their implementation of the provisions of paragraph 1 e), f) and g) of Resolution Conf. 9.14 (Rev. CoP17), and to actively pursue use of the *Form for collection and sharing of data on rhinoceros horn seizures and on samples for forensic analysis* provided in the Annex to Resolution Conf. 9.14 (Rev. CoP17); and

- ii) bring to the attention of the Secretariat any difficulties that may be experienced in sharing information and/or samples or in the use of the form, to facilitate consideration of any changes that may be needed to further enhance the gathering and sharing of these.
- d) The Standing Committee agreed to propose to the Conference of the Parties at its 18th meeting the following draft decision:

Directed to the Secretariat

18.AA The Secretariat shall, in consultation with interested Parties and the IUCN/SSC African and Asian Rhino Specialist Groups and TRAFFIC, explore options to reflect on challenges and best practices to assist in addressing rhinoceros poaching and rhinoceros horn trafficking in the Group's report prepared for the Conference of the Parties in accordance with paragraph 7 of Resolution Conf. 9.14 (Rev. CoP17) and prepare recommendations for consideration by the Standing Committee.

Directed to the Standing Committee

18.BB The Standing Committee shall review the recommendations of the Secretariat reported under Decision 18.AA, and prepare proposals for consideration of the 19th meeting of the Conference of the Parties.

The Standing Committee further agreed the following recommendations in paragraphs 93 through 96 of document SC70 Doc. 56:

Directed to Parties:

- a) Parties are encouraged to make every effort to effectively implement Resolution Conf. 9.14 (Rev. CoP17) in particular to implement national strategies and proposed actions effectively to increase the effectiveness of the law-enforcement response to rhinoceros poaching and rhinoceros horn trafficking.
- b) Parties are encouraged to report any seizures of rhinoceros horn and related information in their annual illegal trade reports mandated under Resolution Conf. 11.17 (rev CoP17).
- c) Parties are encouraged to work with enforcers, prosecutors and judiciaries in their own countries to raise awareness of the impacts of illegal wildlife trade and the effects this can have on ecosystems and livelihoods so that penalties for offences are issued at a level which reflects the severity of the crime.

Directed to Parties identified as or recommended to be included as Countries for Priority Attention in CoP17 Doc.68 Annex 5, '*African and Asian Rhinoceroses – Status, Conservation and Trade*':

- a) Parties are encouraged to prioritize investigations into the transnational criminal syndicates driving the illegal rhinoceros horn trade over seizures and arrests of low-level criminals.
- b) Parties are encouraged to continue to collaborate and share information that could aid in successful prosecutions, including providing samples of seized rhinoceros horn to source countries for forensic analysis where applicable.

Directed to rhinoceros range states:

- Parties which are rhinoceros range states are encouraged to continuously review poaching and trafficking trends, to ensure that the measures they implement to prevent and combat rhinoceros poaching and rhinoceros horn trafficking remain effective and responsive to any newly identified trends. Records should be kept so that they can be used to inform progress against implementation of the Resolution (Decision 17.134 refers).

Directed to Parties where illegal markets for rhino horn exist:

- Parties in which illegal markets for rhinoceros horn exist are encouraged to develop demand reduction programmes targeted at key identified audiences, taking into consideration the provisions

within Resolution. Conf. 17.4, and taking advantage of the experience and expertise developed in other jurisdictions and by other organisations.

During discussion of this agenda item, interventions were made by the representatives of Asia (China) and Europe (Portugal), by India, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Viet Nam and Zimbabwe, and by Born Free (speaking also on behalf of the Animal Welfare Institute, Annamiticus, the Center for Biological Diversity, David Shepherd Wildlife Foundation, the Environmental Investigation Agency, European Alliance for Rescue Centres and Sanctuaries, Humane Society International, Natural Resources Defense Council, Pro Wildlife, Species Survival Network and the Wildlife Protection Society of India), and World Wildlife Fund (speaking also on behalf on TRAFFIC, the Wildlife Conservation Society and the Zoological Society of London).

57. Illegal trade in the helmeted hornbill (*Rhinoplax vigil*): Report of the Secretariat

The Secretariat introduced document SC70 Doc. 57, noting that the Action Plan for the conservation of the helmeted hornbill had been finalised by Malaysia and was presented in the Annex. The Secretariat noted the need for range States to continue concerted efforts to prevent illegal trade in this species.

Committee Members and Parties that are range States gave updates on actions underway to support the conservation of helmeted hornbill, but also noted the need for further urgent action in both range States and consumer Parties.

NGO observers highlighted the need for urgent action, and noted with concern the lack of data regarding consumer Parties.

