

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



Seventy-seventh meeting of the Standing Committee  
Geneva (Switzerland), 6–10 November 2023

SUMMARY RECORD

The Secretariat informed the Committee of the change of Representative of the Member elected as Chair (United States of America) and introduced Ms. Naimah Aziz, as the new Representative of the United States of America and Chair of the meeting.

Opening remarks of the Chair ..... *No document*

The Chair welcomed the participants and opened the meeting.

Opening remarks of the Secretary-General

The Secretary-General gave opening remarks and provided an update on the Secretariat's activities.

**Administrative and financial matters**

1. Agenda..... SC77 Doc. 1

The Committee adopted its provisional agenda as set out in document SC77 Doc. 1.

2. Adoption of the working programme.....SC77 Doc. 2 (Rev. 1)

The Secretariat proposed four amendments to the working programme set out in document SC77 Doc. 2, to change the scheduling of agenda items 27, 33.1, 33.9, and 66.

Madagascar (Committee Member for Africa) and the Democratic Republic of the Congo requested amendments to the scheduling of agenda items 33.12 and 33.6 to ensure that the relevant delegates could be present during the discussion.

The Committee adopted its working programme as set out in document SC77 Doc. 2 and as amended by the Secretariat, the Democratic Republic of the Congo and Madagascar, noting that a revision of the document would be published following the adoption.

3. Rules of Procedure..... SC77 Doc. 3

The Chair introduced document SC77 Doc. 3.

The Committee noted that its Rules of Procedure as set out in the Annex to document SC77 Doc. 3 remain valid for this meeting.

There were no interventions.

4. Credentials..... No document

The Secretariat informed the Committee that 17 delegations of the Members and alternate Members of the Standing Committee had submitted their credentials and could thus represent their regions and exercise their right to vote.

The Standing Committee noted that 17 delegations of the Members and alternate Members of the Standing Committee had provided credentials.

There were no interventions.

5. Admission of observers..... SC77 Doc. 5

The Secretariat introduced document SC77 Doc. 5 and noted that the International Air Transport Association (IATA) had requested to also participate in the meeting after the registration deadline.

The Committee noted the list of observer organizations that had been invited to attend the meeting as set out in the Annex to document SC77 Doc. 5.

There were no interventions.

6. Report of the Chairs of the Animals and Plants Committees..... SC77 Doc. 6

The Secretariat (on behalf of the Chair of the Plants Committee) and the Chair of the Animals Committee introduced document SC77 Doc. 6, outlining the outcomes of the 26th meeting of the Plants Committee (PC26; Geneva, June 2023) and of the 32nd meeting of the Animals Committee (AC32; Geneva, June 2023). The Chair of the Animals Committee also introduced the outcomes of the joint meeting of the Animals and Plants Committees.

Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, expressed gratitude for the work undertaken by both technical committees.

India raised concerns about any move towards a listing of the entire *Boswellia* genus and highlighted that it had provided information on the population status and identification of *Boswellia serrata* to the relevant intersessional working group, noting that *Boswellia serrata* is very common in India and can be distinguished from other *Boswellia* species.

The Committee noted the information in document SC77 Doc. 6.

7. Standard disclosure form for Members of the Animals and Plants Committees..... SC77 Doc. 7

The Secretariat introduced document SC77 Doc. 7 containing an amendment to the *Standard disclosure form* for Members of the Animals and Plants Committee proposed by Israel at the 75th meeting of the Standing Committee.

The United States of America (Committee Member for North America), speaking on behalf of the North American region, was supportive of the amendment if a subsequent amendment was made to question 1, to clearly distinguish both questions.

The United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe), echoed by Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, Georgia (Committee Member for Europe), India and Zimbabwe did not support the proposed amendment. These Committee Members and Parties variously expressed that conflicts of interest were not necessarily restricted to commercial operations; that the meaning of 'commercial' in the disclosure form could be unclear; and that the current wording sufficiently accounted for commercial interests. The Sustainable Use Coalition – Southern Africa (SUCo-SA) further considered that specific types of interests should not be targeted in the disclosure form.

The Committee did not agree to the proposed amendment to the *Standard disclosure form for CITES declarations of interest*.

8. Financial matters..... SC77 Doc. 8

The Secretariat introduced document SC77 Doc. 8, which outlined the financial performance of the Secretariat since CoP19 (Panama City, 2022) and provided information on income and expenditure from 1 January 2022 to 30 September 2023 for both Convention trust funds. The Secretariat noted as a matter of concern the delay in receiving Parties' annual contributions, which could have negative impacts on the Secretariat's daily operations, observing that as of 30 September 2023, the overall payment rate for the year was 60%. The Secretariat proposed that the current level of registration fees for observer Parties remain in place, with no fees charged for online meetings.

The Committee noted document SC77 Doc. 8 and agreed that further discussion on these matters would be referred to the Finance and Budget Subcommittee (FBSC).

There were no interventions.

Later in the meeting, the European Union, as a member of the FBSC and in the absence of an elected chair, introduced document SC77 Com. 3, containing, *inter alia*, recommendations to the Standing Committee for agenda item 8 on *Financial matters*.

The Committee agreed the recommendations in document SC77 Com. 3 as follows:

The Committee:

- a) approved the reports on the costed programme of work for the full year of 2022 and for the period up to 30 September 2023 for the year 2023;
- b) invited the Conference of the Parties to approve that no registration fees are charged to observer organizations for online meetings;
- c) requested the Secretariat to organize the 20th meeting of the Conference of the Parties meeting as per Resolution Conf. 19.1, paragraph 32 a), if no candidate host country is known by 31<sup>st</sup> March 2024, and to initiate fund-raising for costs associated with the organization and to propose alternative approaches to funding future CoPs for review; and
- d) noted other information provided in the report.

9. Terms of reference of the Finance and Budget Subcommittee..... SC77 Doc. 9

The Secretariat introduced document SC77 Doc. 9, which requested the Committee to consider whether the terms of reference for the Finance and Budget Subcommittee should be annexed to Resolution Conf. 18.2 on *Establishment of committees* to increase transparency. An amendment to the terms of reference itself, to refer to Chair (and not Chairman) of the Subcommittee, was also proposed by the Secretariat.

India proposed an amendment to paragraphs 2 and 3 of Resolution Conf. 18.2 to reflect the sequence in which the committees of the Convention were established, while still retaining the suggestions of the Secretariat in document SC77 Doc. 9. Brazil (Committee Member for Central and South America and the Caribbean), supported by Kenya (Committee Member for Africa), Japan (Committee Member for Asia) and Switzerland (Depositary Government), was supportive of the rationale of India's proposal, but felt that clarification on the potential consequences of amendments to Resolution Conf. 18.2 on other Decisions and Resolutions was needed. The United States of America (Committee Member for North America), speaking on behalf of the North American region, recommended to defer discussion of India's proposed amendment to the Finance and Budget Subcommittee (FBSC).

The Standing Committee agreed that:

- a) the terms of reference of the Standing Committee Finance and Budget Subcommittee as amended by the Secretariat in the Annex to document SC77 Doc. 9 be annexed to Resolution Conf. 18.2 on *Establishment of committees*; and
- b) further discussion on the proposal by India outlined below would be referred to the Finance and Budget Sub-Committee (FBSC):

## THE CONFERENCE OF THE PARTIES TO THE CONVENTION

### ***Regarding the establishment of committees***

1. ESTABLISHES the Standing Committee of the Conference of the Parties, which shall be the senior committee and shall report to the Conference of the Parties in accordance with its Terms of Reference as found in Annex 1 of this Resolution;
- ~~2. DIRECTS the Standing Committee to establish a Finance and Budget Subcommittee and specify its terms of reference;~~
23. ESTABLISHES the Animals Committee and the Plants Committee as its scientific advisory bodies, which shall report to the Conference of the Parties at its meetings and, if so requested, to the Standing Committee between meetings of the Conference of the Parties in accordance with their Terms of Reference as found in Annex 2 of this Resolution;
32. DIRECTS the Standing Committee to establish a Finance and Budget Subcommittee and specify its **with the terms of reference as found in Annex 3 to this Resolution.**

Later in the meeting, the European Union, as a member of the FBSC and in the absence of an elected chair, introduced document SC77 Com. 3, containing, *inter alia*, recommendations to the Standing Committee for agenda item 9 on *Terms of reference of the Finance and Budget Subcommittee*.

The Committee agreed the recommendations in document SC77 Com. 3 as follows:

The Committee agreed to submit to the Conference of the Parties the following amendment in Resolution Conf. 18.2 on *Establishment of committees* by deleting current paragraph 2 and to replace with new paragraphs 2 and 3 as follows:

~~2. DIRECTS the Standing Committee to establish a Finance and Budget Subcommittee and specify its terms of reference;~~

~~3. 2. ESTABLISHES the Animals Committee and the Plants Committee as its scientific advisory bodies, which shall report to the Conference of the Parties at its meetings and, if so requested, to the Standing Committee between meetings of the Conference of the Parties in accordance with their Terms of Reference as found in Annex 2 of this Resolution;~~

~~3. DIRECTS the Standing Committee to establish a Finance and Budget Subcommittee and specify its with the terms of reference as found in Annex 3 to this Resolution.~~

#### 10. Administrative matters

##### 10.1 Report of the Secretariat ..... SC77 Doc. 10.1

The Secretariat introduced document SC77 Doc. 10.1, providing an update on the administrative performance of the Secretariat since the last meeting of the Conference of the Parties (CoP19; Panama City, 2022), specifically on its staffing situation; administrative changes introduced by the United Nations Environment Programme; the implementation of the recommendations of the audit by the Office of Internal Oversight Services; and the host country arrangements for the Secretariat.

The Committee noted document SC77 Doc. 10.1.

Later in the meeting, the European Union, as a member of the Finance and Budget Subcommittee (FBSC) and in the absence of an elected chair, introduced document SC77 Com. 3, containing, *inter alia*, recommendations to the Standing Committee for agenda item 10.1 on *Administrative matters – Report of the Secretariat*.

The Committee agreed the recommendations in document SC77 Com. 3 as follows:

The Committee appreciated the continued contribution by the host country of the Secretariat.

There were no interventions.

10.2 Report of the United Nations Environment Programme on administrative matters ..... SC77 Doc. 10.2

The United Nations Environment Programme (UNEP) introduced document SC77 Doc. 10.3 on the administrative and financial management support provided to the Convention and highlighted important updates since CoP19 (Panama City, 2022), including on policy guidance and procedures, human resources and programme support costs.

Canada appreciated the recommendation in document SC77 Doc. 10.2 that administrative staff should not be funded from programme support cost (PSC) income and highlighted the importance of assurance that a switch from PSC for that purpose would not affect the percentage allocated for the benefit of the Convention.

Later in the meeting, the European Union, as a member of the Finance and Budget Subcommittee (FBSC) and in the absence of an elected chair, introduced document SC77 Com. 3, containing, *inter alia*, recommendations to the Standing Committee for agenda item 10.2 on *Administrative matters – Report of UNEP on administrative matters*.

The Committee noted document SC77 Doc. 10.2 and the comment made by Canada.

The Committee agreed the recommendations in document SC77 Com. 3 as follows:

The Committee:

- a) requested that the United Nations Environment Programme provide in its report to the 78th meeting of the Standing Committee information on the implementation of the Memorandum of Understanding between the Standing Committee of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora and the Executive Director of UNEP concerning secretariat services to and support of the Convention and an update as to implementation of the remaining audit recommendations; and
- b) noted other information provided in the report.

11. Rules of Procedure of the Conference of the Parties ..... SC77 Doc. 11

Document SC77 Doc. 11 contained an update by the Standing Committee Chair, as Chair of the intersessional working group on Rules of Procedure of the Conference of the Parties, on the deliberations of the working group on Rule 25.6 on Procedure for deciding on proposals for amendment of Appendices I and II that relate to the same taxon but are different in substance. The document noted that Parties in the working group agreed to maintaining the current order in the Rule, of proceeding from least restrictive to most restrictive, but with support for all proposals to be introduced, discussed, and decided upon – i.e., no automatic rejection of a proposal. The Conference would therefore decide in a stepwise approach on the appropriate level of restrictions. The document provided concrete examples and scenarios for the order of consideration of overlapping amendment proposals and a stepwise approach.

The Committee noted document SC77 Doc. 11 and further noted that comments on this document would be requested by Notification to the Parties.

12. Emerging operational matters of the committees ..... SC77 Doc. 12

Document SC77 Doc. 12 contained a proposal by the Secretariat on two guiding principles to determine the best course of action if intersessional work and meetings are affected by exceptional circumstances: (1) in-person meetings are the default options for all meetings of the CITES permanent committees; and (2) online or hybrid options would be considered only when quorum as defined in the Rules of Procedure of each Committee might not be reached. The Secretariat proposed that, should a meeting of a Committee be postponed because of circumstances that are either global or at the location of the meeting preventing the organization of the meeting for a variety of reasons that could *inter alia* be political, or health- or security-related, the postponed meeting should take place no later than six months after its original date in order to ensure that progress is made in the implementation of the Decisions directed to the Committee concerned by the Conference of the Parties. If no viable in-person option is identified within two months of the original date of the meeting, the meeting would be rescheduled as an online meeting with participation of Members, observer Parties and observer organizations. The Secretariat also proposed that, should

circumstances arise that prevent representatives from several regions from being present in-person at the meeting and thus affect quorum, the preferred solution would be a hybrid option for the Animals and Plants Committees, but unlikely to be needed for the Standing Committee.

The document presented a risk matrix for convening CITES meetings and guidance on how to conduct online and hybrid meetings and on how to apply the Rules of Procedure in an online or hybrid meeting. The Secretariat raised two additional considerations in the document: options for expanding online intersessional work and for the participation of Parties directly concerned by an agenda item. The document also contained in Annex 1 tentative dates for CITES Committee meetings from 2024 to 2027.

The Committee noted document SC77 Doc. 12 and further noted that comments on this document would be requested by Notification to the Parties.

13. Access to funding..... SC77 Doc. 13 (Rev. 1)

The Secretariat introduced document SC77 Doc. 13 (Rev. 1), reporting on the implementation of Decisions 18.4 and 19.4 to 19.9, and thanked China, the European Union, Germany, Hong Kong Special Administrative Region of China, Japan, Monaco, Netherlands, Sweden, the United Kingdom of Great Britain and Northern Ireland, Switzerland and the United States of America, as well as Animal Welfare Institute, Safari Club Foundation, and Wildlife Conservation Society for providing financial support to the Secretariat for the implementation of selected Decisions. The Secretariat noted that, while there had been no loan of personnel services (“secondments”) supported by Parties, it had benefited from three professionals from Switzerland through the Syni programme of the City of Lausanne. The Secretariat also drew attention to Notification No. 2023/122 of 23 October 2023, which provides an update on remaining funding gaps for implementation of valid Decisions after CoP19.

Georgia (Committee Member for Europe), supported by Brazil (Committee Member for Central and South America and the Caribbean), Indonesia (Committee Member for Asia), Mexico and Wildlife Conservation Society, highlighted the new Global Biodiversity Framework Fund and emphasized the importance of Parties including CITES-related activities in their national biodiversity strategies and action plans (NBSAPs) to be eligible for the trust fund. Mexico called on developed Parties to increase their contributions to cover the cost of implementing more than 90% of the Decisions that were awaiting funding, with greater flexibility in redirecting resources.

The Committee noted document SC77 Doc. 13 (Rev. 1) and the comments made by Brazil, Georgia, Indonesia, Mexico and the Wildlife Conservation Society.

14. Sponsored Delegates Project..... SC77 Doc. 14

The Secretariat introduced document SC77 Doc. 14, providing an overview of the Sponsored Delegates Project (SDP) and the challenges and lessons learned following the last Conference of the Parties (Panama City, 2022). It was noted that no offer of funding had been received to support the participation of delegates from developing country Parties subject to an Article-XIII process at the current meeting.

Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, expressed support for recommendations a), b) and d) of the document, and proposed a small textual amendment to recommendation d) to factor in constraints, such as national laws.

New Zealand (Committee Member for Oceania), speaking on behalf of the Oceania region, while supportive of recommendations a) to c), did not agree to propose the deletion of Decision 18.12 in its entirety, noting that the Decision includes selection criteria that are needed for transparency. Accordingly, New Zealand proposed that these criteria could either be retained in the Decision or incorporated into Resolution Conf. 17.3 (Rev. CoP19) on *Sponsored Delegates Project*. New Zealand further proposed that developing Parties that had joined the Convention in the past ten years could be considered as an additional criterion for the prioritization of beneficiary Parties. The United States of America (Committee Member for North America), the Depositary Government (Switzerland) and Canada were supportive of considering New Zealand’s comments further.

The Committee:

- a) agreed that the general provision of support under the Sponsored Delegates Project (SDP) for non-Member delegates attending the meetings of the Animals, Plants and Standing Committees would not be possible at this time;
- b) recommended to the Conference of the Parties to expand the SDP to the Standing Committee only in support of the participation of two delegates of developing country Parties subject to an Article-XIII process possibly by maintaining Decision 19.10;
- c) encouraged Parties to make their financial contributions to the Sponsored Delegates Project as early as possible for maximum use and preferably no later than five months before the meeting of the CoP and, as far as possible, with flexibility regarding the use; and
- d) requested the Secretariat to review those longstanding aspects of Decision 18.12 that could be incorporated into Resolution Conf. 17.3 (Rev. CoP19) on *Sponsored Delegates Project*, taking into account the recommendation by New Zealand to include a new criteria for developing country Parties that have recently joined the Convention, and report back to the 78th meeting of the Standing Committee.

15. Arrangements for the 20th meeting of the Conference of the Parties (CoP20) ..... *No document*

The Secretariat provided an oral update on the ongoing preparations for the 20th meeting of the Conference of the Parties and indicated it had not yet received any offers to host the next regular meeting. The Secretariat noted that offers to host would need to be received by March 2024 to allow sufficient time for planning, and encouraged Parties to coordinate resources.

New Zealand (Committee Member for Oceania) acknowledged the pressure of hosting meetings in Geneva on the Depositary Government (Switzerland).

The Committee noted the information provided by the Secretariat and invited the Secretariat to keep the Standing Committee informed of any progress.

### Strategic matters

16. CITES Strategic Vision: 2021-2030 ..... SC77 Doc. 16

Document SC77 Doc. 16 contained a mapping of the *CITES Strategic Vision 2021-2030* objectives against the 2030 Sustainable Development Goals and against the Kunming-Montreal Global Biodiversity Framework (GBF). Based on the mapping, the Secretariat proposed amendments to Resolution Conf. 16.4 on *Cooperation of CITES with other biodiversity-related conventions* in order ensure the long-term contribution of CITES to the GBF. The Secretariat also proposed in paragraph 16 possible indicators for objective 1.4 of the *CITES Strategic Vision*: "The Appendices correctly reflect the conservation status and needs of species."

The Acting Executive Secretary of the Secretariat of the Convention on Biological Diversity (CBD), in his statement to the Standing Committee, emphasized that the effective implementation of CITES contributes to the achievements of the goals and targets of the GBF.

New Zealand (Committee Member for Oceania), the United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe), the United States of America (Committee Member for North America), speaking on behalf of the North American region, supported recommendation c) of the document to submit proposed indicator 1.4.1 for objective 1.4 to the Conference of the Parties.

Regarding the proposed additional indicators 1.4.2 and 1.4.3 presented in recommendation d) of the document, New Zealand (Committee Member for Oceania), the United Kingdom (Committee Member for Europe), the United States (Committee Member for North America), speaking on behalf of the North American region, Bahrain, the European Union and its Member States and Nigeria considered these indicators would benefit from further refinement and cautioned against over-reliance of data from the Red List by the International Union for Conservation of Nature (IUCN). In particular, New Zealand, echoed by Nigeria, supported the expansion of these indicators to include species threatened by international trade that are not yet listed in the CITES Appendices. In addition, New Zealand queried the relevance of indicator 1.4.3, given that the indicator as proposed would refer to lookalike species that are not listed on the basis of being

threatened by international trade. Kenya (Committee Member for Africa) suggested that the indicators within recommendation d) could be covered outside of the CITES framework, such as through National Biodiversity Action Plans (NBAPs), while Bahrain noted that the use of IUCN data to facilitate the periodic review process as per Resolution Conf. 14.8 (Rev. CoP17) on *Periodic Review of species included in Appendices I and II* could eliminate the need for the draft indicators presented in recommendation d).

The amendments to Resolution Conf. 16.4 presented in Annex 2 of the document were supported by Nigeria, while Georgia (Committee Member for Europe), Mexico and the United States, on behalf of the North American region, indicated they had additional suggested amendments.