The Standing Committee agreed to submit to the Conference of the Parties the draft decisions in paragraph 8 of document SC70 Doc. 57.

During discussion of this agenda item, interventions were made by Malaysia and Indonesia, and by the Association of Zoos and Aquariums (speaking also on behalf of BirdLife International, the European Association of Zoos and Aquaria, the Environmental Investigation Agency, the Helmeted Hornbill Working Group, Humane Society International, IUCN, San Diego Zoo Global, Species Survival Network, TRAFFIC, the World Association of Zoos and Aquariums and World Wildlife Fund).

58. Saiga antelope (*Saiga* spp.): Report of the Secretariat

The Secretariat introduced document SC70 Doc. 58, noting that legal trade in saiga parts and derivatives appears to be limited or declining, and the overlap between the CITES Decisions relating to saiga and measures outlined in the Medium-Term International Work Programme for the Saiga Antelope (2016-2020).

Committee Members and Parties noted that cooperation between CITES and CMS was a good example of joint action on conservation for saiga antelope, but raised concerns regarding how to effectively manage existing stockpiles of saiga parts and derivatives. Some Parties suggested that a call for Parties to report on stockpile management should be included in the document's draft decisions for consideration at CoP18, whereas a Committee Member argued that the management of saiga part and derivative stockpiles was a domestic management issue. Committee Members emphasized that several range States required assistance to ensure effective stockpile management and monitoring, and robust population estimates.

The Standing Committee noted the successful collaboration between CITES and the Convention on Migratory Species (CMS) on saiga antelope.

The Standing Committee agreed to submit to the Conference of the Parties the draft decisions in Annex 1 to document SC70 Doc. 58 and requested the Secretariat to work with the Chair of the Standing Committee to include another draft decision to address concerns with stockpile management and monitoring in a way similar to Decision 17.271.

The Standing Committee requested the Secretariat to work with Parties to ensure that the Medium-Term International Work Programme for the Saiga Antelope (MTIWP) 2021-2025 reflect CITES priorities and concerns, namely improved collaboration among saiga range States to implement CITES by further harmonizing their legislation regarding offenses involving illegal trade in saiga parts and derivatives, and strengthening cross-border enforcement teamwork, especially in the context of regional trade and customs cooperation.

During discussion of this agenda item, interventions were made by the representatives of Asia (China) and Europe (Russian Federation), and by Belarus and the United States of America.

59. Snakes (Serpentes spp.): Report of the Secretariat and of the Animals Committee

The Chair of the Animals Committee introduced document SC70 Doc. 59, noting that the United Nations Environment Programme-World Conservation Monitoring Centre (UNEP-WCMC), had been requested to pay particular attention to trade in *Boa constrictor imperator* from Honduras, *Python regius* from Benin, and *Calabaria reinhardtii* from Benin, Ghana and Togo when performing, after the next Conference of the Parties, its initial analysis of trade data in the context of the Review of Significant Trade in specimens of Appendix-II species, and the review of trade in animal specimens reported as produced in captivity.

The Standing Committee noted the conclusions of the Animals Committee in document SC70 Doc. 59 in fulfilment of Decision of 17.280.

During discussion of this agenda item, an intervention was made by the representatives of Europe (Portugal).

60. Queen conch: Report of the Secretariat

The Secretariat introduced document SC70 Doc. 60, highlighting that the implementation of the work under Decisions 17.286 and 17.289 had not been completed due to a lack of funding, but that the Food and Agriculture Organization (FAO) had recently secured funding for organizing the 3rd meeting of the Working Group on Queen Conch (QCWG) in Panama in November 2018. .

The Standing Committee noted document SC70 Doc. 60 and welcomed the 3rd meeting of the joint CFMC/OSPESCA/WECAFC/CRFM Working Group on Queen Conch.

The Standing Committee noted that the Secretariat intends to propose to the Conference of the Parties the renewal of Decisions 17.286 and 17.289.

There were no interventions.

61. Tortoises and freshwater turtles (Testudines spp.): Report of the Secretariat

The Secretariat introduced document SC70 Doc. 61, noting that the response rate to Notification to the Parties No. 2018/030, inviting Parties to submit information on the range of activities and measures they are implementing to address illegal trade in tortoises and freshwater turtles, was low. The Secretariat highlighted the proposed revisions to Resolution Conf. 11.9 (Rev. CoP13), as well as the guidance on how to photograph specimens developed in conjunction with the IUCN/SSC Tortoise and Freshwater Turtle Specialist Group. The Secretariat particularly thanked the IUCN/SSC Tortoise and Freshwater Turtle Specialist Group for developing this guidance, and for undertaking other work mentioned in document SC70 Doc. 61, on a *pro bono* basis.

A Committee member noted that, though it generally agreed with the Secretariat's recommendations, domestic governance issues are not within the scope of CITES. As such it suggested an amendment to paragraph 1 b) of the suggested revised Resolution Conf. 11.9 (Rev. CoP13), presented in Annex 5 to document SC70 Doc. 61.

An NGO observer noted that, as a member of the IUCN/SSC Tortoise and Freshwater Turtle Specialist Group, they had observed increases in levels of trafficking in these taxa for the pet trade. There was also growing evidence of the involvement of organised criminal networks, particularly in the trade of tortoises and freshwater turtle species listed in Appendix I.

The Standing Committee noted the reports received from China, Thailand and the United States of America, thanking these Parties for the reports submitted; further noted the low response rate from Parties; and requested other Parties, in particular those affected by illegal trade in tortoises and freshwater turtles, to provide reports for consideration by the Committee at its 71st meeting.

The Standing Committee agreed to submit proposed amendments to Resolution Conf. 11.9 (Rev. CoP13) on *Conservation of and trade in tortoises and freshwater turtles*, presented in Annex 5 to document SC70 Doc. 61, to the 18th meeting of the Conference of the Parties for consideration with paragraph 1 b) amended as follows:

b) range States of tortoises and freshwater turtles to consider developing management strategies concerning CITES-listed tortoises and freshwater turtles, including regional action plans for the conservation of tortoises and freshwater turtles, in collaboration with the Secretariat, industry representatives, interested governmental and non-governmental organizations and other stakeholders as appropriate:

The Standing Committee encouraged Parties and observers to provide feedback to the Tortoise and Freshwater Turtles Specialist Group of the Species Survival Commission of the International Union for Conservation of Nature on the draft guidance on how to photograph tortoise and freshwater turtle specimens for identification purposes, as presented in Annex 6 to document SC70 Doc. 61, for such feedback to be considered in the finalization of the guidance.

During discussion of this agenda item, interventions were made by the representatives of North America (Canada), by Singapore, and by the Wildlife Conservation Society.

62. Totoaba (*Totoaba macdonaldi*)

62.1 Report of the Secretariat

and

62.2 Report of Mexico

The Secretariat introduced document SC70 Doc. 62.1, noting that funding had recently been provided by Switzerland to enable the study on the current status of totoaba and vaquita, and ongoing conservation efforts called for in Decision 17.149. However, the Secretariat noted that current resources would not allow the full scope of the study to be addressed, particularly the sections relating to knowledge gaps in illegal trade. It therefore encouraged donors to make more funding available so that the full study can be undertaken. Outputs of the UNESCO-IUCN reactive monitoring mission to islands and protected areas of the Gulf of California were also noted to be available in SC70 Inf. Doc 6. Furthermore, the Secretariat invited the Standing Committee to provide comments on the outline of the study for the implementation of Decision 17.149, as included in Annex 2 of the document.

Mexico then introduced document SC70 Doc. 62.2 (Rev. 1), noting that in the last year it has acted in accordance with Decisions 17.145 to 17.151, and inviting the Secretariat, Parties and observers to take up its invitation for a high-level mission. It also noted that three captive breeding facilities for totoaba have released thousands of individuals into the wild, that the wildlife refuge for the vaquita had been extended beyond their range, and that official marking specifications for totoaba specimens, parts and derivatives were published in August 2017.

Committee Members generally agreed with the recommendations outlined in SC70 Doc 62.1, but noted it could be useful for the scope of the study on vaquita and totoaba to be extended to consider the impacts of legal trade in totoaba. Some Committee Members noted concerns regarding the impact of totoaba captive breeding programs, believing that they undermined efforts for demand reduction.

NGO observers noted the importance of directing actions towards reducing demand, and called upon Parties to substantially increase efforts to tackle illegal trade. They also noted their awareness of the extreme challenge faced by Mexico in tackling criminal syndicates associated with totoaba trade, and commended the actions taken so far.

The Standing Committee encouraged donors to make co-funding available to the Secretariat for undertaking the study called for in Decision 17.149.

The Standing Committee agreed that the Secretariat shall include in Section 5 of the outline for a study on vaquita and totoaba in Annex 2 of document SC70 Doc. 62.1 an analysis of the potential impact of legal trade in totoaba on the conservation of the vaquita and totoaba.

The Standing Committee requested the Secretariat to issue a Notification to the Parties asking range, transit and consumer States of totoaba to provide information on the implementation of Decisions 17.146 to 17.148 and any other relevant information.