Brazil (Committee Member for Central and South America and the Caribbean) commented that relevant targets of the GBF were not reflected in the mapping exercise, particularly Target 13 on the fair and equitable sharing of benefits from genetic resources. Brazil further noted that the GBF had goals and targets on financing and capacity building that were relevant to the implementation of the Convention. Furthermore, Georgia (Committee Member for Europe) considered that Target 19 of the GBF on resource mobilization was highly relevant to CITES, and reported on its development of a national biodiversity finance plan that had helped ensure the sustainability of public funding for its CITES activities.

TRAFFIC welcomed the process made in aligning the CITES Strategic Vision with the GBF and drew attention to the recommendation adopted by the CBD Subsidiary Body on Scientific, Technical and Technological Advice in October 2023 on sustainable wildlife management, which encouraged CBD Parties to work with partners, including the Collaborative Partnership on Sustainable Wildlife Management, to develop indicators for monitoring the status of and trends in the use of wild species.

The Committee:

- a) requested the Secretariat to issue a Notification to the Parties inviting comments from Parties and observers on the mapping of the areas of alignment between the CITES Strategic Vision and the Kunming-Montreal Global Biodiversity Framework and its monitoring framework as contained in Annex 1 to document SC77 Doc. 16 and on the proposed amendments to Resolution Conf. 16.4 on *Cooperation of CITES with other biodiversity-related conventions* contained in Annex 2 to document SC77 Doc. 16;

- c) agreed to submit to the Conference of the Parties the indicator below for objective 1.4 of the *CITES Strategic Vision*:

Indicator 1.4.1      The number and proportion of species listed in Appendices that have been found to meet the criteria for each Appendix contained in Resolution Conf. 9.24 (Rev. CoP17) or its successors as part of the Periodic Review process or of amendment proposals;

- d) invited the Secretariat, in collaboration with the Animals and Plants Committees, to review and revise the following draft indicators for objective 1.4, taking into consideration the comments made on the floor, and to report to SC78;

Indicator 1.4.2      The number and proportion of species listed in the Appendices identified as likely to be threatened by international trade on the basis of information in the IUCN Red List of Threatened Species (i.e., Near Threatened, Vulnerable, Endangered, Critically Endangered, Extinct in the Wild and Extinct)

Indicator 1.4.3      The number and proportion of species listed in the Appendices identified as unlikely to be threatened by international trade on the basis of information in the IUCN Red List of Threatened Species (i.e., Near Threatened, Vulnerable, Endangered, Critically Endangered, Extinct in the Wild and Extinct).

- e) noted the comments made on the floor.



17. Role of CITES in reducing risk of future zoonotic disease emergence associated with international wildlife trade

17.1 Report of the working group..... SC77 Doc. 17.1

Document SC77 Doc. 17.1 presented progress on the deliberations of the Standing Committee's intersessional working group on the *Role of CITES in reducing risk of future zoonotic disease emergence associated with international wildlife trade* and summarized the inputs received relating to the establishment of a CITES advisory body to provide guidance to Parties. Alternatives to an advisory body were proposed and will be discussed further by the working group.

The Committee noted the interim report of the working group in document SC77 Doc. 17.1.

17.2 Report of the Secretariat ..... SC77 Doc. 17.2

Document SC77 Doc. 17.2 summarized responses received from Parties about any measures they have in place to prevent and mitigate the risk of pathogen spillover and transmission from wildlife trade and associated wildlife supply chains, as well as information on the activities implemented by the Secretariat of the Convention on Migratory Species (CMS) and Parties to CMS relating to this area of work and inputs from the United Nations Environment Programme and other organizations. Annex 2A to document SC77 Doc. 17.2 contained a draft Memorandum of Understanding (MoU) with the World Organisation for Animal Health (WOAH) and its draft working programme in Annex 2B.

The United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe) drew attention to information document SC77 Inf. 34 which contains an analysis of CITES-listed species associated with high-risk diseases. The United Kingdom also proposed additional text to the draft MoU to refer to cooperation on identifying zoonotic disease risks specific to CITES activities and CITES-listed species.

The United States of America (Committee Member for North America), speaking on behalf of the North American region, proposed two amendments to the draft working programme in Annex 2B, *inter alia* to encourage WOAH and CITES to exchange information on wildlife diseases and host species that could be of mutual interest and to request Parties to share national protocols or requirements for veterinary certificates. It would send a document with the comments of the region on the MoU. The Wildlife Conservation Society suggested the use of the term "pathogens" rather than "wildlife diseases" in recognition of species with a high risk of pathogen spillover that do not show signs of disease, which was supported by the United States. Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, supported by Japan (Committee Member for Asia), considered that matters pertaining to veterinary certificates were beyond the scope of CITES.

Chad (Committee Member for Africa), supported by Gabon, proposed including the topic of prevention of pathogen spillover in the draft MoU, a view that was also expressed by the Wildlife Conservation Society (on behalf also of the International Fund for Animal Welfare) and Born Free Foundation (also on behalf of ADM Capital Foundation, Animal Welfare Institute, Born Free, Center for Biological Diversity, David Shepherd Wildlife Foundation, Environmental Investigation Agency, Fondation Franz Weber, Four Paws, Pan African Sanctuary Alliance, Pro Wildlife, Species Survival Network). While Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, agreed pathogen spillover was an important issue, they felt that this was already covered in the draft MoU.

The Wildlife Conservation Society (also on behalf of the International Fund for Animal Welfare) additionally proposed the deletion of Action track 6 (6.1.6) of the draft programme of work on the basis that development of wildlife-based economies at the national level was beyond the remit of the CITES Secretariat.

The Convention on Migratory Species (CMS) highlighted that a working group on migratory species and health had been established by the CMS Sessional Committee of the Scientific Council, and that a study on animal health would be presented to CMS COP14.

TRAFFIC remarked that the most effective interventions to reduce zoonotic disease risk from trade were actions taken within national boundaries prior to export. TRAFFIC further encouraged Parties to strengthen multisectoral coordination, and indicated it stood ready to provide support through the Collaborative Partnership on Sustainable Wildlife Management (CPW) .

The International Fur Federation (also on behalf of IWMC-World Conservation Trust, Professional Hunters Association of South Africa (PHASA), Sustainable Use Coalition – Southern Africa (SUCo-SA), Parrot Breeders Association of South Africa (PASA), South Africa Taxidermy and Tannery Association (SATTA), Pet Advocacy Network, National Association for Biomedical Research, and CIC International Council for Game and Wildlife Conservation) expressed that the breadth of wildlife diseases was beyond the mandate of CITES and that CITES could best engage with the issues through its MoU with WOA. H.

The Committee:

- a) invited the Secretariat, taking into consideration the comments made on the floor, to finalize the draft Memorandum of Understanding and draft joint programme of work with the World Organisation for Animal Health (WOAH) contained in Annex 2A and 2B with the following edits:
  - i) add to Article 2, section 1 of the Memorandum of Understanding: Identifying zoonotic disease risk associated with CITES activities and CITES listed species
  - ii) add to the Joint Programme of Work: Exchange of information between WOA. H. and CITES on the specific wildlife pathogens and their common wildlife host species and specimen types that could be of mutual interest
- b) requested the Standing Committee's intersessional working group to consider the information provided by the Parties, the CMS Secretariat, organizations and the United Nations Environment Programme referred to in document SC77 Doc. 17.2 and its Annexes in implementing its mandate.

18. Cooperation with Multilateral Environmental Agreements and other international organizations..... SC77 Doc. 18

The Secretariat introduced document SC77 Doc. 18 on the CITES partnership strategy and drew Parties' attention to the following meetings: the Bern III Conference on synergies, Bern, 23-25 January 2024; and the Sixth session of the United Nations Environment Assembly (UNEA6), Nairobi 26 February – 1 March 2024.

The United States of America (Committee Member for North America) agreed with the recommendations in the document and expressed its support for continued cooperation with other biodiversity conventions, while minimizing the extent to which this cooperation could overextend the Secretariat's resources or lead to activities that were beyond the scope of the Convention. Canada indicated it was broadly supportive of the proposed approach to the development of the CITES partnership strategy and remarked that the further development of mapping of current partnerships as outlined in paragraph 8 of the document would be a valuable exercise to avoid duplication of efforts.

IWMC-World Conservation Trust strongly supported cooperation between international bodies related to biodiversity, but cautioned Parties from going beyond the scope of the CITES mandate.

The Committee:

- a) noted the process outlined for the development of the draft CITES partnership strategy and invited the Secretariat to take into account the inputs provided on the floor;
- b) agreed to coordinate the participation of its Members at the Bern III Conference on synergies (January 2024) to ensure that the Convention and its interests are adequately represented at the conference;
- c) encouraged Parties participating in the UNEA-6 high-level dialogues to represent the achievements, needs and interests of CITES and its Parties; and
- d) noted the comments made on the floor.

19. Cooperation with the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services, including policy aspects of the IPBES Assessment report on the sustainable use of wild species ..... SC77 Doc. 19

Document SC77 Doc. 19 highlighted the *IPBES Assessment Report on the Sustainable Use of Wild Species* and, in its Annex, contained key findings from the Summary for Policymakers along with relevant CITES Resolutions, Decisions and processes that the Standing Committee may wish to consider.

China expressed its support for the establishment of an intersessional working group to review the Summary for Policymakers for the IPBES Thematic Assessment Report on the Sustainable Use of Wild Species.

The Committee established an intersessional working group to facilitate the review of the IPBES Thematic Assessment Report on the Sustainable Use of Wild Species with the mandate to work through electronic means to:

- a) review the summary for policymakers of the thematic assessment of the sustainable use of wild species of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES);
- b) consider the recommendations related to Decision 19.29 of the joint session of the 33rd meeting of Animals Committee and the 27th meeting of the Plants Committee;
- c) using the Annex to document SC77 Doc. 19 as the starting point, identify aspects relevant to CITES implementation that are not adequately covered in existing Resolutions and Decisions, and may require further consideration by the Standing Committee and the Conference of the Parties; and
- d) prepare a draft report of the results of the review and possible recommendations for consideration by the Standing Committee at its 78th meeting.

Membership was agreed as follows: Australia, Canada, China, India, Indonesia, Japan, Kenya, Poland, Republic of Korea, South Africa, Switzerland (Chair), United Republic of Tanzania, United States of America, Zambia, Zimbabwe; Food and Agriculture Organization of the United Nations (FAO), Animal Welfare Institute, Conservation Force, International Fund for Animal Welfare (IFAW), International Fur Federation, IWMC-World Conservation Trust, Professional Hunters' Association of South Africa, South African Taxidermy & Tannery Association, Species Survival Network (SSN), Sustainable Use Coalition – Southern Africa, TRAFFIC, Wildlife Ranch South Africa, Wildlife Conservation Society, World Wide Fund for Nature.

20. World Wildlife Trade Report ..... SC77 Doc. 20

Document SC77 Doc. 20 drew the Parties' attention to Notification to the Parties No. 2023/019 of 8 September 2023 seeking feedback on the draft World Wildlife Trade Report and the potential utility and drawbacks of producing such a report on a regular basis.

The Committee noted document SC77 Doc. 20 and further noted that comments on this document would be requested by Notification to the Parties.

21. CITES and forests ..... SC77 Doc. 21

The Secretariat introduced document SC77 Doc. 21, summarizing the discussions about the possibility of developing a draft resolution on CITES and forests during the previous intersessional period. The Secretariat further presented progress in the implementation of Decisions 19.32 and 19.33, with regard to the preparation of a 'CITES and forests compendium: CoP19-CoP20' as contained in Annex 1 to the document and soon to be published on the CITES website, and the preparation of draft terms of reference for the multidisciplinary study on CITES and forests called for in paragraph b) of Decision 19.32 and revised by the Plants Committee as contained in Annex 2 to the document. The Secretariat conveyed the recommendations of the Plants Committee to continue focusing on CITES-listed tree species for this intersessional period, recalling that it was agreed during CoP19 that the initial focus should be on tree species, although eventually the scope could include all forest species of fauna and flora. On 1 November 2023, the Secretariat published a call for expressions of interest to carry out the study, with an expectation that the study would be available by the end of 2024. The Secretariat further reported on its efforts to enhance and raise awareness on CITES

contributions to global forest-relevant mandates and forest policies and initiatives. The Secretariat recommended the postponement of implementation of paragraphs c) and d) of Decision 19.34.

The United States of America (Committee Member for North America), speaking on behalf of the North American region, echoed by the United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe) and the European Union and its Member States, supported the delay of the implementation of paragraphs c) and d) of Decision 19.34. However, the European Union and its Member States wished to see these implemented within the current intersessional period. The United States, the United Kingdom and the European Union and its Member States also considered that discussions under paragraph b) of Decision 19.34 would benefit from the results of the multidisciplinary study and that its implementation should be postponed until the outcomes of that study were available.

The United States (Committee Member for North America), speaking on behalf of the North American region, urged Parties to avoid duplication of effort by taking into account any relevant work carried out by other organizations. The United States also considered that, should the work plan be expanded, any consultancy work should include at least one person with a forestry background. The United States further requested that the Secretariat incorporate in its report to the Standing Committee an in-depth analysis of the challenges and opportunities associated with any future initiatives on CITES and forests, as invited by the Plants Committee at its 26th meeting. Brazil (Committee Member for Central and South America and the Caribbean), speaking on behalf of the Central and South America and the Caribbean region, disagreed with the recommendations of the Plants Committee to prioritize plant species within this topic, stressing that any initiatives should consider all species of plants and animals living in forests and the interactions between them in that environment. Brazil stated that any initiative should focus on protecting endangered species of wild fauna and flora that are affected by international trade and remain within the scope of the Convention, without overlaps and interferences with the competences of other multilateral environmental agreements. China noted that any new initiative should focus on species in international trade and how species could contribute to an ecosystem approach. They also suggested edits to the Annex to document SC77 Doc. 21 to include 7 resolutions in order to better explain the impacts. Senegal suggested that reference be made to long-term funding, as capacity and funding were persistent issues. This was supported by the International Tropical Timber Organization (ITTO).

The Committee:

- a) noted the progress made in the implementation of Decisions 19.32 and 19.33 as reported in document SC77 Doc. 21;
- b) agreed to delay exploring options for the implementation of Decision 19.34, paragraph b), until the outcomes of the interdisciplinary study on CITES and forests are available;
- c) also agreed to delay implementation of Decision 19.34, paragraphs c) and d), until the outcomes of the interdisciplinary study on CITES and forests are available;
- d) invited the Secretariat to incorporate in its report to the 78th meeting of the Standing Committee the challenges and opportunities associated with any future initiative relating to CITES-listed forest species, with a particular focus on tree species, and to take into account the discussions at PC25, SC74, CoP19 and PC26;
- e) invited China to provide to the Secretariat its suggested additional Resolutions for inclusion in the 'CITES forest compendium: CoP19-CoP20' contained in Annex 1 to document SC77 Doc. 21; and
- f) noted the comments made by Brazil, Senegal and the International Tropical Timber Organization.

22. Language strategy for the Convention ..... SC77 Doc. 22

Document SC77 Doc. 22 informed the Committee that the Secretariat has received funding from Switzerland to translate the CITES website in Arabic, Chinese and Russian by using automated translation and to translate in those same languages all valid Resolutions and Decisions. The contractual process for these translations was under way. The Secretariat further noted in the document that it has not received funding for the interpretation of the 20th meeting of the Conference of the Parties into Arabic, Chinese and Russian.

The Committee noted document SC77 Doc. 22 and further noted that comments on this document would be requested by Notification to the Parties.

## Capacity-building matters

### 23. Capacity-building

#### 23.1 Implementation of Resolution Conf. 19.2 on Capacity-building ..... SC77 Doc. 23.1 (Rev. 1)

The Secretariat introduced document SC77 Doc. 23.1 (Rev. 1), providing an update on its capacity-building activities at the national and regional level, and reported that over a dozen Parties had been supported. The Secretariat also drew attention to Notification to Parties No. 2023/038 of 27 March 2023 and Notification No. 2023/059 of 10 May 2023, calling for financial support for grants directed to developing countries and nominations for course participants for the *Master's course on Management and Conservation of Species in Trade: The International Framework*, to take place in 2024. The Secretariat reported that grant applications had been received from over 12 countries, exceeding the current funding capacity; as a result, the Secretariat was discussing with the course coordinators how to select participants, while seeking additional funding.

The Committee noted document SC77 Doc. 23.1 (Rev. 1).

There were no interventions.

#### 23.2 Report by the Sudan ..... SC77 Doc. 23.2

Document SC77 Doc. 23.2 contained an overview of a workshop organized by the International Fund for Animal Welfare on combatting wildlife crime on the implementation of CITES from 13 to 16 March 2023 in Khartoum. In the document, Sudan highlighted its need for technical, logistical and financial support, particularly to help develop non-detriment findings and proposals to amend the Appendices.

The Committee noted document SC77 Doc. 23.2.

There were no interventions.

#### 23.3 Capacity-building framework ..... SC77 Doc. 23.3

The Secretariat introduced document SC77 Doc. 23.3, which summarizes the progress made during the past intersessional period on the need for a CITES capacity-building conceptual framework or strategy. It was highlighted that the Secretariat intends to organize one or more regional technical consultation to facilitate the development of an integrated capacity building framework, subject to the availability of external funds.

Morocco (Committee Member for Africa), highlighting that capacity-building is central to the successful implementation of the Convention, supported the Secretariat's position in document SC77 Doc. 23.3 and encouraged other Parties to do the same. Morocco stressed that capacity-building should be built on a needs evaluation process involving careful evaluation of the situation in each Party so that their unique needs, as well as the national synergies available between national focal points of other biodiversity areas, are taken into account. Morocco also stressed that the need for financial partnerships should be recognized, reporting on its fruitful collaboration with the United States Fish and Wildlife Service. Georgia (Committee Member for Europe) highlighted the importance of regional consultations with the Parties and stakeholders to ensure a systemic approach for capacity-building. The United States of America (Committee Member for North America), speaking on behalf of the North American region, supported the idea of regional consultations and strongly supported CITES capacity-building, expressing the view that every Party had gaps in implementation. China reported that it had shared ideas, information and experience relating to the capacity-building framework with the Secretariat and looked forward to participating in future discussions. China also reported that its capacity-building had supported demand reduction activities, combatting illegal trade, enforcement in Asia and Africa, holding seminars on wildlife conservation and CITES implementation and facilitating participation from other countries in such seminars, and recently the creation of the Talent Exchange Programme for CITES Scientific Authorities (TESA) and identification documents for animals listed in Appendix I.

The Committee noted document SC77 Doc. 23.3 and the comments made on the floor.

24. Compliance Assistance Programme..... SC77 Doc. 24

The Secretariat introduced document SC77 Doc. 24, providing an update on the implementation of the Compliance Assistance Programme (CAP) with financial or technical support provided by the European Union, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America. The Secretariat presented an overview of the in-country compliance assistance provided to Guinea, the Lao People's Democratic Republic, Nigeria, Solomon Islands, Suriname and Togo. It reported that it had visited Guinea, Nigeria, Solomon Islands and Suriname since the last update at the 74th meeting of the Standing Committee (Lyon, March 2022) and had been able to assess programme development and implementation in those countries. The Secretariat also reported that an agreement had been signed with Nigeria in September 2023.

New Zealand (Committee Member for Oceania) acknowledged the support provided to the Solomon Islands through the CAP, including attendance of a government official to the CITES Masters programme at the University of Andalucia and a technical mission by the Secretariat to assess needs and challenges and strengthen compliance and enforcement work, which it hoped would assist in finding solutions to remove long-standing trade suspensions in certain species and enable legal and sustainable trade to resume in the future. Indonesia (Committee Member for Asia) and the United States of America (Committee Member for North America), speaking on behalf of the North American region, acknowledged the commitments of the Parties participating in the CAP and the progress made so far in its implementation. The United States highlighted that Party-to-Party assistance was also valuable. Nigeria, as a beneficiary of the CAP, looked forward to the commencement of implementation activities once funds were released, having put the necessary structures in place including on the non-detriment finding on *Pterocarpus erinaceus* and consideration of electronic CITES permits.

The Committee:

- a) acknowledged Guinea, the Lao People's Democratic Republic, Nigeria, Solomon Islands, Suriname and Togo for their commitment to participate in the Compliance Assistance Programme in recognition of their own compliance needs, and their engagement towards addressing those needs;
- b) welcomed the progress made so far in the implementation of the Compliance Assistance Programme; and
- c) noted the comments made on the floor.