The Standing Committee noted the invitation extended by Mexico to the Secretariat at its 69th meeting and urged the Secretariat to undertake such a high level mission in early 2019 and to report orally on this mission at the 18th meeting of the Conference of the Parties.

The Standing Committee requested the Secretariat to prepare a report to the Conference of the Parties on the implementation of Decisions 17.145 to 17.151, taking into account the information received from Parties in response to the Notification mentioned above, and propose amendments to Decisions 17.145 to 17.151, as appropriate to extend these Decisions.

During discussion of this agenda item, interventions were made by the representatives of Asia (China) and Europe (Israel and Portugal), by the United States of America, and by the Animal Welfare Institute (speaking also on behalf of the Center for Biological Diversity, the Environmental Investigation Agency, and the Natural Resources Defense Council) and Species Survival Network.

63. Possible amendments to Resolution Conf. 10.13 (Rev. CoP15) on *Implementation of the Convention for timber species*: Recommendations of Plants Committee

The Chair of the Plants Committee introduced document SC70 Doc. 63, noting that the Plants Committee will be further investigating permitting the use of Annual Allowable Cuts instead of the year of harvest.

Committee Members expressed diverging views on whether to accept the document's proposed amendments to Resolution Conf. 10.13 (Rev. CoP15). Some Committee Members and Parties disagreed with the recommendation that any Party that intends to present an amendment proposal for a tree species should consult with at least four different organizations listed in the table in Annex 1. Committee Members and Parties noted that the organisations listed may not always have the correct expertise in particular tree species, or be the most appropriate organizations to consult. Other Parties noted that some elements of the resolution would benefit from further clarification.

The Standing Committee agreed to propose to the Conference of the Parties the amendments to Resolution Conf. 10.13 (Rev. CoP15) in Annex 1 of document SC70 Doc. 63, noting the concerns about the formulation of the consultation requirements in paragraphs 1 a) and b) of the Resolution expressed by Honduras, Peru and Chile and further noting that other elements of the Resolution might need further clarification.

During discussion of this agenda item, interventions were made by the representatives of Asia (Kuwait) and Central and South America and the Caribbean (Honduras and Peru), by Cameroon, Chile and the United States of America, and by the Chair of the Plants Committee.

64. Appendix III listings: Report of the working group

New Zealand, as Chair of the Standing Committee's intersessional working group on Appendix-III listings, introduced document SC70 Doc. 64.

NGO observers noted that while they strongly support the use of Appendix III, they were concerned that the growing list of factors that need to be taken into account may be restrictive and discourage Parties from listing.

The Standing Committee noted that Parties generally consider that there are benefits for listing species on Appendix III, but implementation needs to be more effective and consistent.

The Standing Committee agreed to propose to the Conference of the Parties the following draft decisions:

Directed to the Animals and Plants Committees

The Animals and Plants Committees shall evaluate how nomenclature changes affect Appendix-III listings and propose guidance and recommendations for consideration by the Standing Committee at its 73rd meeting that address how such nomenclature changes are to be handled.

Directed to the Standing Committee

The Standing Committee, in consultation with the Secretariat, shall at its 73rd meeting take into account the guidance and recommendations from the Animals and Plants Committees and make recommendations to address nomenclature changes that affect an Appendix-III listing, including

possible amendments to Resolution Conf. 9.25 (Rev. CoP17), for consideration at the 19th meeting of the Conference of the Parties.

The Standing Committee requested the Secretariat, in consultation with the Chair of the Standing Committee and New Zealand as chair of intersessional working group, to prepare draft amendments to Resolution Conf.9.25 (Rev. CoP17) on *Inclusion of species in Appendix III* for consideration by the 18th meeting of the Conference of the Parties, taking into account the results of the intersessional working group in document SC70 Doc. 64.

The Standing Committee encouraged Parties with species listed on Appendix III to review those listings from time to time in accordance with paragraph 7 of Resolution Conf. 9.25 (Rev. CoP17).

During discussion of this agenda item, an intervention was made by Humane Society International (speaking also on behalf of Species Survival Network).

65. Guidance on the application of Resolution Conf. 9.24 (Rev. CoP17) when preparing to list commercially exploited aquatic species in the Appendices

Israel introduced document SC70 Doc. 65, encouraging Parties and the Expert Advisory Panel of the Food and Agriculture Organization (FAO) for the assessment of proposal to amend CITES Appendices to utilise the guidance in the Annex when considering listings for CoP18. Israel also withdrew its draft decisions, asking the Standing Committee instead to note the document.