25. CITES Tree Species Programme ..... SC77 Doc. 25

The Secretariat presented the results of the external evaluation of the CITES Tree Species Programme (CTSP) that included recommendations with respect to the sustainability, replication and up-scaling of the CTSP. The Secretariat noted that the CTSP had now completed its work and informed the Committee of a pledge by the European Union towards 'bridging activities', while it continued to search for additional sources of funds in support of a continuation of the CTSP. The Secretariat proposed that the CTSP and any future bridging projects be considered as one of the funding mechanisms in support of a *CITES and forests* programmatic approach, referred to in Section 3 of the 'CITES forest Compendium: CoP19-CoP20'. The Secretariat suggested deleting the last part of the recommendation b) proposed in the document, ending it after "programmatic approach".

Brazil (Committee Member for Central and South America and the Caribbean), speaking on behalf of the Central and South America and the Caribbean region, Kenya (Committee Member for Africa), speaking on behalf of the African countries having benefited from the CTSP, the United States of America (Committee Member for North America), speaking on behalf of the North American region, Cameroon, the Democratic Republic of the Congo, Peru, Zimbabwe, and the Species Survival Network (SSN) supported the continuation of the CTSP.

The United States of America (Committee Member for North America), speaking on behalf of the North American region, Brazil (Committee Member for Central and South America and the Caribbean), speaking on behalf of the Central and South America and the Caribbean region, Mexico and SSN expressed concern about identifying the CTSP as a dedicated funding mechanism of a *CITES and forests* programmatic approach, as this latter initiative was not yet fully defined. However, the United States could support such an association at a later time if funding was secured. Brazil and Peru reported that the CTSP had been important in the region and wished to see it made permanent as a programme. The Democratic Republic of the Congo

also did not support the alignment for now. Malaysia felt that the proposed alignment into the *CITES and forests* programmatic approach needed more thought to avoid supporting proposals that only looked at large contexts and neglecting species-based projects, which is the mandate of the Convention.

Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, and New Zealand (Committee Member for Oceania), speaking on behalf of the Oceania region, supported the alignment with the *CITES and forests* programmatic approach, subject to funding being available. New Zealand, echoed by Kenya (Committee Member for Africa) and Mexico, sought to ensure that the CTSP could be extended in an inclusive way to Parties in other regions in the future, particularly in Mexico and Oceania. As the CITES forest Compendium only extended to CoP20, New Zealand sought clarity on what was envisaged beyond CoP20, recommending that the programme not be limited to compliance matters which at present excluded the eligibility of Parties such as those in Oceania.

Kenya (Committee Member for Africa), speaking on behalf of the African countries having benefited from the CTSP, and echoed by Zimbabwe, reported that the programme had helped in strengthening capacity in those countries, especially through funding studies that improved the management of the tree species covered under the programme. The Democratic Republic of the Congo, as a beneficiary of the CTSP, reported that it had enabled the Party to produce three non-detriment findings. Kenya and the Democratic Republic of the Congo, echoed by New Zealand (Committee Member for Oceania), speaking on behalf of the Oceania region, reiterated the call expressed at the 19th meeting of the Conference of the Parties (CoP19) for the expansion of the programme to cover other tree species. Zimbabwe suggested the expansion of the programme to a species-based regional approach, and recommended harnessing new and innovative technology in capacity-building and monitoring. Peru reported on activities undertaken in its country in the context of the CTSP since CoP19, including an action plan for *Dipteryx* and *Handroanthus*, regulatory improvements and assessments of stocks.

The United States of America (Committee Member for North America) reported that it would support the CTSP through funding for the biannual work programme of the International Tropical Timber Organization (ITTO). The United States felt that the evaluation of the outcomes of the CTSP should be shared with Parties to inform the decisions around the permanency of the CTSP.

Following the Chair's conclusion that there was no agreement on identifying the CTSP as one of the funding mechanisms for the *CITES and forests* programmatic approach, Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, requested a recommendation relating to a potential linkage in order to retain the link for possible alignment in future. This was supported by New Zealand (Committee Member for Oceania), speaking on behalf of the Oceania region, but opposed by the United States (Committee Member for North America), speaking on behalf of the North American region, and Brazil (Committee Member for Central and South America and the Caribbean), speaking on behalf of the Central and South America and the Caribbean region.

The Committee:

- a) noted progress on the implementation of Decisions 19.49 and 19.50 contained in document SC77 Doc. 25, together with document SC77 Doc. 21 on *CITES and forests*;
- b) recommended that the Secretariat consider long-term sustainability options of the CITES Tree Species Programme (CTSP), including a wider regional and tree-species coverage, subject to the availability of funds;
- c) noted that, while some Members found that there was a potential linkage to a possible future *CITES and forests* programmatic approach, there was no consensus at this point; and
- d) noted the comments made on the floor.

#### CITES and people

#### 26. CITES gender action plan ..... SC77 Doc. 26

Document SC77 Doc. 26 provided an update on the development of draft *CITES Gender Action Plan* with an outline available in the Annex to the document and drew the Parties' attention to Notification to Parties No. 2023/104 inviting Parties and relevant stakeholders to share knowledge, case studies and other relevant

experiences with the Secretariat and requesting funding in support of the preparation of the *CITES Gender Action Plan*.

The Committee noted document SC77 Doc. 26 and further noted that comments on this document would be requested by Notification to the Parties.

27. Establishment of the CITES Global Youth Network ..... SC77 Doc. 27 (Rev. 1)

Singapore introduced document SC77 Doc. 27 (Rev. 1), prepared jointly with the Secretariat, and summarized the initiatives undertaken by the Secretariat and Singapore to engage with youth and presented a proposal to establish a CITES Global Youth Network. Under this network, Singapore took on the creation of the CITES Youth Leadership Programme and mentioned that it intended to report on the results of the CITES Youth Leadership Programme to SC78.

Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, Brazil, the Dominican Republic and Honduras (Committee Members for Central and South America and the Caribbean), Indonesia (Committee Member for Asia), Kenya (Committee Member for Africa), Kuwait (Committee Member for Asia), Morocco (Committee Member for Africa), the Depositary Government (Switzerland), the United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe), the United States of America (Committee Member for North America), Bahrain, China, the Democratic Republic of the Congo, India, Malaysia, Oman, Peru, Senegal, Thailand, the United Arab Emirates, Zambia, Zimbabwe; the United Nations Environment Programme (UNEP), IWMC-World Conservation Trust and the Sustainable Use Coalition – Southern Africa (SUCo-SA) congratulated Singapore on the work undertaken and expressed support for the establishment of the CITES Global Youth Network.

Senegal proposed that the Standing Committee invite the Secretariat to issue a Notification to invite Parties to set up youth groups at the country level.

The Sustainable Use Coalition – Southern Africa (SUCo-SA) offered to host youths from the CITES Global Youth Network, with in-country costs covered, and requested Parties to offer funding assistance for international travel.

The Committee noted the suggestion made by Senegal to issue a Notification and the invitation by the Sustainable Use Coalition – Southern Africa to host youth from the CITES Global Youth Network.

The Committee:

- a) supported Singapore's efforts in establishing the CITES Global Youth Network (CGYN);
- b) invited interested Parties to join Singapore's effort in the establishment of the CGYN;
- c) encouraged Parties and observers to nominate youth affiliated with their organization to attend the CITES Youth Leadership Programme in the first half of 2024 and Global Youth Summit from 2025 onwards; and
- d) requested the Secretariat to support the efforts of Singapore and relevant Parties on the establishment of the CITES Global Youth Network.

28. Engagement of indigenous peoples and local communities

28.1 Report of the working group ..... SC77 Doc. 28.1

Canada, as Chair of the Standing Committee intersessional working group on engagement of indigenous peoples and local communities, introduced document SC77 Doc. 28.1 on the progress achieved by the working group following an in-person joint meeting with the intersessional working group on CITES and livelihoods and thanked Peru that hosted that meeting in August 2023. Canada indicated that information from these discussions would inform the first draft guidelines for meaningful consultations with IPLCs in the development of proposals to amend the CITES Appendices.

Poland (Committee Member for Europe), speaking on behalf of the European Union and its Member States, Burkina Faso, and China thanked the working group Chair for leading the working group



discussions and looked forward to continued discussions. New Zealand (Committee Member for Oceania), speaking on behalf of the Oceania region, proposed that the working group take into accounts topics raised in information document CoP19 Inf. 29 that contained highly relevant information.

Ngā Iwi o Taranaki Collective, on the invitation of New Zealand, addressed the Committee and emphasized the importance of the inclusion of indigenous peoples in working group discussions and expressed support for recommendation b) of paragraph 14 of document SC77 Doc. 28.1. The representative noted that CITES presented an impediment to Māori and Oceanic traditions of exchanging sacred cultural items, such as whale bone and ivory obtained from natural strandings, and suggested that the working group explore less burdensome permitting models for the Oceania region.

TRAFFIC supported the expansion of the mandate of the working group to examine the terminology used in CITES when referring to IPLCs and rural communities and suggested that the IPBES core glossary could offer guidance for these discussions. Gabon also stressed the importance of examining the terminology used to describe IPLCs and rural communities.

Conservation Alliance of Kenya (also on behalf of the Amboseli Ecosystem Trust, Pan African Wildlife Conservation Network, David Shepherd Wildlife Foundation, Fondation Franz Weber, Pan African Sanctuary Alliance, Born Free Foundation) considered that the working group mandate was not limited to engaging IPLCs at the international level, and emphasized the importance of consultation with IPLCs at the national level.

The Committee noted the progress and next steps for the working group on engagement on indigenous peoples and local communities, as well as the comments made on the floor.

The Committee invited the intersessional working group to take into account in its discussion the topics raised in information document CoP19 Inf. 29 on *Engaging Indigenous peoples and local communities in international policy- and decision-making: Lessons for CITES from multilateral environmental and human rights processes*, as appropriate.

## 28.2 Report of the Secretariat ..... SC77 Doc. 28.2

Document SC77 Doc. 28.2 contained a consolidated summary of the responses from Parties and observers on their experiences and lessons learned in engaging indigenous peoples and local communities (IPLCs) in CITES processes, particularly on the status of IPLCs and their relationship with CITES-listed species; the scale and form of engagement in CITES; successful experiences in IPLC engagement in relation to CITES; and challenges and solutions.

Chad (Committee Member for Africa), Poland (Committee Member for Europe), speaking on behalf of the European Union and its Member States, the United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe), the United States of America (Committee Member for North America), Canada and Zimbabwe expressed support for recommendation b) of the document, to expand the mandate of the intersessional working group on IPLC engagement to examine terminology used in the CITES context. These Parties concurred with the Secretariat's note in the document that the choice of terminology requires complex political, legal and practical considerations. Some Parties indicated a preference for the use "IPLCs", while others considered it important that this term was not used interchangeably with "rural communities".

The Committee:

- a) noted document SC77 Doc. 28.2, in particular the consolidated summary of the responses from Parties on their experiences and lessons learned in engaging indigenous peoples and local communities in the CITES processes in both 2020 and 2023, contained in the Annex to document SC77 Doc. 28.2;
- b) agreed to include the task in Decision 17.57 (Rev. CoP19) concerning the examination of the terminology used in the CITES context when referring to "indigenous peoples", "local communities" or "rural communities" in the mandate of the intersessional working group on IPLC engagement; and

- c) noted the comments made on the floor.

29. Livelihoods ..... SC77 Doc. 29

Zambia, as co-Chair of the Standing Committee working group on livelihoods alongside Peru, introduced document SC77 Doc. 29 and thanked China and the Wildlife Conservation Society for providing financial support to host the in-person joint meeting of the intersessional working group on engagement of indigenous peoples and local communities (IPLCs) and the intersessional working group on livelihoods. Zambia reported that significant progress had been made with respect to its mandate and noted that the working group would continue to meet online and report its progress to the 78th meeting of the Standing Committee.

The United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe) supported that Parties consult with IPLCs on the development of the draft *Guidance on maximizing benefits to Indigenous peoples and local communities from trade in CITES-listed species* where possible. They also suggested that the working group may wish to discuss livelihood considerations in non-detriment findings, noting that this was due for discussion at the CITES NDF workshop in December.

The Committee noted the progress and next steps for the working group on livelihoods, taking into consideration the comment made by the United Kingdom of Great Britain and Northern Ireland about the possibility to include livelihood considerations in making non-detriment findings.

30. Demand reduction to combat illegal trade ..... SC77 Doc. 30

In document SC77 Doc. 30, the Secretariat informed the Committee of an Asian regional training seminar on demand reduction strategies to combat illegal trade in CITES-listed species that took place in Singapore on 10–11 October 2023. Similar training seminars are also envisaged for other regions, including Africa and Central and South America and the Caribbean. In the document, the Secretariat encouraged the use of the *Guidance on demand reduction strategies to combat illegal trade in CITES-listed species*, following the 5-step approach to achieve behaviour change of targeted consumers of specimens of selected species.

The Committee noted document SC77 Doc. 30 and further noted that comments on this document would be requested by Notification to the Parties.

## Compliance

31. National laws for implementation of the Convention ..... SC77 Doc. 31 (Rev. 1)

The Secretariat presented an update on the number of Parties with legislation in Categories 1, 2 and 3 under the National Legislation Project (NLP), taking into consideration updates based on most recent information transmitted by Parties: Category 1 (112 Parties); Category 2 (44 Parties); Category 3 (25). The Secretariat acknowledged additional submissions made by Armenia, Bahrain, Belarus, Botswana, China for Macau Special Administrative Region, Ecuador, Kazakhstan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Mongolia and Sri Lanka following the submission of document SC77 Doc. 31 and, accordingly, proposed the following changes to the recommendations in the document: the placement of the United Republic of Tanzania's legislation in Category 1; the removal of Mongolia from the list of Parties in recommendation b) where it is recommended to suspend commercial trade; and the removal of Kyrgyzstan from the list of Parties in recommendation c) where it is recommended to issue a formal warning.

Ecuador noted it had reported its progress in information document SC77 Inf. 36 and that it had been unable to progress with the final stages of its legislative work due to an exceptional constitutional situation. On this basis, Ecuador requested its removal from the list of Parties where it is recommended to suspend commercial trade; this was supported by Brazil and the Dominican Republic (Committee Members for Central and South America and the Caribbean), the United States of America (Committee Member for North America) and Argentina. The Secretariat, in response to a request for clarification from Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, reported it had reviewed the information received from Ecuador and agreed with its removal from recommendation b), while noting the adoption of final laws remained the responsibility of the Party.

Georgia (Committee Member for Europe) informed the Committee that it had contacted Azerbaijan, Bosnia and Herzegovina and North Macedonia, and that all three Parties reported progress on their legislation and that consultation with these countries by the Secretariat was needed. Kenya (Committee Member for Africa) and Uganda provided updates on instruments of national legislation that had either been finalized or were in

the process of being adopted. The United States of America (Committee Member for North America) supported the recommendation to suspend trade in the Parties listed in paragraph 38 of the document, with the removal of Mongolia and Ecuador from this list. Noting that the Committee has previously adopted recommendations to suspend all trade in CITES-listed species for failure to submit CITES annual reports, and adoption of adequate CITES implementing legislation is fundamental for effective CITES implementation, the United States considered the trade suspension in this instance should be expanded to include all trade in CITES-listed species. Furthermore, the United States considered that as Oman had reported no progress since 2020 despite two formal warnings, Oman should be included in the list of Parties subject to a trade suspension in recommendation b) in paragraph 38. Oman reported that it expected its draft legislation to be finalized over the next months.

With regard to the clarifications requested by the Secretariat on its legislation, Bahrain indicated that many of the issues appeared to be a result of translation errors and that the process to correct these was underway. China, for Macau Special Administrative Region of China, informed the Committee that while its legislation was placed in Category 2, its legislation had been amended in 2017 to fulfil the requirements of CITES and this information was recently provided to the Secretariat for review. Zambia assured Parties of its commitment to align its laws to fulfil the requirement of the Convention and that it would take on board the feedback of the Secretariat contained in the document. India and the United Republic of Tanzania welcomed the placement of their national legislation in Category 1 and highlighted their respective efforts taken to fulfil the requirements of the Convention.

Regarding paragraph 12 of the document, Conservation Force queried if the information on Botswana was correct, noting that Botswana's parliament had approved a new wildlife bill that reportedly fulfilled the requirements of CITES. The Secretariat invited Botswana to follow up with the Secretariat on this matter.

The Food and Agriculture Organization of the United Nations (FAO) informed the Committee that the 2nd edition of *Implementing the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) through national fisheries legal frameworks: a study and a guide* had recently been published in English on the FAO and CITES websites.

The Committee:

- a) commended India, Maldives, Pakistan, the United Republic of Tanzania, Bermuda and the British Virgin Islands for the efforts leading to their legislation being placed in Category 1 and other Parties or territories that have made substantial progress in adopting measures for the effective implementation of the Convention;
- b) agreed on a recommendation to all Parties to suspend trade in all CITES-listed species for commercial purposes with Comoros, Congo, Dominica, Libya, Oman and Sierra Leone. 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 takes significant and substantive steps to do so. Upon the expiry of the 60 days after the recommendation is agreed, the Secretariat shall issue a Notification to the Parties informing them of the recommendations to suspend commercial trade taking effect from that date;
- c) requested the Secretariat to issue a formal warning or a second formal warning to the Parties that have not reported any legislative progress for more than three years, requesting them to immediately take steps to ensure progress be made before SC78 and to report such progress to the Secretariat 90 days before the 78th meeting of the Standing Committee, hence by 31 October 2024. At the time of writing, this includes:
  - Azerbaijan: second formal warning (first formal warning issued at SC74);
  - Bosnia and Herzegovina: second formal warning (first formal warning issued at SC74);
  - Kenya: first formal warning;
  - Lebanon: second formal warning (first formal warning issued at SC74); and
  - North Macedonia: second formal warning (first formal warning issued at SC70).
- d) agreed to add Uganda to the list of Parties designated by the Standing Committee as requiring its attention as a priority; and

- e) agreed with the Secretariat's proposed way forward concerning the handling of exceptional circumstances impeding the proper functioning of CITES at the national level.

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

The Committee noted the suggestion made by Japan that the Secretariat issue a Notification to the Parties informing Parties of possible future recommendations to suspend trade.

## 32. National reports

### 32.1 Submission of annual reports..... SC77 Doc. 32.1

The Secretariat provided an update to document SC77 Doc. 32.1 on compliance with annual report submission requirements, listing the following nine Parties as having submitted an annual report since its publication: Australia, Comoros, Egypt, Fiji, Georgia, Maldives, Nigeria, Sierra Leone and Solomon Islands. The remaining eleven Parties having failed to provide annual reports for three consecutive years, without having provided adequate justification, were: Angola, Antigua and Barbuda, Brunei Darussalam, Equatorial Guinea, Eritrea, the Gambia, Guinea, Myanmar, Saint Vincent and the Grenadines, Somalia and Togo.

Japan (Committee Member for Asia) supported the recommendations in the document and requested that the Secretariat issue a Notification to the Parties prior to the establishment of trade suspensions to avoid any confusion for exporters and importers.

The Committee instructed the Secretariat to determine whether Angola, Antigua and Barbuda, Brunei Darussalam, Equatorial Guinea, Eritrea, the Gambia, Guinea, Myanmar, Saint Vincent and the Grenadines, Somalia and Togo 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 closure of this 77th meeting of the Standing Committee) recommending that Parties not authorize any commercial trade in specimens of CITES-listed species with those Parties until they have provided the missing reports.

The Committee noted the suggestion made by Japan that the Secretariat issue a Notification to the Parties informing Parties of possible future recommendations to suspend trade.

### 32.2 Revised Guidelines for the preparation and submission of CITES annual reports and Guidelines for the preparation and submission of CITES annual illegal trade reports ..... SC77 Doc. 32.2

Document SC77 Doc. 32.2 contained a proposal from Peru to include a new trade term code for "thread" and the addition of further examples for animal hair in the explanation for the trade term code "hair" in both sets of *Guidelines*. The Secretariat also proposed amendments to the *Guidelines for the preparation and submission of CITES annual illegal trade reports* as shown in the Annex to document SC77 Doc. 32.2 to reflect amendments to Resolutions adopted at CoP19 and inputs made by the United Nations Office on Drugs and Crime (UNODC) that manages the annual illegal trade report database on behalf of the Secretariat.