Committee Members and Parties generally supported the guidance for developing estimates of historical-extent-of-decline and recent-rate-of-decline for commercially-exploited aquatic species presented in the Annex. Some Committee Members and Parties believed that while useful, the guidance would benefit from further scientific review. Parties also noted the complexity of listing marine species where there is a lack of data regarding historical declines, and were encouraged to seek guidance and assistance from FAO at the early stages of developing a proposal.

The European Union stated that it was its understanding that the only relevant criteria for CITES listings were outlined in the Convention and Resolution Conf. 9. 24 (Rev. CoP17), and was concerned that the document gave the impression that marine species must meet FAO criteria for listing under CITES.

FAO noted its support for work that will ensure species are assessed in a neutral and unbiased manner, and that listings are reflective of species' management and conservation needs.

The Standing Committee noted document SC70 Doc. 65 after the draft decisions in it were removed.

During discussion of this agenda item, interventions were made by the representatives of Asia (China), Central and South America and the Caribbean (Peru), Europe (Russian Federation) and Oceania (New Zealand), by the European Union, Japan, and Norway, and by FAO.

66. Periodic review of the Appendices:
Report of the Chairs of the Animals and Plants Committees

The Chair of the Animal Committee introduced document SC70 Doc. 66.

The Standing Committee noted document SC70 Doc. 66 and the progress being made by the Animals and Plants Committees in implementing Resolution Conf. 14.8 (Rev. CoP17) and the conduct of periodic reviews.

There were no interventions.

67. Annotations

67.1 Report of the working group

As Chair of the Standing Committee's intersessional working group on annotations, Canada introduced document SC70 Doc. 67.1, particularly noting, *inter alia*, that the working group had not achieved consensus regarding annotation #15. The document presented two possible approaches; one where the existing annotation was revised, and one where the existing annotation was replaced.

Committee Members and Parties generally supported the majority of the document's recommendations, and speakers expressed an interest in developing an amendment for annotation #15 for consideration at CoP18. However, Committee Members and Parties who spoke supported different approaches regarding annotation #15. Speakers that supported the first approach also suggested the addition of a weight limit for the exclusion of finished products to 5kg per shipment (except for musical instruments). One Party also suggested the construction of a list of musical instruments that would be excluded under the exemption.

ITTO noted current problems regarding timber listed species and the CITES Trade Database; commenting, *inter alia*, that there was confusion among Parties regarding the products covered by annotations and that it was difficult to relate reports of trade in certain reporting units (e.g. pieces) to the impact that trade would have on species populations.

Regarding annotation #15, observers encouraged Parties to agree to the exemption of musical instruments. Speakers argued that musical instruments were responsible for a small proportion of all rosewood traded, and that the Annotation in its current form was extremely burdensome to both Management Authorities and the music trade.

The Standing Committee noted the general support for the proposed amendment to Annotation #5 for *Pericopsis elata* as described in paragraph 16 of document SC70 Doc. 67.1 and invited interested Parties to draft an amendment for consideration at CoP18, if they so wish.

The Standing Committee agreed to submit to the Conference of the Parties the proposed amendments to Resolution Conf. 11.21 (Rev. CoP17) included in Annex 1 to document SC70 Doc. 67.1 and the proposed amendments to the Interpretation section of the CITES Appendices included in Annex 2 to document SC70 Doc. 67.1.

The Standing Committee established an in-session working group on Annotation #15 with the following mandate to:

- a) consider the two options identified for the revision or replacement of Annotation #15 in document SC70 Doc. 67.1, taking into account the changes proposed to option 1) by Peru on behalf of Central and South America and the Caribbean, and provide guidance on the possible way forward;
- b) consider paragraphs b) to i) of Decision 16.162 and propose new draft decisions should the work in these paragraphs be continued;
- c) review and finalize draft decisions on a mechanism to conduct a periodic review of the existing annotations and a pre-review or screening process of annotations and on an information system to process all relevant trade data related to trade transactions in specimens of CITES-listed tree species authorized under the provisions of the Convention.

The membership of the working group was agreed as follows: Canada (Chair), Argentina, Australia, Belgium, Brazil, Cameroon, Chile, China, European Union, France, Gabon, Germany, Ireland, Italy, Japan, Kenya, Mexico, Netherlands, New Zealand, Norway, Peru, Portugal, Republic of Korea, Spain, Sweden, Thailand, United Arab Emirates, United Republic of Tanzania and the United States of America; and Center for International Environmental Law, Environmental Investigation Agency (U.K.), Environmental Investigation Agency (USA), International Wood Product Association, IWMC-World Conservation Trust, League of American Orchestras, Species Survival Network, World Resources Institute, and World Wildlife Fund; and C.F. Martin & Co., Inc., Chambre Syndicale de la Factice Instrumentale (CSFI), Confédération des Industries Musicales Européennes (CAFIM), Fender Musical Instrument Corp., ForestBased Solutions Llc., International Association of Violin and Bow Makers, Overseas Traders, Paul Reed Smith Guitars, and Taylor Guitars.

Later in the meeting, Canada introduced document SC70 Com. 17, noting that the working group had achieved consensus on a proposed revision of annotation #15 and that it was interested in working with Parties to bring a co-sponsored proposal to amend Annotation #15 to CoP18. Canada noted that the proposed revision to annotation #15 leaves the last two paragraphs in the current annotation #15, concerning *D. cochinchinensis* and *Dalbergia* spp. from Mexico, respectively, unchanged. Speakers suggested small edits to the proposed revisions to Decision 16.168, outlining the terms of reference for the annotations intersessional working group.

The Standing Committee agreed the recommendations of document SC70 Com. 17 amended as follows:

The Standing Committee recommended the following approach for the revision of the existing Annotation #15:

All parts and derivatives, except:

- a) *Leaves, flowers, pollen, fruits, and seeds;*
- b) *Finished products to a maximum weight of wood of the listed species of 500g per item;*
- c) *Finished musical instruments, finished musical instrument parts and finished musical instrument accessories.*

The Standing Committee agreed to propose to the Conference of the Parties the following revisions to Decision 16.168 and the following new draft decisions:

Decision 18.XX

Directed to the Standing Committee, Animals Committee, Plants Committee

The Standing Committee shall re-establish the working group on annotations, in close collaboration with the Animals and Plants Committees, recognizing that the Animals and Plants Committees are an important source of expertise and advice to Parties on such scientific and technical issues. The group shall include, but not be limited to, members from the Standing Committee, Animals Committee, Plants Committee, observer Parties, CITES Management and Scientific Authorities, enforcement authorities, including customs, and industry representatives. The Standing Committee shall particularly endeavour to ensure balanced representation of importing and exporting Parties. The terms of reference for the working group shall be:

- ~~a) to further consider procedures for crafting annotations and develop recommendations for improving them;~~
- ~~b) to evaluate and address issues related to the drafting, interpretation and implementation of annotations, and assist Parties in drafting future annotations, drawing on appropriate expertise from within and outside its membership;~~
- ~~c) to conduct any relevant additional work on evaluating the existing annotations for plant taxa listed in Appendices II and III, with an emphasis on ensuring that such annotations are clear as to the types of specimens to be covered by a listing, can be readily implemented, and focus on those parts and derivatives primarily exported from the range States and those commodities that dominate the trade in and demand for the wild resource;~~
- ~~d) based on the results of the timber trade study directed to the Secretariat in Decision 15.35 (Rev. CoP16), AND to review existing annotations for tree species and, if appropriate, draft amendments to those annotations and prepare clear definitions for the terms used in the annotations in order to facilitate their use and understanding by CITES authorities, enforcement officers, exporters and importers;~~
- ea) in close collaboration with ongoing efforts in the Plants Committee, to continue reviewing the appropriateness and practical implementation of the annotation(s) of the agarwood-producing taxa (*Aquilaria* spp. and *Gyrinops* spp.), taking into consideration the previous work done by the range and consumer States of these species;
- fb) to review outstanding implementation challenges resulting from the listings of *Aniba rosaeodora* and *Bulnesia sarmientoi* in the Appendices, particularly concerning trade in extracts, and propose appropriate solutions;
- c) to review, in close cooperation with the Standing Committee, the implementation challenges linked to the orchids annotations;

- gd) to draft definitions of terms included in annotations, in cases where the terms are not easily understood or where there has been difficulty in implementing the listing as a result of confusion about what commodities are covered, and submit them to the Standing Committee for adoption by the Conference of the Parties and subsequent inclusion in the Interpretation section of the Appendices;
- e) consider ~~and~~ the preparation of clear definitions for terms used in the annotations, including, for example, the terms “musical instruments” and “transformed wood”, in order to facilitate their use and understanding by CITES authorities, enforcement officers, exporters and importers;
- hf) to conduct any work related to annotations directed to it by the Conference of the Parties, the Standing, Animals or Plants Committee; and
- lg) to prepare reports on progress made in addressing the issues tasked to it and submit them for consideration at the ~~69~~ 73th and ~~70~~ 74th meetings of the Standing Committee.