The United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe) supported the proposed amendments to the illegal trade report guidelines and reporting template but requested clarification on the distinction between the proposed term code "thread" and the existing term code "fibre". Peru explained that, in addition to exporting vicuña fibre, which it reports under the trade term code FIB, it also exports a vicuña thread product that is not yet covered under the *Guidelines*. The United States of America (Committee Member for North America), speaking on behalf of the North American region, supported the new trade term code described in paragraph 4 of the document but proposed additional language in the explanation columns for "thread" and "hair" for clarity. These revisions were supported by Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States. IWMC-World Conservation Trust suggested a further revision to the description of term code "thread" to include an example of a plant species.

Regarding the proposed changes to the submission of ivory seizure data detailed in paragraph 5 of the document, Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, noted the different reporting deadlines of ETIS and annual illegal trade reports as per Resolution Conf. 10.10 (Rev. CoP19) on *Trade in elephant specimens* and Resolution Conf. 11.17 (Rev. CoP19) on *National reports*, respectively, and expressed concerns that encouraging Parties to submit ivory seizure data within annual illegal trade reports could result in a failure to meet the earlier ETIS reporting deadline. Belgium expressed further concerns regarding potential inconsistencies between the two Resolutions and called for the establishment of an intersessional working group to address these, with the aim to reduce reporting burdens.

In accordance with paragraphs 1 and 3 of Resolution Conf. 11.17 (Rev. CoP19), the Committee approved the amendments to the *Guidelines for the preparation and submission of CITES annual reports* in paragraph 4 of document SC77 Doc. 32.2 related to the trade term codes and the amendments to the *Guidelines for the preparation and submission of CITES annual illegal trade reports* and the reporting template as outlined in the Annex to document SC77 Doc. 32.2 with the following amendments:

Proposed new text is shown underlined and deletions in ~~strike through~~ throughout the document.

Description	Trade term code	Preferred unit	Alternative unit	Explanation
<u>thread</u>	<u>THD</u>	<u>kg</u>		<u>thread – a processed long strand of multiple hairs or fibres of natural (e.g. plant or animal) origin, e.g. vicuña, guanaco</u>
hair	HAI	kg	g	hair – includes all <u>unprocessed</u> animal hair, e.g. of elephant, yak, guanaco, <u>wolf, bear, panther, etc.</u>

For the template of the annual illegal trade report:

**Please select one of the following options:**

**Yes,** any data related to seizures of elephant specimens can be shared with ETIS to support the monitoring the illegal trade in ivory and other elephant specimens as provided for in Resolution Conf. 10.10 (Rev. CoP19).

☐

**No,** data related to seizures of elephant specimens will be submitted to ETIS as a separate report.

☐

The Committee established an intersessional working group with the mandate to review the provisions in Resolution Conf. 10.10 (Rev. CoP19) on *Trade in elephant specimens*, paragraph 27 g), and Resolution Conf. 11.17 (Rev CoP19) on *National reports*, paragraph 4, relating to exchange of information between the annual illegal trade report and the Elephant Trade Information System (ETIS), as well as the data elements to be reported in both as it relates to elephant specimens; and report to SC78.

Membership was agreed as follows: Argentina, Austria, Belgium (Chair), Canada, Germany, India, Italy, Kuwait, Singapore, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America; United Nations Organization on Drugs and Crime (UNODC); and TRAFFIC.

32.3 Revised *Report format* for implementation reports ..... SC77 Doc. 32.3

Document SC77 Doc. 32.3 contained a revised *Report format* for implementation reports in order to reflect in the report the new indicators for the *CITES Strategic Vision: 2021-2030*.

Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, supported the recommendations in the document. Concerning paragraph 6 of the document, the Party considered that online surveys were often more burdensome to complete compared to submissions prepared as Word documents, and as such suggested keeping both options open for Parties.

The Committee:

- a) agreed on the amendments to the report format of the implementation reports in the Annex to document SC77 Doc. 32.3;
- b) encouraged Parties to submit their next implementation report by 31 October 2024 (covering 2021, 2022 and 2023) so that the Secretariat can gather the necessary data for reporting on progress towards achievement of the goals of the *CITES Strategic Vision* to the next meeting of the Conference of the Parties (CoP20) scheduled to take place in 2025; and
- c) noted the suggestion by Belgium that, should the Secretariat develop an online version of the implementation report, Parties should still have the option of submitting it as a Word document.

33. Compliance matters

33.1 Implementation of Article XIII and Resolution Conf. 14.3 (Rev. CoP19) on *CITES compliance procedures* ..... SC77 Doc. 33.1

The Secretariat recalled that it had been agreed to discuss the potential compliance matter identified for the United Kingdom of Great Britain and Northern Ireland in conjunction with agenda item 33.8 on the *Application of Article XIII in the European Union*, as the cases, and the recommendations presented, were similar. Introducing the other cases in document SC77 Doc. 33.1, the Secretariat provided an update on the potential compliance matter previously identified in document SC74 Doc. 28.1 for Viet Nam, regarding trade in timber and other species that have been illegally harvested or traded. The Secretariat also identified other potential compliance matters, namely, trade in live animals to India and trade in live birds from Suriname, stressing that these were only potential issues. The Secretariat further suggested developing guidance on the scope and application of recommendations to suspend trade and developing a compliance action plan template.

India assured the Committee that it had a robust system ensuring compliance with CITES provisions while permitting the import of live animals, which involved the authorities of several ministries as well as central zoo authorities, the wildlife crime control bureau and the state forest departments. India stated that No Objection certificates for the import of live specimens were granted after verifying the source and purpose code through the issued export permit as far as possible. India reported that the Greens Zoological Rescue & Rehabilitation Centre (GZRRC) had been recognized and registered by the central zoo authority, which is the regulatory body, and that the facilities maintained very high standards of welfare, rescue, rehabilitation and lifetime care. India stated that the Management Authority had extended an invitation to the Secretariat to visit the facility and would provide all in-country assistance needed. GZRRC provided an introduction of the organization, including its aims, facilities, conservation and breeding programmes and collaboration with international organizations. GZRRC stated that it had been importing captive animals from facilities that could no longer see to their upkeep due to the negative economic effects of the COVID-19 pandemic, as well as from hunting lodges, rescue centres and overcrowded facilities, and stressed that all imports were done in accordance with the provisions of CITES and the India Wildlife Protection Act.

Viet Nam affirmed the accuracy of the information provided to the Secretariat before and during its technical mission in 2022, noting that the Secretariat's in-country mission was short and regretting that the information provided was not found to be sufficient for a final conclusion. Viet Nam welcomed the recommendations made by the Secretariat to renew its mandate and conduct a

second mission to Viet Nam to obtain the necessary insights to address this case, and in-country assistance would be provided as needed.

The United States of America (Committee Member for North America), speaking on behalf of the North American region and underscored by Canada, considered that the information provided in the document on the cases for Viet Nam, India and Suriname did not identify specific areas of non-compliance, and consequently suggested that, instead of the proposed recommendations for those cases, the Committee take note of the information; that the Secretariat be requested to engage with the countries as appropriate; and that the relevant Parties be encouraged to provide information. Should a specific issue of non-compliance then be identified, this should be reported to the Committee for further action. Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, Brazil (Committee Member for Central and South America and the Caribbean) and the United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe) supported the proposal by the United States for the cases for India and Suriname. For the case for Viet Nam, Belgium, recalling the mandate from SC74, suggested that the recommendation be expanded from timber to include other species. Brazil wished to draw attention to indications that illegal trade is taking place on rare species endemic to Brazil, such as recent cases involving hyacinth macaws.

Regarding the recommendation to develop guidance on the scope and application of recommendations to suspend trade, the United States of America (Committee Member for North America), speaking on behalf of the North American region, while agreeing that this guidance would be useful, thought this action would be premature as not all Parties agreed that this was necessary. The United States therefore suggested that a draft decision be submitted to the 20th meeting of the Conference of the Parties directing the Standing Committee to discuss the issue and propose guidance. Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, and the United Kingdom (Committee Member for Europe) were unsure as to whether guidance was needed. Belgium, supported by the United Kingdom and Canada, suggested that if such guidance were to be produced, it should include standardisation of the wording of recommendations to suspend trade, to ensure clarity for all Parties.

Regarding the recommendation to develop a compliance action plan template, the United States (Committee Member for North America), speaking on behalf of the North American region, expressed support. Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, noted that as all cases were different, the template should be flexible enough to capture the specificities of each case. China did not support the template, expressing concerns that it could prevent countries from exploring and applying measures as they see fit and recalling that Parties had the right under Article XIV to adopt their own domestic measures to implement the Convention. The Secretariat stressed that the template was not intended to be prescriptive but would only specify the generic fields that any action plan should contain, such as milestones, deadlines, budgets, drawing on the experience from the Mexican case for totoaba.

The World Parrot Trust expressed concern for increased illegal trade in Lear's macaws and other endangered macaws, highlighting cases of seizures and exports where no previous legal imports had been recorded. It urged Parties to ensure that they trace birds to source to prevent trafficked birds entering trade.

Later in the meeting, the potential compliance case for the United Kingdom of Great Britain and Northern Ireland was discussed alongside document SC77 Doc. 33.8 on the *Application of Article XIII in the European Union*; this summary should be read in conjunction with the summary under agenda item 33.8.

The United Kingdom of Great Britain and Northern Ireland echoed the comments made by the European Union and its Member States in that case, considering that the report did not provide evidence of how the Party was not meeting its obligations under the Convention, and highlighted the lack of evidence in particular regarding the assertion that the parental stock of captive bred specimens in the United Kingdom had not been obtained in accordance with the relevant national laws and Articles of the Convention despite the information provided demonstrating this is assessed for each individual specimen in the United Kingdom.

The United Kingdom noted that its regulation of captive breeding of Appendix-I species went beyond the requirements of Resolution Conf. 12.10 (Rev. CoP15) on *Registration of operations that breed Appendix-I animal species in captivity for commercial purposes* and Resolution Conf. 10.16

(Rev. CoP19) on *Specimens of animal species bred in captivity* due to its specimen-by-specimen legal acquisition findings and non-detriment findings. The United Kingdom further drew attention to document SC77 Doc. 59 and the differing interpretations and practices regarding Article VII, paragraphs 4 and 5, by the intersessional work group on Review of Resolution Conf. 12.10 (Rev. CoP15) contained in the document, and as such, considered it was inappropriate at this time for the Committee to consider a compliance case. Accordingly, the United Kingdom, supported by Canada, did not find that document SC77 Doc. 33.1 presented evidence of non-compliance with the Convention. Regarding subparagraph a) of paragraph 45 specifically, Belgium (Committee Member of Europe, speaking on behalf of the European Union and its Member States) found there was a lack of evidence that parental stock was not obtained in accordance with the provisions of the Convention. The United Kingdom updated the Committee that the case of non-compliance described in the information provided to the Secretariat ahead of their mission (included as the Annex to document SC77 Doc 33.1) and paragraph 12 of document SC77 Doc. 33.1 was progressing within the country's legal system, with a trial expected the following month.

Canada, echoed by China, believed compliance matters should be focused on compliance with Articles of the Convention, whereas the reports presented in documents SC77 Doc. 33.1 and Doc. 33.8 appeared to be related to compliance with resolutions, which are non-binding. China suggested that the Standing Committee encourage the Secretariat to further engage with both Parties before any determination of non-compliance was made.

Indonesia (Committee Member for Asia), Kenya (Committee Member for Africa), New Zealand (Committee Member for Oceania), speaking on behalf of the Oceania region, the United States (Committee Member for North America) and Mexico supported the recommendations contained in paragraph 45 of document SC77 Doc. 33.1. New Zealand, speaking on behalf of the Oceania region, in reference to the earlier discussion on the case for the European Union under agenda item 33.8, commented it was important that a consistent approach was applied to both cases.

In accordance with Resolution Conf. 14.3 (Rev. CoP19) on *CITES compliance procedures*, the Committee agreed to:

*Regarding timber trade from or to Viet Nam*

- a) renew the mandate of the Secretariat to continue to keep close communication and strengthen the cooperation with Viet Nam to understand how the CITES authorities ensure that timber and other species are imported and re-exported in full compliance with CITES. The Secretariat shall seek an invitation from Viet Nam to provide in-country assistance, conduct a second technical assessment and a verification mission to further investigate allegations related to Viet Nam's possible engagement in trade in timber and other species that have been illegally harvested or traded, including timber that has been traded contrary to CITES provisions. Subject to the availability of external funds and human resources to conduct that work, the Secretariat shall present its findings and recommendations to the forthcoming Standing Committee meetings.

*Regarding trade in live animals to India*

- b) noted the Secretariat's report regarding trade in live animals to India and requested the Secretariat to engage with India, as appropriate, to identify specific compliance issues and to report back to the Standing Committee;

*Regarding trade in live birds from Suriname*

- c) noted the Secretariat's report regarding trade in live birds from Suriname and requested the Secretariat to engage with Suriname, as appropriate, to identify specific compliance issues and to report back to the Standing Committee;

*Regarding guidance on the scope and application of recommendations to suspend trade*

- d) requested the Secretariat to prepare a draft decision for submission to the 20th meeting of the Conference of the Parties directing the Standing Committee, in collaboration with the Secretariat, to prepare draft guidance on the scope and application of recommendations to



suspend trade and to consider developing standardized language for recommendations to suspend trade;

*Regarding the development and adoption of a compliance action plan template*

- e) instructed the Secretariat to develop a standard template to assist the Parties in the preparation of compliance action plans requested in accordance with paragraph 29 h) of Resolution Conf. 14.3 (Rev. CoP19) on *CITES compliance procedures*, building upon the plan developed by Mexico with the assistance of the Secretariat. The Secretariat shall submit a draft template for consideration at SC78 for possible adoption by the Conference of the Parties as Annex 2 to Resolution Conf. 14.3 (Rev. CoP19).

*Registration of operations that breed Appendix-I animal species in captivity for commercial purposes –United Kingdom of Great Britain and Northern Ireland*

The Committee urged the CITES Management Authority of the United Kingdom of Great Britain and Northern Ireland to ensure that facilities that are breeding specimens of Appendix-I listed species for commercial purposes be registered with the CITES Secretariat in accordance with the procedures established in Resolution Conf 12.10 (Rev. CoP15) on *Registration of operations that breed Appendix-I animal species in captivity for commercial purposes*.

The Committee recalled paragraph 8 a) of Resolution Conf. 12.10 (Rev. CoP15) and invited Parties to restrict imports for primarily commercial purposes, as defined in Resolution Conf. 5.10 (Rev. CoP19) on *Definition of 'primarily commercial purposes'*, of captive-bred specimens of Appendix-I species to those produced by operations included in the CITES Register and to reject any permit or certificate granted under Article VII, paragraph 4, if the specimens concerned do not originate from a registered facility and if the permit or certificate does not describe the specific identifying mark applied to each specimen.

Kenya (Committee Member for Africa) called for a vote under Rule 15.1 of the Rules of Procedure of the Standing Committee which was supported by Kuwait (Committee Member for Asia). The Committee voted on a motion to agree the recommendation in paragraph 45 a) of document SC77 Doc. 33.1 as follows.

The Committee determined that Article III and Article VII, paragraph 4, of the Convention are not being effectively implemented by the United Kingdom of Great Britain and Northern Ireland with regard to the registration of operations that breed Appendix-I animal species in captivity for commercial purposes, in particular concerning two main elements:

- a) the evidence that the parental stock has been obtained in accordance with relevant national laws and the provisions of the Convention (e.g. dated capture permits or receipts, CITES documents, markings, etc.); and
- b) the primarily commercial nature of the operations breeding Appendix-I animal species in captivity.

The motion was approved by a simple majority of 11 votes in favour.

The Committee noted that the United Kingdom of Great Britain and Northern Ireland expressed its sincere disappointment that a compliance case had been brought by the Secretariat and supported by a majority of the Standing Committee without identifying a single specific case of non-compliance in the United Kingdom.

The Committee noted, under agenda items 33.8 and 33.1, the request by Mexico to include a recommendation for Parties to consider the implementation of Resolution Conf. 13.9 on *Encouraging cooperation between Parties with ex situ breeding operations and those with in situ conservation programmes*.

33.2 Expedited application of Article XIII for West African rosewood  
*Pterocarpus erinaceus* for all range States

33.2.1 Report by Senegal ..... SC77 Doc. 33.2.1

and

- 33.2.2 Updated Non-Detriment Finding (NDF) and Legal Acquisition Finding (LAF) report for *Pterocarpus erinaceus* in Sierra Leone and a request for special authorization to export the pre-zero export quota harvested stocks of *Pterocarpus erinaceus*..... SC77 Doc. 33.2.2

and

- 33.2.3 Report of the Secretariat ..... SC77 Doc. 33.2.3 (Rev. 1)

Senegal introduced document SC77 Doc. 33.2.1 and highlighted that unsustainable and illegal trade in *P. erinaceus* was a regional problem, with the 'boom and bust' cycle of overexploitation bringing *P. erinaceus* to the point of commercial extinction across West Africa. Senegal stressed that a consistent regional strategy, with strengthened capacity, was essential to protect the species, and therefore that the lifting of the recommendation to suspend trade in any country was premature. Senegal considered that trading in stockpiles posed a potential risk of illegal trade, and that additional stocks should be closely monitored. Senegal welcomed the Secretariat's recommendation of a regional workshop on non-detriment findings (NDFs) and legal acquisition findings (LAFs) for the species, expressing the hope that it would lead to an integrated solution. Senegal proposed a recommendation that legal trade in the species should not be resumed until after the results of the workshop had been reviewed by the Plants Committee and the Standing Committee and implemented by the range States to their satisfaction.

Sierra Leone, recalling that it had requested the publication of a voluntary zero-export quota for *Pterocarpus erinaceus*, presented document SC77 Doc. 33.2.2, which contained its updated NDF and LAF for the species. Sierra Leone requested a special authorization to export logs harvested pre-Notification to the Parties N° 2022/021, referred to as pre-zero export quota harvested stocks, which are privately owned and were legally harvested. Sierra Leone outlined a number of activities undertaken to address the species-specific issues and complete the NDF and LAF with a view to resume trade. Activities included a national-, district- and chiefdom-level survey of *P. erinaceus*; the setting of criteria for the sustainable harvest of the species; and the engagement of international experts to work with the ministry to set up a traceability and inventory management system. Sierra Leone explained how this management system would allow all logs to be accounted for from point of origin to export destination, with every tree given a unique identification number and georeferenced. The Party hoped that it could be a model across *P. erinaceus* range States and raise the standards for legal accountability. Based on the NDF, Sierra Leone set national annual harvestable quotas under a precautionary approach with incremental monitoring. Additionally, it proposed not allowing licences for any new harvest until the stockpile was exported, and logs in the stockpile would be identifiable in the traceability system. In light of these developments, Sierra Leone requested the lifting of the zero-export quota.

The Secretariat introduced document SC77 Doc. 33.2.3 (Rev. 1), which provided an update on the implementation of the Standing Committee recommendations, noting that Côte d'Ivoire, Guinea, Niger and Senegal have indicated that they do not wish to resume international trade at this time. The Secretariat recalled that all sixteen known range States of *Pterocarpus erinaceus* are in the expedited application of Article XIII process, eight of which have established voluntarily zero export quotas and eight being subject to a recommendation to suspend trade in the species. To withdraw the recommendation to suspend trade for these eight countries, they must produce scientifically based non-detriment findings for trade in the species in their countries to the satisfaction of the Secretariat and the Chair of the Plants Committee, and provide evidence of adequate legal acquisition findings to the satisfaction of the Secretariat and the Chair of the Standing Committee. The Secretariat reminded that these conditions also apply to countries that established voluntary zero export quotas, should they wish to resume international trade.

Cameroon outlined its activities for improved management measures, including a quota-regulated system under ministerial supervision and the intention to have official forest management units and to bring together regulations regarding inventories, exploitation systems and management plans. Cameroon suggested that document SC77 Doc. 33.2.3

(Rev. 1) did not take into account the processes underway in the country, and reported that its plan of action had been communicated to the Secretariat and could be of use for other range States. Cameroon welcomed work that might be planned with neighbouring countries.

Ghana reported on its efforts comply with the existing recommendations, including putting in place a wood tracking system, starting plantations, conducting research on ecology and agronomy, and communicating and engaging with local communities. Ghana stated that it had submitted an NDF and LAF which were awaiting consideration by the Plants Committee and Standing Committee, and believed that these would be approved and the zero-quota removed. Ghana also reported that it had a large stock of *P. erinaceus* coming from the inundated section of a lake resulting from the construction of a dam.

Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, agreed that no further recommendations were required for Côte d'Ivoire, Guinea, Niger and Senegal. Regarding Benin, Belgium supported the recommendation that the case be taken as a case study for the proposed workshop. Regarding Sierra Leone, Belgium agreed with the recommendation requesting the Secretariat to initiate an intersessional consultation process with the Plants Committee through its Chair to review the NDF. For all cases subject to the Review of Significant Trade (RST), Belgium noted that recommendations b) to d) were still outstanding. This was echoed by the United States of America (Committee Member for North America), speaking on behalf of the North American region, recommending the retention of existing short and long-term RST recommendations b)-d) in the recommendations for Benin, Burkina Faso, Ghana, Nigeria and Sierra Leone. The United States agreed with the other recommendations proposed by the Secretariat in document SC77 Doc. 33.2.3 (Rev.1) with a technical correction to the recommendations for Mali to reflect that the Plants Committee is responsible for assessing the NDF.

Canada, supported by the United States (Committee Member for North America), suggested the insertion of recommendations from paragraphs 19 b) and c) from document SC77 Doc. 33.11, inviting importing Parties to share with the Secretariat any arrangements put in place to sanction illegal trade in specimens of *Pterocarpus erinaceus* and to consider inviting the Secretariat to conduct technical missions, as discussed under that agenda item. This was supported by the Centre for International Environmental Law (CIEL), speaking also on behalf of Environment Investigation Agency (EIA) (UK), Species Survival Network (SSN) and World Wide Fund for Nature (WWF). Considering the limited resources available for the Secretariat, China suggested removing the proposed technical missions.

The United States (Committee Member for North America), speaking on behalf of the North American region, echoed by the Center on International Environmental Law (CIEL), speaking also on behalf of the Environmental Investigation Agency UK, the Species Survival Network and the World Wide Fund, supported the proposal by Senegal that decisions on resuming trade be postponed until after the workshop. Burkina Faso supported the proposal by Senegal for a regional strategy and a suspension of harvest until non-detriment and legal acquisition findings could be produced. Burkina Faso also supported the proposed workshop. Nigeria supported the document by Senegal, in particular regarding the notification of all stockpiles to the Standing Committee. Nigeria asked that assistance and guidance be given to range States on how to manage and secure stockpiles. CIEL reminded that no legal trade was authorized except the stockpiles from Guinea, and that any imports were therefore in violation of the Convention.

Cameroon considered that the recommendation by Senegal had not been done in consultation with other range States and did not account for progress in other countries. Cameroon therefore requested that the existing recommendations directed at Cameroon be maintained, as these were already being implemented. The Secretariat remarked that the additional recommendation by Senegal was in contradiction with the other recommendations already agreed, moving the goal posts for Parties. Canada, supported by Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, and Cameroon, agreed that the existing recommendations already provided a good basis for when trade could resume and did not support the proposed recommendation.

Given widespread support for the workshop, the Chair proposed an additional recommendation for the Secretariat to liaise with the Chairs of the Standing Committee and Plants Committee in the preparation and programme of the workshop. The United States (Committee Member for North America), speaking on behalf of the North American region, noted that several NDFs produced for the species differed significantly in their scientific parameters, and that key parameters could be discussed at the intended workshop, to achieve consistency. TRAFFIC reported that it was actively engaged in the compilation of information of rosewood species and also pointed out other available guidance, encouraging range States to utilize the information in the development of their NDFs when it becomes available.

Benin, stressing that inventories are vital for the production of NDFs, drew attention to the need for funding for range States to draw up inventories to understand the potential of the species in their countries.

The Committee encouraged all potential transit and destination countries of shipments of illegal specimens of *Pterocarpus erinaceus* to take appropriate measures to ensure that such timber is not illegally transported or traded, including prohibiting entry, seizing such specimens upon arrival and applying appropriate sanctions against traffickers in accordance with the provisions of the Convention.

The Committee invited the importing Parties to share with the Secretariat the administrative, legislative and enforcement arrangements put in place to sanction illegal trade in specimens of *Pterocarpus erinaceus*, including any relevant due diligence 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, transit and importing countries and identify further recommendations to ensure that timber trade is conducted in accordance with the Convention.

The Committee noted the request by China to delete the second part of the recommendation above starting with “encouraged those Parties...”.

The Committee noted that no further recommendations with regard to Côte d'Ivoire, Guinea, Niger and Senegal are required under the present agenda item.

The Committee agreed to the following recommendations:

Gambia (The):

a) The Committee:

- i) agreed to maintain the recommendation to suspend commercial trade in specimens of the species *Pterocarpus erinaceus* from the Gambia under the expedited application of Article XIII until the conditions of paragraph 10 of Notification to the Parties No. 2022/045 are met;
- ii) noted that no progress has been made by the Gambia in the implementation of the RST recommendations contained in the Annex to document SC77 Doc. 33.2.3 (Rev. 1); and
- iii) agreed that the short-term and long-term recommendations a) through d) have not been implemented;

Guinea-Bissau\*

b) The Committee:

- i) agreed to maintain the recommendation to suspend commercial trade in specimens of the species *Pterocarpus erinaceus* from Guinea-Bissau under the expedited

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\* Countries undergoing RST recommendations

application of Article XIII until the conditions of paragraph 10 of Notification to the Parties No. 2022/045 are met;

- ii) noted that no progress has been made by Guinea-Bissau in the implementation of the RST recommendations contained in the Annex to document SC77 Doc. 33.2.3 (Rev. 1); and
- iii) agreed that the short-term and long-term recommendations a) through d) have not been implemented;

#### Mali\*

##### c) The Committee:

- i) acknowledged the significant progress made by Mali in implementing recommendations under the expedited application of Article XIII and long-term RST recommendations;
- ii) noted that the Plants Committee accepted that the NDF presented by Mali supports the quota of 55,384.8 m<sup>3</sup> requested by Mali;
- iii) recommended that the Secretariat publish any potential future quota proposed by Mali in round wood equivalent;
- iv) noted the incremental progress made by Mali in the preparation of the legal acquisition findings for *Pterocarpus erinaceus*; and
- v) agreed to maintain the recommendation to suspend commercial trade in specimens of the species *Pterocarpus erinaceus* from Mali under the expedited application of Article XIII until Mali finishes providing the evidence of adequate legal acquisition findings to the satisfaction of the Secretariat and the Chair of the Standing Committee, having regard to Resolution Conf. 18.7 (Rev. CoP18) as required in paragraph 10 (b) of Notification to the Parties No. 2022/045;

#### Nigeria\*

##### d) The Committee:

- i) agreed to maintain the recommendation to suspend commercial trade in specimens of the species *Pterocarpus erinaceus* from Nigeria under Article XIII until the following conditions are met:
  - A. The Party concerned makes a scientifically based non-detriment finding for trade in the species to the satisfaction of the Secretariat and the Chair of the Plants Committee, having regard to Resolution Conf. 16.7 (Rev. CoP17) on *Non-detriment findings* and based on the outcomes of the Review of Significant Trade process for this species; and
  - B. The Party provides evidence of adequate legal acquisition findings to the satisfaction of the Secretariat and the Chair of the Standing Committee, having regard to Resolution Conf. 18.7 (Rev. CoP19) on *Legal acquisition findings*.
- ii) acknowledged the progress made by Nigeria in implementing the short-term RST recommendation (paragraph a); and
- iii) recommended the retention of the short- and long-term recommendations a) through d);

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\* Countries undergoing RST recommendations

Cameroon, the Central African Republic, Chad, and Togo

- e) The Committee agreed to maintain the recommendation to suspend commercial trade in specimens of the species *Pterocarpus erinaceus* from Cameroon, the Central African Republic, Chad, and Togo under the expedited application of Article XIII until the conditions of paragraph 10 of Notification to the Parties No. 2022/045 are fully met;

Benin\*

- f) Provided that this Party maintains its voluntary zero export quota, the Committee:
  - i) acknowledged the progress made by Benin in implementing the RST short-term recommendation (paragraph a);
  - ii) recommended that the remaining RST recommendations be addressed as a case study at the NDF workshop; and
  - iii) recommended the retention of the short- and long-term RST recommendations b) through d);

Burkina Faso\*

- g) Provided that this Party maintains its voluntary zero export quota, the Committee:
  - i) acknowledged the progress made by Burkina Faso in implementing the RST short-term recommendation (paragraph a); and
  - ii) recommended the retention of the short- and long-term RST recommendations b) through d);

Ghana\*

- h) Provided that this Party maintains its voluntary zero export quota, the Committee:
  - i) acknowledged the progress made by Ghana in implementing the short-term RST recommendation (paragraph a);
  - ii) recommended the retention of the short- and long-term RST recommendations b) through d); and
  - iii) requested the Secretariat to initiate an intersessional consultation process with the Plants Committee through its Chair to review the NDF submitted by Ghana, and inform the Chair of the Standing Committee about the outcomes;

Sierra Leone\*

- i) Provided that this Party maintains its voluntary zero export quota, the Committee:
  - i) acknowledged the progress made by Sierra Leone in implementing the short-term RST recommendation (paragraph a);
  - ii) recommended the retention of the short- and long-term RST recommendations b) through d);
  - iii) further acknowledged the significant progress made in delivering the long-term recommendations; and
  - iv) requested the Secretariat to initiate an intersessional consultation process with the Plants Committee through its Chair to review the NDF submitted by Sierra Leone, and inform the Chair of the Standing Committee about the outcomes;

- j) The Committee requested the Secretariat to organize a regional workshop on non-detriment findings (NDF) and legal acquisition findings (LAF) for *Pterocarpus erinaceus* range States, thus adopting an integrated range-State approach in addressing NDFs and LAFs recommendations under the expedited Article XIII procedure and the RST process.
- k) The Committee requested the Secretariat to take into consideration the discussions at the 77th meeting of the Standing Committee and to liaise with the Chairs of the Standing Committee and the Plants Committee on the preparations and the programme for the workshop.

The Committee did not agree to the additional recommendation proposed by Senegal.

The Committee agreed that, after agreement of the recommendations above, there was no need to further consider the recommendations in documents SC77 Doc. 33.2.1 and Doc. 33.2.2.

### 33.3 Application of Article XIII in Bangladesh ..... SC77 Doc. 33.3

The Secretariat introduced document SC77 Doc. 33.3, reporting on its mission to Bangladesh from 27 May to 1 June 2023 with field visits to customs houses, bird facilities importing birds, and a fish processing area. The Secretariat noted that compliance reports could not always fully cover sensitive cases due to privacy laws and to avoid jeopardising the investigation of ongoing cases, and it could therefore be challenging to convey the gravity of certain incidents presented to the Standing Committee for its consideration. The Secretariat drew attention to an incident involving three specimens of Lear's macaw, an Appendix I-listed endemic species from Brazil, that were found in a hidden box, consequently seized and transferred to a safari park. The Secretariat reported learning from unofficial sources that the specimens had since died. The Secretariat listed key challenges that appeared to be undermining compliance in Bangladesh, including the management and regulation of international, transboundary and local trade in CITES-listed birds, and the lack of appropriate legislative measures to penalize trade in specimens in violation of the Convention. The Secretariat drew the Committee's attention to the recommendations in the document, including a recommendation to suspend commercial trade in CITES-listed birds.

Bangladesh welcomed the report of the technical mission and resulting recommendations, and reiterated its commitment to improve CITES compliance. Bangladesh reported holding CITES seminars by the Management Authority with senior representatives from all relevant ministries and government agencies to strengthen awareness and collaboration across sectors to combat illegal wildlife trade. These efforts resulted in the production of four non-detriment findings, a national plan of action for sharks and rays and amendments to the wildlife and fisheries laws. Bangladesh also referred to training of law enforcement officials and representatives from the judiciary for improved monitoring and enforcement of CITES-compliant wildlife trade. Bangladesh acknowledged that a lot of work remained to achieve full compliance, as a large proportion of its population relied on natural resources and still widely perceived sustainable resource management, wildlife conservation and protected area management to be an impediment to economic growth. Bangladesh drew the Committee's attention to information document SC77 Inf. 21, which contained its detailed response to document SC77 Doc. 33.3. Regarding the proposed suspension of commercial trade in CITES-listed birds, Bangladesh proposed a six-month suspension of this trade. Bangladesh requested continued support from the Secretariat and from governmental and non-governmental partners with technical expertise and financial contributions.

Brazil (Committee Member for Central and South America and the Caribbean) expressed its gratitude to the delegation from Bangladesh for assistance to ensure the return of the dead Lear's macaw specimens to Brazil for investigation. Aware of other matters involving the same species, Brazil stressed that this indicated clear evidence that some international routes continued to be beyond its capacity of monitoring and tracing, and that continued implementation of CITES mechanisms in destination countries was therefore essential.

Brazil (Committee Member for Central and South America and the Caribbean) and New Zealand (Committee Member for Oceania), speaking on behalf of the Oceania region, supported the recommendations in document SC77 Doc. 33.3. Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, the United States of America (Committee Member for North America), speaking on behalf of the North American region, and Canada supported the recommendations with some amendments to anchor them better in Articles

of the Convention. New Zealand disagreed with the proposal by Bangladesh for a six-months suspension of the commercial trade in CITES-listed birds, suggesting that this be in place at least until the 78th meeting of the Standing Committee. This was supported by the World Parrot Trust and the United States. Canada also disagreed with the proposal by Bangladesh, but could support an intersessional process for removing the suspension if Bangladesh felt it could achieve the requirements in the proposed six months. China, noting a clear willingness to achieve compliance, supported the six-months moratorium proposed by Bangladesh.

India, noting the Secretariat's comment on the importance for neighbouring countries to work with Bangladesh to achieve compliance at a subregional level, commented that both countries are members of the South Asian Wildlife Enforcement Network which provides a framework for such collaboration, and assured full cooperation with Bangladesh to ensure effective implementation of CITES. India also cited bilateral species-specific Memoranda of Understanding that provide for sharing relevant information between authorities and for patrolling exercises by officials of both countries along borders to prevent poaching and smuggling.

The World Parrot Trust, recognizing the important steps taken by Bangladesh and their positive impacts, expressed its readiness to support Bangladesh in the implementation of the recommendations. IWMC-World Conservation Trust suggested that the recommendations be amended to replace 'shall' with 'should', stressing that the documents can only make recommendations and not decisions on how countries implement the provisions of the Convention.

The Committee requested the United States of America on behalf of North America and Belgium on behalf of the European Union and its Member States to consolidate their proposed edits to the recommendations in paragraph 47 of document SC77 Doc. 33.3, taking into account the comments made by Bangladesh and New Zealand about the duration of the recommendation to suspend commercial trade in specimens of CITES-listed birds from or to Bangladesh [paragraph 47 a)] and submit an in-session document for consideration later in the meeting.

Later in the meeting, the United States of America introduced document SC77 Com. 2, prepared by the United States on behalf of North America and Belgium on behalf of the European Union and its Member States. The substantial changes to the recommendations in document SC77 Doc. 33.3 included revisiting the management of trade in specimens of CITES-listed birds at the 78th meeting of the Standing Committee and rooting the text of the recommendations in Articles of the Convention.

Bangladesh accepted the edits proposed in document SC77 Com. 2 with the following suggested amendments: deleting "appropriate measures for disposal of confiscated live specimens (Art. VIII.4)" from recommendation b) as this created confusion with recommendation c); merging recommendation d) into recommendation c) to avoid duplication and referring to Article VIII in its entirety; in recommendation e), replacing "prior to authorizing trade in specimens of CITES-listed species of fauna and flora, with a particular focus on commercially exploited aquatic species" with "prior to authorizing the exportation of CITES-listed species, with a particular focus on commercially exploited shark and ray species". Bangladesh further requested the technical and financial support of the Secretariat, Parties and observer organizations to enable it to improve compliance.

Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, and Canada supported the amendments by Bangladesh to recommendation b) and e). The United States (Committee Member for North America) supported the amendment by Bangladesh to recommendation b). Regarding merging recommendations c) and d), Canada, echoed by the United States, supported merging as proposed by Bangladesh but suggested that specific language and reference to Article VIII.3 be added in the merged recommendation, to retain the concept in recommendation d), on how specimens that have been seized should be handled, as a separate concept to that in recommendation c), on how specimens at points of entry and exit should be cared for. Belgium noted that Resolution Conf. 11.3 (Rev. CoP19) on *Compliance and enforcement* should also be referenced in the merged recommendation c).

The Committee agreed the recommendations in in-session document SC77 Com. 2 as follows:

The Committee recommended that:

1. *Regarding management of trade in specimens of CITES-listed birds*



- a) Parties suspend commercial trade in specimens of CITES-listed birds with Bangladesh until the Party is in a position to adequately regulate and monitor trade in CITES-listed birds, on which progress could be revisited at SC78, notably through the establishment of a reliable and efficient information system in accordance with Article VIII.6.

To achieve compliance, the Committee recommended that Bangladesh:

- i) establish, 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;
- ii) maintain up-to-date records of traders and establishments, which should facilitate controls, communications, and collaboration;
- iii) liaise and integrate with other permitting/certification systems relating to the breeding of and trade in CITES-listed birds, including health and veterinary documentation, or customs declarations;

## 2. *Regarding legislation and law enforcement*

- b) Bangladesh strengthen the regulatory framework in relation to management of and trade in birds and marine species, notably by ensuring appropriate measures to enforce the provision of the Convention, prohibit trade in violation of the Convention, and penalize offences related to wildlife crime (Art. VIII.1).

Consideration should be given to:

- i) reviewing “Pet Bird rearing rules, 2020” enacted under the provision of the Bangladesh Wildlife (Conservation & Security) Act, 2012, notably to bridge the gaps and close the loopholes that may be generated by the distribution of competences between different divisions, lack of adequate enforcement powers, the No Objection Certificates (NOC) system, lack of adequate penalties for offences related to wildlife crime and the final disposal of confiscated live specimens.
- ii) strengthening the regulatory framework in relation to CITES-listed marine species and the implementation of the shark listings, including strengthening institutional cooperation between the Department of Fisheries, the CITES Management Authority and customs and develop protocols and guidelines for exchange of information, division of tasks, harmonized interpretation of applicable provisions in relevant laws, including the planning of regular meetings and guidance on the final disposal of seized specimens.
- iii) assessing 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 and, based on the assessment, build capacity among law enforcement agencies to strengthen CITES controls, using risk-based management approaches, in particular container controls at airports and 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.
- iv) establishing 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, as recommended in paragraphs 9 a) and b) and Annex 3 to Resolution Conf. 11.3 (Rev. CoP19) on *Compliance and enforcement*.
- v) scaling up efforts to conduct analyses of available information to map out organized crime groups active in the country and convene multidisciplinary 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 birds and sharks.

### 3. *Handling of live animals and disposal of seized live specimens*

- c) Bangladesh take measures to ensure strict implementation of Article VIII.4 of the Convention, taking into account the recommendations and all management options contained in Resolution Conf. 17.8 (Rev. CoP19) on *Disposal of illegally traded and confiscated specimens of CITES-listed species*, and of Article VIII.3 of the Convention, taking into account the recommendations in Resolution Conf. 11.3 (Rev. CoP19) on *Compliance and enforcement*.

Consideration should be given to:

- i) maintaining an inventory of all seized live specimens of CITES-listed birds and ensuring that disposition of confiscated live specimens follows guidance in Resolution Conf. 17.8 (Rev CoP19), including the management measures of the specimens in the immediate short term (an initial period that may last between several hours to several weeks) and the longer term (which may often be a 'permanent' situation).
- ii) establishing adequate control measures for seized live specimens of CITES-listed birds, including measures to reduce the risk of injury, mortality or theft from the rescue centre, and developing a uniform protocol for the marking, recording, handling and disposal of seized and confiscated live specimens.
- iii) developing and implementing a comprehensive strategy for border controls as recommended by Resolution Conf. 11.3 (Rev CoP19)

### 4. *Scientific Authority and surveys*

- e) Bangladesh take measures to ensure the appropriate implementation of Article III and IV with respect to non-detriment findings, taking into account recommendations contained in Resolution Conf. 16.7 (Rev. CoP17), giving consideration to strengthening its Scientific Authority by building capacity on wildlife issues, and allocating sufficient resources to undertake population surveys that can be used in the making of the non-detriment findings and in the setting of annual export quotas prior to authorizing exportation of CITES-listed species of fauna and flora, with a particular focus on commercially exploited aquatic species.

The Committee invited Bangladesh to report to the Secretariat on progress made on the implementation of the recommendations agreed 90 days before the 78th meeting of the Standing Committee, in order for the Secretariat to convey this report and its comments to the Standing Committee.