Draft decision 18.AA

Directed to the Standing Committee

The Standing Committee shall, in collaboration with the Animals and Plants Committees, determine requirements for development and adoption by the Conference of the Parties of:

- a) a mechanism for undertaking a periodic review of existing annotations; and
- b) a mechanism for the a priori review of annotations proposed for consideration at meetings of the Conference of the Parties, to support consistent implementation of the guidance on annotations provided in Resolution Conf. 11.21 (Rev. CoP17).

Draft decision 18.BB

Directed to the Standing Committee

The Standing Committee shall explore the feasibility of, and the requirements for developing an information system for the purpose of processing trade data associated with transactions in specimens of CITES-listed tree species authorized under the provisions of the Convention.

During discussion of this agenda item, interventions were made by the representatives of Central and South America and the Caribbean (Peru), Europe (Portugal), Oceania (New Zealand) and the Depositary Government (Switzerland), by Argentina, Brazil, Cameroon, the European Union, Japan, Mexico, the Republic of Korea and the United States of America, by International Tropical Timber Organisation (ITTO), and by the League of American Orchestras (speaking also on behalf of the International Association of Violin and Bow Makers, the Confederation of European Music Industries, International Wood Products Association, Fender Musical Instruments Corporation, the French Musical Instrument Organization, Forest Based Solutions, Taylor Guitars, Martin Guitar, Paul Reed Smith Guitars, as Observers that were not present at the meeting, including the American Federation of Musicians of the United States and Canada, International Federation of Musicians, Madinter Trade, National Association of Music Merchants, and Pearle Live Performance Europe) .

67.2 Appendix II orchids: Report of the Plants Committee

The Chair of the Plants committee introduced document SC70 Doc. 67.2.

Committee Members and Parties generally agreed with the recommendations outlined in the document, noting that the cosmetics industry had encountered difficulties in implementing CITES with regard to cosmetic products containing derivatives from artificially propagated orchids. One Party suggested small amendments to the definition of “cosmetics”, and noted it would be useful to have guidance on where the permanent definitions of terms should be located.

The Standing Committee noted document SC70 Doc. 67.2 and agreed to submit the following draft decisions to the 18th meeting of the Conference of the Parties:

18.AA Directed to the Plants Committee

The Plants Committee shall:

- a) seek information on the trade in orchid parts and derivatives (wild and artificially propagated) in consideration of the potential conservation impact of exempting orchid products from CITES controls, completing the work already initiated on orchids used in the production of cosmetics and personal care products and then considering orchids used in other commodities (e.g. medicinals and foodstuffs), subject to the availability of funding;
- b) seek information from Parties and relevant other stakeholder groups, including industry, on: the trade in orchid products from source to final product, including the identification of the major industry sectors involved in the trade; how non-detriment findings and legal acquisition findings are made; traceability along the trade chain; and trade reporting. It should also request information on orchid parts and derivatives used in products, sectors involved, and conservation concerns for wild populations;
- c) undertake an analysis of the potential conservation impact of orchid exemptions, subject to the availability of funding. This may include developing case studies on key orchid species identified in trade as finished products, including but not limited to, the species identified in the Annex to Document PC22 Doc. 22.1, Annex 2 to Document PC23 Doc. 32, and Annex 3 to Document PC24 Doc. 28, as well as the two case studies of orchid foodstuffs outlined in Document PC22 Inf. 6, workshop(s), or a study on trade data sources;
- d) based on the information obtained from Parties, as well as from other sources, analyse the risks of trade in products containing parts or derivatives of orchids to conservation and provide its conclusions about such risks. Based on the findings and the analyses, the working group shall highlight any knowledge gaps, review the current annotation for Appendix II-listed orchids, and suggest amendments, as it considers appropriate;
- e) where relevant, work in close consultation with the Standing Committee, including its Working Group on Annotations; and
- f) report its findings and recommendations to the Standing Committee for its consideration.

18.BB Directed to the Standing Committee

The Standing Committee shall consider the findings and recommendations of the Plants Committee and provide the results of the work and its recommendations to the 19th meeting of the Conference of the Parties.

18.CC Directed to the Secretariat

The Secretariat shall:

- a) provide support to the Plants Committee for implementation of Decision 18.AA; and
- b) seek funding to implement Decision 18.AA.

18.DD Directed to the Parties

Parties are encouraged to:

- a) submit to the Plants Committee, through the Secretariat, information on the trade in orchid products from source to final products; and
- b) provide funding for Decision 18.AA, and provide assistance to the Secretariat in reaching out to other stakeholders and user groups that may be able to provide funding to support this work.

The Standing Committee agreed to submit to the Conference of the Parties the definition of “cosmetics” amended as follows:

Any product or mixture of products which is applied to an external part of the body only (e.g. skin, ~~lips~~, hair, nails, ~~external genitals~~ ~~organs~~, ~~lips~~) or to teeth or the mucous membranes of the oral cavity with a ~~view the intent~~ to clean, odourise, change the appearance or protect and/or ~~keep these parts in good condition~~. Cosmetics may include the following: make-up, perfume, skin cream, nail polish, hair colourants, soap, shampoo, shaving cream, deodorant, sunscreens, toothpaste.

During discussion of this agenda item, interventions were made by the representatives of Central and South America and the Caribbean (Peru), and by the Republic of Korea and the United States of America.

68. Review of Resolution Conf. 10.9 on *Consideration of proposals for the transfer of African elephant populations from Appendix I to Appendix II*: Report of the working group

As Chair of the Standing Committee's intersessional working group on Resolution Conf. 10.9, Germany introduced document SC70 Doc. 68. Germany noted that a large majority of the working group favoured the repeal of Resolution Conf. 10.9, believing that Resolution Conf. 9.24 (Rev. CoP17) provides sufficient and adequate guidance.

NGO observers also supported the repeal of the Resolution Conf. 10.9.

The Standing Committee agreed to propose to the Conference of the Parties the repeal of Resolution Conf. 10.9 on *Consideration of proposals for the transfer of African elephant populations from Appendix I to Appendix II*.

During discussion of this agenda item, interventions were made by Humane Society International and the China Wildlife Conservation Association.

69. Reports of regional representatives

69.1 Africa

69.2 Asia

69.3 Central and South America and the Caribbean

69.4 Europe

69.5 North America

and

69.6 Oceania

The Standing Committee noted all of the reports received from regional representatives.

70. Any other business

The United States of America requested any comments on information document SC70 Inf. 26 by 19 November 2018.

There was no decision taken by the Standing Committee.

During discussion of this agenda item, an intervention was made by the United States of America.

71. Determination of the time and venue of the 71st and 72nd meetings

The Standing Committee noted that its 71st meeting would take place in Colombo, Sri Lanka, on 22 May 2019, and that its 72nd meeting would be held immediately after the close of CoP18, on 3 June 2019.

72. Closing remarks

Following the remarks by members of the Committee, observers representing Parties and intergovernmental and non-governmental organizations, and the Officer-in-Charge, the Chair thanked the Russian Federation for its warm welcome, all participants for their cooperation and thanked the Secretariat, the interpreters and the Russian volunteers for their work, and closed the meeting at 17h45.

Intervention by the Russian Federation on agenda item 27.3.4 for the record

Madam Chair, for having been the IWC Commissioner for the Russian Federation for 23 years and head of Management Authority of CITES 10 years, I am well informed of the possible difficulties in which a country might find itself as a result of its obligations and rights under two different international conventions.

1. The term “primarily commercial purposes” is not defined in the text of the Convention but it is subject to Resolution Conf. 5.10 (Rev. CoP15), which is rather restrictive in its provisions. On this basis, the Secretariat concludes that the introductions in question were ‘primarily commercial, and that, therefore, either remedial actions should be taken by Japan under the recommendation of the Standing Committee or measures should be recommended by the Committee. Nevertheless, the Secretariat recognizes in paragraph 63 of its document that the Standing Committee may have some grounds to conclude the contrary.
2. Japan considers that the introductions are not ‘primarily’ commercial and are justified by the fact that the Whaling Convention – IWCR - states in its Article VIII, paragraph 2, that the process and sale of specimens so introduced are required as far as practicable in accordance with directions issued by the government.
3. It seems that benefits and financial considerations are the basis for the Secretariat to establish that introduction from the sea was primarily for commercial purposes. Well, madam Chair, zoos are constantly benefitting from the exhibition of Appendix I specimens, but that does not turn them into “primarily-commercial” operations.
4. Considering that CITES resolutions are actually recommendations when directed to Parties, Japan is entitled to interpret the term ‘primarily commercial purposes’ as it does and therefore to introduce the specimens from the stock in question with the necessary certificates, and to sell them in using the proceeds in support of scientific researches.
5. In addition, we may wonder whether the Secretariat would have preferred that the parts of the animals not directly used as scientific samples be left as waste in international waters to avoid their introduction from the sea into Japan’s territory.
6. The Russian Federation, as all State governments, and the nature protection NGOs follow the world’s strategy. That is, when an animal is killed, all the body parts of that animal must be used rationally.