#### 33.4 Application of Article XIII in Cameroon..... SC77 Doc. 33.4

The Secretariat introduced document SC77 Doc. 33.4, reporting on its mission to Cameroon from 12 to 18 March 2023, which focused on: legal acquisition findings and internal controls for the legal origin of timber in relation to logging titles; export permits for *Pericopsis elata* that may not have been in line with relevant non-detriment findings and annual quotas; and suspected falsified CITES documents for trade in *Pericopsis elata*. Based on the information gathered during the technical mission, the Secretariat identified certain strengths in the existing framework as well as significant challenges in the management and regulation of international and cross-border trade of CITES-listed timber species, all of which are summarized in document SC77 Doc. 33.4. In light of the findings, the Secretariat proposed a number of recommendations in document SC77 Doc. 33.4 around management of *Pericopsis elata* specimens, legislation and law enforcement, and the issuance of export permits and information systems. The Secretariat suggested amending recommendation b) to remove the requirement to adapt the relevant regulatory provisions to ensure that all CITES-listed timber species are considered as "managed" species in certain management plans, as the criteria should first be discussed by the Plants Committee. The Secretariat also recommended continued close communication and strengthened cooperation with Cameroon to better understand the different requirements and expectations regarding the implementation of

forest regulations and to fully support the actions undertaken by Cameroon to implement these recommendations. The Secretariat suggested Cameroon invite it to provide in-country assistance and to conduct a second technical assessment and a verification mission with a representative of the Plants Committee and representatives of importing countries, the United Nations Food and Agricultural Organization (FAO) and the International Tropical Timber Organization (ITTO), to review progress in implementing the recommendations. Subject to the availability of external funds and human resources to implement this work, progress would be reported to a future meeting of the Standing Committee.

Cameroon fully agreed with the majority of the information in document SC77 Doc. 33.4, highlighting its cooperation with the Secretariat and other Parties, its measures for promoting transparency on legality, sustainability and traceability, and its provisions in place to protect CITES-listed species. Cameroon reported on additional measures such as the plan for assessment of the conservation status and vulnerability of timber species; the preparation of a national forest inventory to understand the level of natural resources; and the development of an information system for the management of forestry information, enabling increased traceability. Cameroon acknowledged that there was complexity in the different types of logging titles but reported that this information system was applied to all forms of logging titles. Cameroon requested that information regarding potential export permits issued for specimens of *Pericopsis elata* that did not seem consistent with the non-detriment findings and relevant annual quotas, be removed from the report as this was considered unfounded, and that all such allegations be communicated to Cameroon for further investigation and for transparency. Cameroon suggested that the proposed second technical mission also consider neighbouring and importing countries and that any reporting on progress to the Standing Committee occur after this second mission. Cameroon also suggested a restricted working group between Cameroon and the Secretariat to prepare this work to account for different contexts in the field.

The United States of America (Committee Member for North America), speaking on behalf of the North American region, echoed by Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, commented that the late posting of the document on the CITES website did not leave enough time for sufficient scrutiny. Belgium considered that there was a lack of clear conclusions in certain areas of the report, which hampered the decision-making of the Standing Committee. Belgium noted that paragraph 53 was inaccurate, as the European Union and its Member States calculated recovery indices on the basis of the forest management unit, not the annual logging unit as mentioned in the document. The United States and Belgium supported the recommendations in document SC77 Doc. 33.4 with additional amendments. The United States suggested that 'shall' be replaced with 'should' in the recommendations. Belgium suggested that the sentence proposed by the Secretariat for deletion in recommendation b) be amended to remove specific criteria, so that the species are considered as "species managed in accordance with the principles of sustainable trade". The United States proposed that this be changed to "species managed sustainably as part of relevant forest management plans". The International Tropical Timber Organization (ITTO) expressed its readiness to participate in the proposed second mission.

The Committee agreed on the following recommendations:

*Regarding management of trade in specimens of Pericopsis elata*

- a) Cameroon should strengthen the CITES Management Authority and Scientific Authorities by building their capacity in the area of forestry and providing them with enough modern means to do their work, including issuing permits, controlling traceability, surveying populations of *Pericopsis elata* and other CITES-listed tree species to make non-detriment findings, setting annual export quotas before authorizing trade in specimens of CITES-listed tree species, and building administrative and scientific capacity at the national level.

*Regarding legislation and law enforcement*

- b) Cameroon should strengthen the regulatory framework on forest management, in particular, to address any gaps and loopholes that could result from the multiplicity of logging titles and modes of allocation. Cameroon should also adapt the relevant regulatory provisions to ensure that all CITES-listed timber species are managed sustainably as part of relevant forest management plans.

- c) Cameroon should consider developing and implementing an enforcement strategy and related policies regarding illegal trade in tree species and strengthening its efforts to ensure full compliance with the Convention.
- d) Cameroon should assess relevant authorities' law enforcement capacity, mandates and needs to strengthen the control of trade in CITES-listed species and the fight against transnational organized forest crime. Based on this assessment, Cameroon should build the capacity of enforcement bodies to increase CITES controls on the basis of risk-based management strategies, particularly the control of the parcs commerciaux in the ports of Douala and Kribi, and to combat transnational organized forest crime.
- e) Cameroon should establish a national platform for cooperation and coordination between competent enforcement authorities to strengthen the control of trade in CITES-listed species and to combat transnational organized forest crime, in accordance with paragraphs 9 a) and b) and Annex 3 of Resolution Conf. 11.3 (Rev. CoP19) on *Compliance and enforcement*.
- f) Cameroon is invited to encourage companies to use innovative technologies to monitor timber and apply best practices to prevent illegally sourced or illegally traded timber from entering their supply chain.

*Regarding issuance of export permits and SIGIF2 information systems*

- g) Cameroon should finalize the development of the SIGIF2 as an effective information system (subject to the availability of resources) to facilitate the issuance of CITES permits and certificates and the verification of legal acquisition of specimens in trade for all the modes of allocation of logging titles, while making it more difficult to tamper with CITES permits and certificates after their issuance.
- h) Cameroon should facilitate liaison and integration with other permitting/certification systems relating to the harvest of and trade in CITES-listed species, for example, concession authorizations, phytosanitary documentation, or customs declarations.
- i) Cameroon should ensure that export permits and re-export certificates are endorsed, with quantity, signature and stamp, by an inspecting official such as a customs official and not by the Management Authority, in the export endorsement block of the document.

The Committee recommended to the Secretariat and the importing countries to keep close communication and strengthen cooperation with Cameroon to better understand the different requirements and expectations regarding the implementation of forest regulations and to fully support the actions undertaken by Cameroon to implement these recommendations. The Committee also requested Cameroon to invite the Secretariat to provide in-country assistance and conduct a second technical assessment and a verification mission with a representative of the Plants Committee and representatives of importing countries, the United Nations Food and Agricultural Organization (FAO) and the International Tropical Timber Organization (ITTO), to review progress in implementing the recommendations above. Subject to the availability of external funds and human resources to implement this work, the Secretariat will present its conclusions and recommendations at the next meetings of the Standing Committee.

Cameroon should report to the Secretariat on progress made in the implementation of these recommendations 90 days before the 78th meeting of the Standing Committee (SC78), in order for the Secretariat to convey its report and its comments to the Standing Committee. The Standing Committee shall review progress made by Cameroon and decide if sufficient progress has been made or if compliance measures should be recommended, in accordance with paragraphs 29 or 30 of Resolution Conf. 14.3 (Rev. CoP19) on *CITES compliance procedures*.

The Committee noted the comments made on the floor.

33.5 Application of Article XIII in China ..... SC77 Doc. 33.5

The Secretariat introduced document SC77 Doc. 33.5 containing the Secretariat's conclusions on the matter of trade in Asian elephants from the Lao People's Democratic Republic to China that was brought to the Committee's attention at SC69. The Secretariat reported on its mission to China from

23 to 29 July 2023 with field visits to the Wild Elephant Valley at Xishuangbanna Nature Reserve and Shanghai Wild Animal Park. The mission was carried out to understand the type of trade controls that are put in place to ensure compliance with Article III with respect to the import of live Asian elephants (*Elephas maximus*) under source code C (animals bred in captivity). Two key conclusions of the Secretariat were highlighted to the Committee: firstly, that there was evidence that specimens did not meet the definition of bred in captivity in accordance with Resolution Conf. 10.16 (Rev. CoP19) on *Specimens of animal species bred in captivity*, and secondly, that the reported trade of live Asian elephants from the Lao People's Democratic Republic to China were considered for "primarily commercial purposes" in accordance with Resolution Conf. 5.10 (Rev. CoP19) on *Definition of 'primarily commercial purposes'*.

China drew attention to information document SC77 Inf. 25 and summarized its major viewpoints therein: (1) China considered that the Secretariat had not presented definitive evidence that the Asian elephants exported from the Lao People's Democratic Republic to China under source code C were not in accordance with Resolution Conf. 10.16 (Rev. CoP19); (2) China noted it imported the elephants only after confirming the authenticity and validity of the permit issued by the Lao People's Democratic Republic; (3) China emphasized it had imported the elephants under purpose code Z or B, and that it was common practice for zoos to charge admission fees and such fees did not constitute the import as 'primarily commercial'; (4) China had voluntarily suspended imports of live Asian elephants since 2019; and (5) since 2006, China and the Lao People's Democratic Republic have cooperated on the establishment of transboundary conservation areas for Asian elephants. Accordingly, China proposed a new set of recommendations to replace those in document SC77 Doc. 33.5 that *inter alia* noted the information contained in information document SC77 Inf. 25; noted China's suspension of imports of live Asian elephants and its continued cooperation with the Lao People's Democratic Republic on transboundary conservation efforts; and encouraged the exploration of ways to determine the correct source code to be used for live Asian elephant exports from the Lao People's Democratic Republic. The Lao People's Democratic Republic echoed that document SC77 Doc. 33.5 did not present sufficient evidence to conclude that the imported elephants were wild-sourced and gave a summary of the history of Asian elephant captive breeding facilities in the country.

China's intervention was supported by Kuwait (Committee Member for Asia) and Cambodia; Canada and Viet Nam supported China's proposed recommendations to note the Party's import suspension for live Asian elephants and its ongoing cooperation with the Lao People's Democratic Republic.

New Zealand (Committee Member for Oceania), speaking on behalf of the Oceania region, the United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe), the United States of America (Committee Member for North America), Burkina Faso, Canada and IWMC-World Conservation Trust agreed with the Secretariat's determination that the Asian elephant specimens concerned did not appear to meet the definition of bred in captivity in accordance with Resolution Conf. 10.16 (Rev. CoP19). Burkina Faso and Senegal additionally supported the remainder of the recommendations in document SC77 Doc. 33.5.

Japan and Kuwait (Committee Members for Asia), Poland (Committee Member for Europe), speaking on behalf of the European Union and its Member States, New Zealand (Committee Member for Oceania), speaking on behalf of the Oceania region, Canada and Association for Zoos and Aquariums (AZA) (also on behalf of European Association of Zoos and Aquaria, Wildlife Conservation Society and World Association of Zoos and Aquariums) were of the view that there was insufficient information in the document to determine whether the facilities were importing the elephants primarily for commercial purposes, and that further information was needed. Some of these Parties, as well as AZA, noted that it was common practice for zoos to charge entry fees and that this factor alone did not necessarily indicate the specimens were imported for primarily commercial reasons.

New Zealand, on behalf of the Oceania region, the United Kingdom and the Democratic Republic of the Congo considered that the recommendation that China suspend imports of wild Asian elephants from the Lao People's Democratic Republic under recommendation b) may be redundant in light of China's import ban.

Poland (Committee Member for Europe), speaking on behalf of the European Union and its Member States, supported by the United States (Committee Member for North America), queried if it was possible to select *Elephas maximus*/Lao People's Democratic Republic and as an additional case

for review under Resolution Conf. 17.7 (Rev. CoP19) on *Review of trade in animal specimens reported as produced in captivity*, noting that the Standing Committee is invited to select additional species/country combinations in document SC77 Doc. 36. The Chair indicated that as the Committee was already considering the matter in the ongoing Article XIII process, in accordance with paragraph 2 f) of Resolution Conf. 17.7 (Rev. CoP19), it should not also be selected for review in the process contained in that Resolution.

The Committee determined that the specimens of live Asian elephants imported by China from the Lao People's Democratic Republic did not meet the definition of 'bred in captivity' in accordance with the criteria set out in Resolution Conf. 10.16 (Rev. CoP19) on *Specimens of animal species bred in captivity* and noted with appreciation the voluntary suspension by China of trade in live Asian elephants since 2019.

The Committee encouraged China to continue to cooperate with Lao People's Democratic Republic to support *in situ* conservation of Asian elephants.

The Committee commended the Yunnan Provincial Forest Grassland Administration (FGA) for the compensation scheme for the losses caused by Asian elephants through an insurance company which can serve as an inspiring model to address human-wildlife conflict incidents in other parts of the world. The Committee also commended the Shanghai branch of the CITES Management Authority of China for its efficient organization of the CITES documentation, the training facilities and the outreach material produced. It should also serve as an inspiring model for the issuing, handling and recording of CITES permits and related information for other CITES offices in the world.

33.6 Application of Article XIII in the Democratic Republic of the Congo ..... SC77 Doc. 33.6

The Secretariat introduced document SC77 Doc. 33.6, reporting on the implementation of the Standing Committee's recommendations by the Democratic Republic of the Congo based on its report submitted to the Secretariat on 30 January 2023. These recommendations focused on quota setting and management; the management of trade in *Psittacus erithacus*; compliance assistance; illegal trade; as well as additional considerations related to the designation of the Management Authority in the Democratic Republic of the Congo. The Secretariat noted significant efforts in the implementation of the recommendations, including efforts in the fight against illegal trade. The Secretariat also noted several changes in the Management Authority. The Secretariat proposed updates to the recommendations adopted at the 75th meeting of the Standing Committee, drawing particular attention to the recommendation in paragraph 29 d) that the strategy to fight corruption should protect officials responsible for the implementation and enforcement of CITES from undue pressure, obstruction and threats.

The Democratic Republic of the Congo requested that its intervention be written into the record, and the full intervention can be found in the Annex to this summary record. In summary, the Party felt that, although it had made recognized strides in addressing the recommendations issued when it had first entered the Article XIII process, it was being maintained in that process on purely political considerations. The Democratic Republic of the Congo also expressed consternation at the press release on 16 August 2023 from the Department of State of the United States of America with allegations of corruption against its government officials, deploring both the manner in which it had been done and the fact that no proof had been provided to substantiate those allegations. The Party indicated that the Secretariat had found no records in the CITES Trade Database of shipments of the species mentioned in the allegations. The Democratic Republic of the Congo stated that regulations were being finalized on the functioning of the Management Authority in the country. Finally, the Party requested the deletion of the recommendation in paragraph 29 d), reporting the existence of an agency tasked with the prevention and fight against corruption, and the introduction of a system for electronic CITES permits since June 2020 to help prevent corruption.

The United States of America (Committee Member for North America) deferred any requests for more information on the allegations of corruption of officials of the Management Authority of the Democratic Republic of the Congo to the publicly accessible online press statement. The United States clarified that the designations were on individuals rather than the Party itself and that they did not necessarily speak directly to the Party's status under the Article XIII process or other processes.

Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, supported the recommendations in document SC77 Doc. 33.6. Belgium requested

clarification from the Democratic Republic of the Congo regarding whether any permits had been issued during the temporary change in the Management Authority and if so, whether there was any information regarding their validity so that Parties could handle them accordingly. The Democratic Republic of the Congo responded that it did not have information on whether permits were issued, as the current Management Authority had had no overlap with the previous one.

The United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe) noted the efforts in tackling illegal trade, but urged the implementation of the recommendations in light of the scale of seizures and the organized nature of the illegal trade. The United Kingdom highlighted particular concerns around reports of illegal trade in African grey parrots under other names to circumvent the recommendation to suspend trade, and around lack of progress in implementation of Decision 17.256 (Rev. CoP19) to undertake scientifically based field surveys to establish a population status of the species. The United Kingdom supported the recommendation in paragraph 29 a) regarding the management of trade in *Psittacus erithacus*.

The United Kingdom (Committee Member for Europe) also noted that document SC77 Doc. 33.6 reported the destruction of over 1 tonne of pangolin scales in 2018, while the Management Authority had estimated a stockpile of 13 to 14 tonnes of pangolin scales at the 69th meeting of the Standing Committee. The United Kingdom therefore sought information on the remaining stockpiles and any plans for destruction before deletion of the recommendation made at the 75th meeting of the Standing Committee surrounding stockpiles of pangolin scales, as suggested in paragraph 16 of document SC77 Doc. 33.6. The Democratic Republic of the Congo responded that it had been unsuccessful in verifying the statements made at the 69th and 70th meetings of the Standing Committee and in tracing the reported pangolin scale stockpiles, as these were privately held and had not been stored in official government sites. The Democratic Republic of the Congo did not know if the scales seized in Viet Nam and Singapore, which had been fraudulently exported, were from the potential remaining stockpiles but arrests had been made. The Democratic Republic of the Congo assured that there had been no legal trade in pangolin scales since the destruction of the stocks in 2018. The United States (Committee Member for North America) shared the concerns expressed by the United Kingdom and recommended that the relevant recommendation be retained. The Democratic Republic of the Congo considered that retention of the recommendation on pangolins was an unwarranted level of suspicion of corruption, reiterating that there was no sign of legal trade and no permits issued for pangolin scales since the stocks were destroyed in 2018, nor would any be issued.

The United Kingdom (Committee Member for Europe) noted the request from the Democratic Republic of the Congo to be included in the Compliance Assistance Programme, agreeing it would be helpful, and asked how this had been addressed by the Secretariat. Canada asked whether the Democratic Republic of the Congo thought it could benefit from inclusion in the Compliance Assistance Programme. The Democratic Republic of the Congo confirmed that this was an official request. The Secretariat clarified that all Parties in the Article XIII process were privileged candidates for the Compliance Assistance Programme, and that while it stood ready to liaise with the Party, it had not yet been successful in raising sufficient funds to include all interested Parties in the Compliance Assistance Programme.

On the recommendation in paragraph 29 d) on the strategy and policies to fight corruption, Indonesia (Committee Member for Asia), China and Zambia supported the initial intervention made by the Democratic Republic of the Congo, stating that compliance measures should be supportive with the aim of ensuring long term compliance, and requesting that recommendation d) be deleted. The United States supported the retention of recommendation d). The Chair of the Animals Committee queried whether the information provided by the Democratic Republic of the Congo on an authority looking at corruption cases had been communicated to the Secretariat, and if so, what the rationale was in proposing recommendation d). The Secretariat clarified that it had not been aware of the existence of the authority and was ready to withdraw recommendation d).

Canada, supported by the United States (Committee Member for North America), suggested that 'shall' be replaced by 'should' in the recommendations.

The World Parrot Trust, speaking also on behalf of the World Wide Fund for Nature (WWF), Pan African Sanctuary Alliance, Environmental Investigation Agency (EIA) (UK), and International Fund for Animal Welfare (IFAW), shared the concerns of the United Kingdom on the scale of capture and illegal export of African grey parrots and supported the recommendations in the document, particularly the recommendations in paragraph 29 a) ii) and d). They stated that seizures of African

grey parrots accompanied by permits for other CITES-listed birds indicated clear widescale laundering, and suggested an immediate suspension of trade in birds from the Democratic Republic of the Congo to bring the situation under control.

The Committee agreed to update and replace the recommendations adopted at its 75th meeting as follows:

*Regarding the management of trade in Psittacus erithacus*

- a) The Parties maintain the suspension of trade in specimens of the species *Psittacus erithacus* from the Democratic Republic of the Congo pending compliance with the following recommendations:
  - i) on the basis of the reservation entered by the Democratic Republic of the Congo for the species *Psittacus erithacus*, this State is considered as a non-Party with respect to trade in this species. However, Resolution Conf. 4.25 (Rev. CoP14) states that a State not a Party to the Convention for *Psittacus erithacus* should treat that species as if it were included in Appendix II for all purposes, including obligatory documents and controls, and suspend the issuance of export permits for commercial and non-commercial trade in specimens of *Psittacus erithacus* of wild origin until it is in a position to make scientifically based non-detriment findings;
  - ii) the Standing Committee notes again the moratorium announced by the Democratic Republic of the Congo at the 69th meeting of the Standing Committee (SC69; Geneva, November 2017) to suspend trade in *Psittacus erithacus* and its announcement that it will not implement its reservation on the listing of the species in Appendix I, and it invites the Democratic Republic of the Congo to adopt a regulatory act to implement the moratorium;
  - iii) the Democratic Republic of the Congo take steps to implement Decision 17.256 (Rev. CoP19) on *African grey parrots* (*Psittacus erithacus*);
  - iv) the Democratic Republic of the Congo not establish experimental export quotas as part of scientific surveys of the species in the country;
  - v) the Standing Committee also notes the commitment by the Democratic Republic of the Congo to undertake population surveys and develop a management plan for *Psittacus erithacus*.

*Regarding illegal trade*

- b) The Democratic Republic of the Congo should continue its efforts to conduct analyses of available information to map organized crime groups active in the country and convene multi-disciplinary 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 illegal trade in *Psittacus erithacus* (African grey parrots), *Manis* spp. (pangolins) and elephant ivory.

*Regarding legislation and law enforcement*

- c) The Democratic Republic of the Congo should strengthen the regulatory framework for the implementation of CITES in the country, aiming at institutional consolidation and the clear division of responsibilities between CITES authorities, so as to build their capacity and avoid any gaps that might result from a duplication of competences between the different institutions concerned.

*Regarding reporting to the Secretariat*

- d) The Democratic Republic of the Congo should report to the Secretariat on progress made in the implementation of these recommendations 90 days before the 78th meeting of the Standing Committee (SC78), in order for the Secretariat to convey its report and its comments to the Standing Committee.



The Committee noted the comments made on the floor and the statement of the Democratic Republic of the Congo that will be included in the summary record.

33.7 Application of Article XIII in Ecuador ..... SC77 Doc. 33.7

The Secretariat introduced document SC77 Doc. 33.7, reporting on its technical mission to Ecuador to support the CITES authorities in strengthening CITES implementation for sharks. The Secretariat also presented a brief analysis of the shark fin trade between Ecuador and Peru from 2017 to 2022, reporting that although Peru was a major exporter of fins, many of these fins came via land terminals from other countries before export to Asia. The Secretariat drew attention to discrepancies between trade figures reported by Peru and Ecuador in 2021. Based on the information provided by Ecuador and gathered during the technical mission, the Secretariat commended the Ecuadorian and Peruvian authorities for their efforts to establish regulatory frameworks that could serve as models for other States in the process of developing management and monitoring systems for the whole chain of control for marine species from vessel departure, catch, landing controls, to mobilization of the fishery product. However, the Secretariat highlighted significant challenges in the management and regulation of international and cross-border trade of sharks and other marine species and directed the Committee to the recommendations in the document.

Ecuador reported on elements of its implementation, such as the traceability and legality processes, the recent update and re-evaluation of its national action plan, national legislation banning finning, monitoring of fisheries and the tuna fishing industry, and cooperation with other countries. Ecuador reported that it had a customs database where accredited companies entered all export and traceability data. Acknowledging that further work needed to be done, Ecuador encouraged the Secretariat to continue to provide assistance through processes such as the Compliance Assistance Programme. Ecuador noted that El Niño had had an impact on artisanal fisheries and livelihoods, and that the Article XIII process should allow for flexibility to put forward all the relevant information to address any compliance matter. Ecuador reported working on non-detriment findings for sharks and associated export quotas. Ecuador, noting a change in government but committed to undertaking the activities in the suggested recommendations, proposed a partial amendment to the recommendation to suspend trade in specimens of sharks from Ecuador.

Peru expressed its commitment to improving its management of hydrobiological resources and to ensuring that the Management Authorities cooperate with the Scientific Authorities and enforcement authorities to ensure traceability. Peru reported that shark fishing was artisanal and principally for meat traded domestically, while trade in fins was secondary. It stated that finning was banned and that any captured sharks should be landed whole to identify whether they were CITES-listed species. Peru noted the importance of making sure that stocks in the Pacific were monitored at a regional level. Peru valued any support that the Secretariat could give in future, such as a mission to provide necessary technical assistance to strengthen national capacities. Peru also reported that it was cooperating with Ecuador; that it was updating its national management plan in a participatory manner with stakeholders; that it was undertaking training and awareness raising; and that, in continuing efforts to combat trafficking, it had increased sanctions for crimes against fauna, flora and aquatic resources.

New Zealand (Committee Member for Oceania), speaking on behalf of the Oceania region, considered that some of the issues mentioned in document SC77 Doc. 33.7 had arisen from the misunderstanding that bycatch should be treated differently from targeted catch under CITES, which is not the case. Given that many sharks in bycatch are live and that post-release survival is high for many shark species, New Zealand suggested an additional recommendation to Ecuador encouraging the release of live bycaught CITES-listed sharks rather than landing, unless the proportion of the quota set under a positive NDF allowed for this.

Poland (Committee Member for Europe), speaking on behalf of the European Union and its Member States, expressed concern about the level of trade reported in light of the implementation issues in both countries. Poland queried why only Ecuador was mentioned in the recommendation in paragraph 58 a) proposing to suspend trade. The Secretariat clarified that this was because it had conducted its mission to Ecuador and that information on Peru had been provided for context on the interaction of the countries on this matter, but it could undertake a mission to Peru to fully understand the situation there if recommended by the Standing Committee.

Poland (Committee Member for Europe), speaking on behalf of the European Union and its Member States, suggested that the recommendations could be revised to provide precise guidance and set

a time limit of 90 days for Ecuador and, if justified, Peru to produce an NDF and LAF for the species addressed in the report, to the satisfaction of the Secretariat and the Chairs of the Animals Committee and Standing Committee, respectively; if not achieved, then a recommendation to suspend commercial trade in the concerned species could be issued. The United States of America (Committee Member for North America), speaking on behalf of the North American region, supported the recommendations in the document with amendments to identify the specific compliance issues for each recommendation and refine the substance for clarity, including extending the consideration to specimens with country of origin Ecuador, and clarifying the measures to be met in recommendation a). Japan supported the amendments to recommendation a) proposed by the United States. Honduras (Committee Member for Central and South America and the Caribbean) considered that the report by Ecuador of a change in government could be taken into account into giving some flexibility regarding recommendation a) to suspend trade. Chile, Guatemala and Mexico supported the amendment to recommendation a) as suggested by Ecuador.

Brazil (Committee Member for Central and South America and the Caribbean) suggested the creation of an in-session drafting group to consolidate the suggested amendments for later consideration by the Standing Committee.

TRAFFIC, speaking also on behalf of World Wide Fund for Nature (WWF), agreed with the conclusions of the document on the need to strengthen traceability of shark products along the supply chain, but remarked that it only referred to national traceability, while an international approach was needed for multinational supply chains such as the TRAFFIC shark traceability system already used in Australia and South Africa.

The Committee established an in-session drafting group with the mandate to review and revise the recommendations in paragraph 58 of document SC77 Doc. 33.7 The membership of the drafting group was agreed as follows: Brazil (Chair), Ecuador, Japan, New Zealand, Peru, Poland and the United States of America.

Later in the meeting, Brazil, as Chair of the drafting group, introduced document SC77 Com. 8, which consolidated the proposed amendments to the recommendations in document SC77 Doc. 33.7. Representatives from Argentina, the Dominican Republic, Germany, Honduras, Panama and Spain also attended the drafting group. Brazil noted the objective and collaborative approach in the group, and reported that consensus had been reached on the recommendations presented in document SC77 Com. 8.

Ecuador agreed to the recommendations in document SC77 Com. 8 without prejudice to the manifest need for cooperation from all Parties in the matter, and committed to undertake the actions by the deadline.

The Committee agreed the recommendations in in-session document SC77 Com. 8 as follows:

The Committee recommended that:

*Regarding management of trade in sharks and rays specimens*

- a) Parties suspend trade in specimens of sharks and rays listed on CITES appendix II before COP 19 from Ecuador or with country of origin Ecuador. The recommendation shall take effect 120 days after the closure of SC 77 unless Ecuador takes measures to ensure the appropriate implementation of Article IV with respect to non-detriment findings and legal acquisition findings to the satisfaction of the Secretariat in consultation with the Chair of the Animals Committee, notably through establishing requirements for sustainable levels of trade, including by determining fishing capacity and bycatch limits, and establishing trade quotas for sharks and rays based on available scientific data.
- b) All importing Parties inform the Secretariat of the volumes of CITES-listed sharks and rays specimens imported from Ecuador or with country of origin Ecuador since the listings in Appendix II came into force.
- c) Ecuador strengthen CITES Scientific Authorities by developing their capacities and providing them with sufficient resources to carry out their work, including a population survey of internationally-traded sharks and rays and other CITES-listed aquatic species for the purpose

of making NDFs and establishing annual export quotas before authorizing any trade of specimens of CITES-listed sharks and rays species.

*Regarding legislation and the fight against fraud*

- d) Ecuador and Peru strengthen their regulatory frameworks for the management and trade of aquatic species by taking the appropriate measures to enforce the provisions of the Convention as provided in Article VIII, including by considering:
  - i) assessing the capacities, mandates and needs of the competent authorities in the fight against illegal trade, in order to strengthen the control of illegal trade in CITES-listed aquatic species and the fight against transnational organized crime related to the illegal trade in sharks, rays and other aquatic species, and, based on this assessment, strengthening the capacities of crime-fighting services in order to increase CITES controls, based on risk management strategies, including controls at border-crossing points, and to combat transnational organized crime involving fisheries.
  - ii) creating a binational platform for cooperation and coordination among the competent authorities involved in the fight against crime, in order to strengthen the monitoring of trade in CITES-listed species and combat transnational organized crime related to the international trade in sharks and rays, as recommended in paragraphs 9 a) and b), and Annex 3 of Resolution Conf. 11.3 (Rev. CoP19) on Compliance and enforcement.
  - iii) encouraging companies to use innovative technologies to track and monitor vessels, and to adopt best practices to avoid fishery products obtained from illegal fishing or illegal exploitation or illegally traded catch entering their supply chains.

*Regarding trade between Ecuador and Peru*

- e) the Secretariat continue to monitor this case and make recommendations to the Standing Committee. It is further recommended that the Secretariat continue to maintain close contact with Ecuador and Peru and to strengthen cooperation on this case and seek an invitation from Peru to provide in-country assistance, conduct a technical assessment and a factfinding mission to understand how CITES authorities are ensuring that shark and rays specimens and specimens of other aquatic species are imported and re-exported in compliance with CITES. Subject to the availability of external funds and human resources to conduct that work, the Secretariat shall present its findings and recommendations to the forthcoming Standing Committee meetings.

*Regarding reporting*

- f) Ecuador and Peru report to the Secretariat on progress made in the implementation of these recommendations 90 days before the 78th meeting of the Standing Committee (SC78), to enable the Secretariat to submit its report and input to the Standing Committee.

33.8 Application of Article XIII in the European Union ..... SC77 Doc. 33.8

The Secretariat introduced document SC77 Doc. 33.8 and the potential compliance matter identified for the United Kingdom of Great Britain and Northern Ireland in document SC77 Doc. 33.1 together, as both considered the registration of facilities that breed Appendix-I taxa in captivity for commercial purposes. Regarding the compliance case for the European Union presented in document SC77 Doc. 33.8, the Secretariat highlighted its technical missions to Germany and Spain in October 2022, and expressed its appreciation for the openness, transparency, technical and logistical support provided by both Parties. The Secretariat considered the most fundamental consideration to be the degree of commerciality of the transactions, with the Secretariat of the opinion that a significant number of captive-bred specimens in facilities visited during technical missions are traded for commercial purposes. Regarding the compliance case considered for the United Kingdom of Great Britain and Northern Ireland in document SC77 Doc. 33.1, the Secretariat noted the report contained similar recommendations to those formulated for the European Union, and invited the Committee to consider the cases together. The discussion for the case for the United Kingdom, and the recommendations of the Standing Committee with regard to that case, are summarized under agenda item 33.1.

The European Union and its Member States provided detailed information regarding the system in place in the European Union and compliance with the Convention and expressed the view that document SC77 Doc. 33.8 did not provide sufficient details about how the Secretariat came to the general conclusion in subparagraph a) of paragraph 87. The European Union and its Member States highlighted that the EU Wildlife Trade Regulations provided safeguards due to the case-by-case basis assessment of every export by the Management Authorities of each Member State, and also drew attention to several relevant guidance documents adopted at the level of the European Union, such as on the verification of the legal origin of founder stocks. Finally, the European Union expressed that document SC77 Doc. 33.8 did not clearly distinguish between the general legal system in place in the European Union and specific cases of non-compliance. Canada, echoed by China, believed compliance matters should be focused on compliance with Articles of the Convention, whereas the reports presented appeared to be related to compliance with Resolutions, which are non-binding. Canada therefore did not support the recommendations in paragraph 87 of the document. China suggested that the Standing Committee encourage the Secretariat to further engage with both Parties before determining whether both Articles were being effectively implemented.

Brazil (Committee Member for Central and South America and the Caribbean), Chad (Committee Member for Africa), Honduras (Committee Member for Central and South America and the Caribbean), speaking on behalf of the Central and South America and the Caribbean region, Indonesia (Committee Member for Asia), Kenya (Committee Member for Africa), New Zealand (Committee Member for Oceania), speaking on behalf of the Oceania region, the United States of America (Committee Member for North America), Benin, Burkina Faso, Mexico, the Republic of Korea and Senegal agreed with the recommendations in document SC77 33.8, specifically in regards to the determination that Article III and Article VII para. 4 of the Convention are not being effectively implemented by the European Union. Furthermore, a number of these Parties supported urging the European Union to ensure facilities are registered with the Secretariat in accordance with Resolution Conf. 12.10 (Rev. CoP15) on *Registration of operations that breed Appendix-I animal species in captivity for commercial purposes*; to invite Parties to restrict imports for primarily commercial purposes of captive-bred specimens of Appendix-I species to those produced under operations included in the CITES Register; and for the Secretariat to continue to engage with Brazil, Dominica and Germany regarding the cases identified in document SC77 Doc. 33.8.

Brazil noted specific concerns regarding the export of Spix's macaw (*Cyanopsitta spixii*) from facilities in Germany to India in 2023, drawing attention to Notification to the Parties No. 2001/052 of 10 August 2001 that requests Parties do not issue import, export, or re-export permits for *C. spixii* without consulting with the Brazilian Management Authority. Brazil further stated this trade was not carried out in the context of the Brazilian government's management plan for the species that had as its ultimate objective the sustainable reintroduction of the species into the wild. For Brazil, any surplus population of the species must be sent, primarily, to institutions located within Brazil. Brazil questioned how the sales of *Cyanopsitta spixii* could have been considered as "non-commercial", since the existence of an economic benefit does not depend on the purpose for which this economic benefit is directed, according to Resolution Conf. 5.10 (Rev. CoP19). There were reasons for the "non-commercial" purpose of the operations to be at least investigated, especially considering that transfers of animals included in CITES Appendix I must be subject to strict regulation and only authorized in exceptional circumstances. Germany confirmed it was not aware of the Notification at the time of the export and emphasized it would follow the procedure outlined in the Notification in future, and expressed its commitment to continue its dialogue with Brazil.

On the specific case of the import of two specimens of *Amazona imperialis* and the ten specimens of *A. arausiaca* from Dominica by Germany in 2018, the United States and New Zealand, on behalf of the Oceania region, sought additional information on the circumstances of the import and the status of the imported birds. Germany provided clarification on the circumstances surrounding the trade, emphasizing that it acted in response to an emergency situation with the survival of the species as its primary objective. Germany further confirmed that no exports of these parrots were permitted from Germany, and that to its knowledge, Dominica had not yet requested the return of the specimens concerned.

Mexico highlights that there is no parity between Parties regarding the registration of operations under Resolution Conf. 12.10 (Rev. CoP15), and that could set a negative precedent. Mexico invited EU Member States to consider the implementation of Resolution Conf. 13.9 on *Encouraging cooperation between Parties with ex situ breeding operations and those with in situ conservation programmes* to support conservation work in countries of origin.

Pro Wildlife (speaking also on behalf of Species Survival Network, World Parrot Trust, David Shepherd Wildlife Foundation, Defenders of Wildlife, Born Free Foundation, Human Society International, Four Paws, ADM Capital Foundation, Whale and Dolphin Conservation, Animal Welfare Institute, Natural Resources Defense Council and Center for Biological Diversity) drew attention to information documents SC77 Inf. 17 and Inf. 18 and expressed concern over the apparent commercialization of rare species such as Spix's macaw. These observer organizations considered that the registration of facilities that breed Appendix-I species in captivity for commercial purposes to be crucial and urged the Standing Committee to request that Germany report on the status of Spix macaw's in its facilities, including information on the number of specimens, ownership, conditions of the sale, and lease or loan agreements.

The Committee urged the CITES Management Authorities of the European Union to ensure that facilities that are breeding specimens of Appendix-I listed species for commercial purposes be registered with the CITES Secretariat in accordance with the procedures established in Resolution Conf 12.10 (Rev. CoP15) on *Registration of operations that breed Appendix-I animal species in captivity for commercial purposes*.

The Committee recalled paragraph 8 a) of Resolution Conf. 12.10 (Rev. CoP15) and invited Parties to restrict imports for primarily commercial purposes, as defined in Resolution Conf. 5.10 (Rev. CoP19) on *Definition of 'primarily commercial purposes'*, of captive-bred specimens of Appendix-I species to those produced by operations included in the CITES Register and to reject any permit or certificate granted under Article VII, paragraph 4, if the specimens concerned do not originate from a registered facility and if the permit or certificate does not describe the specific identifying mark applied to each specimen.

The Committee invited the Secretariat to submit to its 78th meeting a document with draft elements of guidance on the following matters:

- a) specific guidance on the chain of custody required for demonstrating the legal acquisition of the parental stock, i.e., the chronological documentation, to the extent practicable and in accordance with applicable laws and records, of the transactions pertaining to the removal from the wild of a specimen and the subsequent ownership of that specimen;
- b) standardized and objective criteria to implement the requirement stated in paragraph 5 j) of Resolution Conf. 12.10 (Rev. CoP15) to assist Management Authorities in making the findings about the continuing meaningful contribution that the captive-breeding operation will make to the conservation needs of the species concerned.

The Committee invited the Secretariat to follow-up with Brazil, Dominica and Germany regarding the cases identified in document SC77 Doc. 33.8 for *Amazona imperialis*, *A. arausiaca* and *Cyanopsitta spixii* and to report back to the Standing Committee.

Chad (Committee Member for Africa) called for a vote under Rule 15.1 of the Rules of Procedure of the Standing Committee which was supported by Kuwait (Committee Member for Asia). The Committee voted on a motion to agree the recommendation in paragraph 87 of document SC77 Doc. 33.8 as follows:

The Committee determined that Article III and Article VII para. 4 of the Convention are not being effectively implemented by the European Union with regard to the registration of operations that breed Appendix-I animal species in captivity for commercial purposes, in particular concerning two main elements:

- a) the evidence that the parental stock has been obtained in accordance with relevant national laws and the provisions of the Convention (e.g., dated capture permits or receipts, CITES documents, markings, etc.); and
- b) the primarily commercial nature of the operations breeding Appendix-I animal species in captivity.

The motion was approved by a simple majority of 11 votes in favour.

The Committee noted, under agenda item 33.8, the request by the European Union to include the following statement for the record:

*'The European Union and its Member States have provided detailed information with regard to the system in place in the European Union and compliance with the Convention and expressed the view that the report did not provide sufficient details about how the Secretariat came to the general conclusion in paragraph 87 a) of document SC77 Doc. 33.8.'*

The Committee noted, under agenda items 33.8 and 33.1, the request by Mexico to include a recommendation for Parties to consider the implementation of Resolution Conf. 13.9 on *Encouraging cooperation between Parties with ex situ breeding operations and those with in situ conservation programmes*.

33.9 Application of Article XIII in Guinea .....SC77 Doc. 33.9 and Add.

The Secretariat introduced document SC77 Doc. 33.9 and its addendum, providing an update on the export of a pre-Convention stockpile of *Pterocarpus erinaceus* authorized by the Standing Committee in April 2021 as well as updates on a mission undertaken by the Secretariat in October 2023 to collect additional information on the export of the stockpile, the implementation of the recommendations of the Standing Committee and the CAP. Based on the findings of the mission, the Secretariat proposed a revised set of recommendations and noted that the Compliance Assistance Programme, and funding from the sale of the pre-Convention stockpile, were expected to contribute to the implementation of some of the proposed recommendations.

Guinea thanked the Secretariat for its mission, which it indicated had provided clarity on the Article XIII process and sounded the alarm for its authorities. On the export of a pre-Convention stockpile of *P. erinaceus*, Guinea reported it had established a committee to oversee the export process to China and that while this process generally went smoothly, it had encountered some issues related to missing certificates of origin.

Guinea further emphasized that no commercial trade had been permitted from the country since 2013, and as such, it had a strict approach to any officials or accomplices involved in unlawful operations. Finally, Guinea indicated it would be implementing the Secretariat's proposed recommendations as soon as possible, particularly those related to sharing evidence of the proceeds obtained from the sale of the stockpile.

The Committee agreed the following recommendations:

*Regarding the recommendation to suspend trade*

- a) The Committee recommended that Parties continue to suspend all trade in CITES-listed species with Guinea for commercial purposes until the following recommendations have been met to the satisfaction of the Standing Committee:

*Regarding the proceeds from the export of the stockpile of Pterocarpus erinaceus*

Guinea should:

- b) provide to the Secretariat evidence from the Public Treasury of the deposit in the State account of the proceeds obtained from the sale of the *Pterocarpus erinaceus* stockpile (4 billion Guinean francs, equivalent to USD 478,650) as well as of the transfer of the 40% (equivalent to USD 190,386) to a separate subaccount of the Ministry of Environment and Sustainable Development, and the establishment of a budget for the use of the funds taking into account the Compliance Assistance Project and in close consultation with the Management Authority;

*Regarding national legislation*

Guinea should:

- c) adopt legislative measures that meet the minimum requirements of CITES set out in Resolution Conf. 8.4 (Rev. CoP15) on *National laws for implementation of the Convention*

and in accordance with the guidance provided under the National Legislation Project; this should include the issuance of a legally binding instrument on the functions and responsibilities of the CITES Management and Scientific Authorities;

*Regarding management and issuance of CITES permits and certificates*

Guinea should:

- d) implement an electronic system for the receipt and management of applications for CITES documents, and for the issuance, filing and monitoring of CITES documents, as well as for the timely submission of an annual report; Guinea must ensure a quick setting up of the new Management Authority and submit a new sample signature without delay to the CITES Secretariat and continue to use security paper and security stamps;
- e) develop a protocol for the making of non-detriment findings by the CITES Scientific Authority prior to the issuance of export permits;
- f) assess the capacity of the CITES Management and Scientific Authority on CITES implementation, including the capacity to make non-detriment and legal acquisition findings, and address any gaps and needs for training and capacity-building, with the relevant technical assistance, including from the CITES Secretariat, if requested and subject to available resources;
- g) in order to prepare for the consideration of a future partial withdrawal of the recommendation to suspend trade, Guinea should submit for approval by the CITES Secretariat a list of species included in CITES Appendix II for which export for commercial purposes could be considered; and initiate the process of collecting data and information related to the approved species in order to develop precautionary voluntary export quotas for consultation with the Animals and Plants Committees, respectively, and the Standing Committee, taking into account Article IV of the Convention, Resolution Conf. 16.7 (Rev. CoP17) on *Non-detriment findings*, Resolution Conf. 18.7 (Rev. CoP19) on *Legal acquisition findings* and Resolution Conf. 14.7 (Rev. CoP15) on *Management of nationally established export quotas*;
- h) every six months, submit copies of CITES permits and certificates issued to the CITES Secretariat for information and monitoring;

*Regarding compliance and law enforcement*

Guinea should:

- i) under the aegis of the Advocate General of the Conakry Court of Appeal (Focal Point for Wildlife Crime of the Ministry of Justice), and in accordance with national law, conduct criminal and financial investigations, through specialized agencies such as INTERPOL's National Central Bureau, the National Financial Information Processing Unit (*Cellule Nationale de traitement des Informations Financières - CENTIF*), the National Anti-corruption and good governance promotion agency, and the National Wildlife and Forest Crime Brigade; and undertake judicial prosecutions against all individuals and entities involved in alleged offences associated with the recent illicit trafficking of *Pterocarpus erinaceus*, including the members of the National Commission, irrespective of their position;
- j) make efforts to also investigate and collect information on the transnational organized syndicates operating in the country so that they can be brought to justice and avoid that only small perpetrators are targeted;
- k) continue to investigate and prosecute other cases of illegal trade in specimens of CITES-listed species and inform the Secretariat of the results of any legal proceedings by submitting the annual illegal trade report in accordance with the *Guidelines for the preparation and submission of the CITES annual illegal trade report*;
- l) consider developing and implementing a strategy to counter corruption linked to wildlife crime at all levels, including anti-bribery policies, and intensify efforts to ensure full implementation of Resolution Conf. 17.6 (Rev. CoP19) 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;

- m) establish a formal agreement between the CITES Management Authority and the Customs Service on collaboration, coordination and exchange of information;
- n) develop a protocol for the management and disposal of seized and confiscated specimens (live and dead), taking into account the provisions of the Convention and the recommendations of Resolution Conf. 17.8 (Rev. CoP19) on *Disposal of illegally traded and confiscated specimens of CITES-listed species*;
- o) take action to address the gaps identified through the implementation of the Indicator Framework of the International Consortium on Combating Wildlife Crime (ICCWC);

*Regarding reporting on the implementation of these recommendations*

- p) Guinea shall prepare a report on the implementation of these recommendations, including the budget and the use of the funds mentioned in recommendation b) and any progress in the criminal investigations mentioned in recommendation i) and any other pertinent information. Guinea shall submit the report to the Secretariat 90 days before the 78th meeting of the Standing Committee so that the Secretariat can in turn submit its report and recommendations to the Standing Committee at that meeting.

The Committee invited Parties, ICCWC partners and donors to provide financial, technical and logistical support to Guinea to support the implementation of the above recommendations.

The Committee recommended that China seize and confiscate any illegal timber from Guinea. Should China reject the import of the illegal shipment and the timber be returned to Guinea, the Committee recommended that Guinea seize the shipments and ensure that these are disposed of in a manner that discourages further illegal logging and timber trafficking in accordance with Resolution Conf. 17.8 (Rev. CoP19) on *Disposal of illegally traded and confiscated specimens of CITES-listed species*, preferably by complete destruction.

Finally, the Committee requested the Secretariat to publish a Notification to the Parties to replace Notification to the Parties No. 2022/082, recommending that Parties maintain the suspension of trade for commercial purposes with Guinea.

33.10 Application of Article XIII in the Lao People's Democratic Republic ..... SC77 Doc. 33.10

The Secretariat introduced document SC77 Doc. 33.10, which describes the actions taken by the Lao People's Democratic Republic to implement the recommendations agreed by the Committee at its 74th meeting and reiterated at its 75th meeting. Progress was highlighted in some areas, including with the regard to the preparation of non-detriment findings for *Dalbergia cochinchinensis* and *D. oliveri*, as well as the revised wildlife law that had recently entered into force. Despite this progress, the Secretariat reported limited progress in terms of compliance with CITES and implementation of the recommendations; several areas of concern were noted, including an apparent lack of arrests or prosecutions concerning illegal trade of CITES-listed species and continued breeding of tigers in captivity. Furthermore, the Secretariat indicated it was following up with the Lao People's Democratic Republic regarding legal acquisition of founder stock for captive-breeding facilities of *Macaca fascicularis*, as requested by the Animals Committee at its 32nd meeting. Overall, the Secretariat was of the view that the results of the efforts reported by Lao People's Democratic Republic were insufficient, and accordingly, invited the Standing Committee to consider a recommendation to suspend trade for commercial purposes from the Lao People's Democratic Republic.

The Lao People's Democratic Republic expressed its gratitude for the support provided under the Compliance Assistance Programme and provided clarifications on several aspects of document SC77 Doc. 33.10. The Lao People's Democratic Republic highlighted the development of non-detriment findings for *Dalbergia* species, the publication of a zero-export quota for *Dalbergia* for sources W, A, and Y, and provided updates on its revised wildlife law and indicated it was in the process of reviewing the remaining legislative gaps to ensure full compliance with CITES. Regarding



breeding of tigers in captivity, the Lao People's Democratic Republic confirmed that tiger farms in the Lao People's Democratic Republic were not permitted to breed tigers, and that no authorization had been granted for the establishment or expansion of new captive breeding tiger facilities. Concerning law enforcement, the Lao People's Democratic Republic reported that no instance of transnational organized crime related to wild animals had been identified since September 2022, but that it had limited resources to address this issue effectively. Finally, the Lao People's Democratic Republic informed the Committee it had established a zero-export quota for live Asian elephants, and that it was currently developing a strategy to manage its captive Asian elephant population under the Compliance Assistance Programme. The Lao People's Democratic Republic, reassuring Parties of its commitment to implement the recommendations of the Standing Committee, requested the Committee to delete the recommendation to suspend trade in specimens of all CITES-listed species for commercial purposes from the Lao People's Democratic Republic, and also requested additional time to implement the recommendations of the Standing Committee.

Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, noted the progress made by the Lao People's Democratic Republic in certain aspects, but agreed with the recommendation to suspend commercial trade for all CITES-listed species and suggested textual amendments. These amendments were supported by the United States of America (Committee Member for North America). The United States applauded the Lao People's Democratic Republic for its work on the non-detriment finding for *Dalbergia* and the publication of zero-export quotas and requested that no export permits be issued until a positive NDF could be made. Kenya (Committee Member for Africa) and Liberia, remarking that the issue had been on the agenda for a number of meetings with little observed progress, supported the recommendations in the document. Both Parties expressed particular concern about the export of live elephants of source C to neighbouring countries.

Indonesia (Committee Member for Asia) welcomed the actions taken by the Lao People's Democratic Republic, hoping that the good faith and continued progress could be reflected in the policies. Thailand reported that, as a neighbouring country, it collaborated closely with the Lao People's Democratic Republic in certain circumstances, sharing intelligence and best practices. Thailand noted significant progress by the Lao People's Democratic Republic in fulfilling the CITES requirements and supported the deletion of the recommendation to suspend trade and a time extension for the Lao People's Democratic Republic to resolve the remaining commitments. China suggested that the Standing Committee recommend further engagement of the Lao People's Democratic Republic with the Secretariat to communicate remaining compliance issues, as well as technical assistance, to encourage compliance through voluntary measures rather than imposed punitive measures.

Born Free Foundation, speaking also on behalf of ADM Capital Foundation, Animal Welfare Institute, David Shepherd Wildlife Foundation, Environmental Investigation Agency, Humane Society International, Pan African Sanctuary Alliance, Pro Wildlife, Species Survival Network, supported the recommendations in the document. Pointing to the decline of *Macaca fascicularis* and increased quotas published by the Lao People's Democratic Republic in recent years, the observer organizations urged the Standing Committee to incorporate a specific recommendation directing the Lao People's Democratic Republic to report on macaques in its captive-breeding facilities and to provide legal acquisition findings. The Environment Investigation Agency (UK), speaking also on behalf of Four Paws, Born Free Foundation, David Shepherd Wildlife Foundation, ADM Capital Foundation, Animal Welfare Institute (AWI), International Fund for Animal Welfare (IFAW), Panthera, Zoological Society of London (ZSL) and Species Survival Network (SSN), supported the recommendation to suspend trade, remarking that despite the Lao People's Democratic Republic's commitment to end tiger farming in 2016, little had been done. The observer organizations highlighted that captive breeding facilities had been consistently linked to illegal trade and were not suitable for conservation breeding of *Panthera tigris corbetti*, which should only be undertaken as part of an established, science-based population management programme.

The Wildlife Conservation Society (WCS), speaking also on behalf of the World Wide Fund for Nature (WWF), expressed its readiness to continue to work closely in-country with the Lao People's Democratic Republic to resolve the remaining implementation issues.

The Committee recommended that Parties suspend trade with the Lao People's Democratic Republic in specimens of all CITES-listed species for commercial purposes until the Lao People's Democratic Republic has substantially achieved the following recommendations:

### *Regarding national legislation for the implementation of CITES*

The Lao People's Democratic Republic should:

- a) revise and enact the Decree for the implementation of CITES;
- b) finalize the ongoing revision of the Wildlife and Aquatic Law to close the gaps in the CITES national legislation for the implementation of the Convention and to ensure that it meets the CITES minimum requirements as set out in Resolution Conf. 8.4 (Rev. CoP15) on *National laws for implementation of the Convention* and can be placed in Category 1 under the CITES National Legislation Project;

### *Regarding CITES Authorities*

- c) The Lao People's Democratic Republic should continue to address the need for strengthening capacity and training of staff of the CITES Management and Scientific Authority of the Lao People's Democratic Republic with the support of the CITES Secretariat and take measures to improve the collaboration between national CITES authorities *inter alia* by developing a standard operating procedure for the two authorities; finalizing the development of the national CITES permit database; and organizing regular training for the staff of the CITES Scientific Authority;

### *Regarding law enforcement*

The Lao People's Democratic Republic should:

- d) investigate and prosecute cases involving organized or transboundary illegal trade activities, such as those identified by various international partners; and provide to the Secretariat the results (including arrests) of any investigations conducted by competent national authorities and the results of any legal proceedings against alleged perpetrators, in the annual illegal trade report format;
- e) continue to work with the law enforcement agencies from China, Malaysia, Singapore, Thailand and Viet Nam, including the context of the Working Group on CITES and Wildlife Enforcement of the Association of Southeast Asian Nations 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 illegally acquired wildlife and illegal wildlife tourism; and
- f) report on the implementation of the recommendations of the Wildlife and Forest Crime Toolkit of the International Consortium on Combating Wildlife Crime (ICWC), and request support from ICWC to conduct a follow-up implementation of the ICWC indicator framework for wildlife and forest crime, to monitor performance over time and to identify areas for improvement.

### *Regarding monitoring of wildlife farms and related trade*

Based on reporting from the Lao People's Democratic Republic and the findings and observations contained in document SC77 Doc. 41.2 on *Asian big cats in captivity*, the Lao People's Democratic Republic should:

- g) complete the full audit of the tigers kept in captivity, including the analyses of the collection of DNA samples and photos to assist with identification of individual specimens;
- h) identify any pure specimens of tigers referable to the mainland Southeast Asian lineage (also known as *Panthera tigris corbetti*) and encourage facilities to engage in coordinated conservation breeding of such animals, if identified;
- i) take measures to limit the number of tigers to a level supportive only to conserving wild tigers by:

- i) restricting the breeding of tigers in captivity (sterilizing, separating male and female specimens), except for specimens of tigers referable to the mainland Southeast Asian lineage (also known as *Panthera tigris corbetti*);
- ii) not authorizing any further import of tiger live specimens, except for specimens of tigers referable to the mainland Southeast Asian lineage (also known as *Panthera tigris corbetti*) for conservation breeding purposes; and
- iii) prohibiting the establishment of any new tiger facilities;
- j) implement stringent regulations for tiger husbandry standards to improve care and discourage expansion of captive-breeding facilities;
- k) develop standard operating procedures for inspections and disposal of dead tiger specimens (including destruction of carcasses after verification of the dead individual) and train officials to undertake inspections and monitor the disposal of carcasses;
- l) consider and implement relevant [outcomes of the Big Cat Task Force](#) Meeting with specific reference to section 2: *Strengthen regulation of facilities breeding big cats in captivity to prevent and detect any illegal trade from such facilities and deploy strengthened enforcement measures*;
- m) take measures to reduce the demand for tiger parts and derivatives through the implementation of campaigns and strategies taking into consideration the guidance in [Resolution Conf. 17.4 \(Rev. CoP19\)](#) on *Demand reduction strategies to combat illegal trade in CITES-listed species* and the outcomes in section 3 of the [Big Cat Task Force outcomes document](#) (see document SC77 Doc. 41.2);
- n) establish an appropriate advisory committee or mechanism with involvement of the CITES Secretariat and other relevant organizations and partners to provide advice on the transformation of commercial tiger farms; and
- o) inspect the tiger captive-breeding facility that the Secretariat could not visit and report to the Secretariat.

#### *Regarding trade in live Asian elephants*

The Lao People's Democratic Republic should:

- p) take measures to ensure that no live Asian elephants are exported from the Lao People's Democratic Republic until the Lao People's Democratic Republic is able to demonstrate to the satisfaction of the Secretariat that specimens to be traded with source code C comply with the definition of captive-bred specimens set out in Resolution Conf. 10.16 (Rev. CoP19) on *Specimens of animal species bred in captivity*; and
- q) take substantive steps to implement Decision 18.226, in particular by developing strategies to manage captive Asian elephant populations, by ensuring that trade is conducted in compliance with Article III for Asian elephants of wild origin and by strengthening its system for registration and marking of Asian elephants held in captivity in the Lao People's Democratic Republic.

The Committee noted that the Secretariat is investigating the issue of legal acquisition of founder stock for captive-breeding facilities for *Macaca fascicularis* in the Lao People's Democratic Republic and that it would report back to the Animals Committee at its 33rd meeting and to the Standing Committee at its 78th meeting.

The Committee requested the Lao People's Democratic Republic not to issue export permits for *Dalbergia* spp. until it develops a non-detriment finding indicating that it would be sustainable to resume trade and submits a corresponding export quota.

The Committee requested the Lao People's Democratic Republic to submit a report on the implementation of the above recommendations to the Secretariat 90 days before the 78th meeting of the Standing Committee (5 November 2024) for the Secretariat to take into account in its report

on the application of Article XIII in the Lao People's Democratic Republic to the Standing Committee and its report under paragraph 2 a) of Resolution Conf. 12.5 (Rev. CoP19) on *Conservation of and trade in tigers and other Appendix-I Asian big cat species* to the Standing Committee and the Conference of the Parties.

33.11 Application of Article XIII in Nigeria .....SC77 Doc. 33.11

The Secretariat reported on progress made by Nigeria since the 75th meeting of the Standing Committee in the implementation of the recommendations of the Standing Committee regarding management of trade in specimens of *Pterocarpus erinaceus*; legislation and law enforcement, the issuance of permits and information systems; the handling and disposal of seized stockpiles of CITES-listed species and monitoring progress. The Secretariat reported that, in August 2023, Nigeria sent its illegal trade report from January 2019-June 2023, including ivory seizures summarized in Annex 2 to document SC77 Doc. 33.11, and reported on implementation of its National Ivory Action Plan (NIAP) contained in Annex 6 to document SC77 Doc. 34, but was not able to submit a report on the implementation of Standing Committee's recommendations under Article XIII within the deadline due to elections and subsequent change in government in February 2023. The Secretariat acknowledged Nigeria's progress with the implementation of some of the Standing Committee's recommendations, in particular those related to the making of the non-detriment finding for *P. erinaceus* and certain legislation and law enforcement-related recommendations. The Secretariat drew attention to the further support it would provide as part of the upcoming implementation of the Compliance Assistance Programme (CAP).

Nigeria provided an update on its activities, reiterated its commitment to ensure compliance while acknowledging the scale of the task, welcomed the support provided by the Secretariat and the funding and assistance provided by partners, and remained open to suggestions to continue to enhance compliance measures. On legislation, Nigeria expanded on its Endangered Species Conservation and Protection Bill, which had passed the first reading in the House of Representatives in early 2023, but had not been adopted before the elections and needed to be reintroduced in the federal legislature, progress on which would be reported at the 78th meeting of the Standing Committee. On the issuance of permits and information systems, Nigeria was waiting for the CAP funding to transition to an e-permitting system. On handling and disposal of seized stockpiles of CITES-listed species, Nigeria reported that in October 2023, 3.9 tons of pangolin scales and 110kg of other seized specimens were incinerated; the ivory stockpile should be disposed of soon by crushing. On the National Strategy on Wildlife and Forest Crime in Nigeria, implementation had begun in the thematic areas although a lot of work remained. On enhancing institutional capabilities, the West Africa Strategy on Combatting Wildlife Crime supported the establishment of the Nigerian Wildlife Law Enforcement Task Force and a National Combatting Wildlife Crimes Sharing Committee launched in March 2023. Nigeria stated that it would welcome enhanced cooperation with consumer countries to ensure that efforts are taken at all stages of the enforcement chain, and called for discussions with countries and partners regarding linkages with the new Wildlife Law Enforcement Task Force.

The United States of America (Committee Member for North America) and Benin supported the recommendations in document SC77 Doc. 33.11, with the United States, supported by Canada, suggesting the replacement of "shall" to "should" throughout, to make it clearer that these are recommendations rather than legal instructions. Canada suggesting that the recommendations in paragraph 19 b) and c) in document SC77 Doc. 33.11 be included under the expedited Article XIII for all range States of *Pterocarpus erinaceus* in document SC77 Doc. 33.2.3 (which included Nigeria). Considering the limited resources available for the Secretariat, China proposed removing the proposed technical missions in recommendation c).

Benin acknowledged the support of organizations which helped Parties to fulfil their obligations. China stated that, as a major importing country of endangered timber species, it took stricter management measures than required by the Convention to strengthen control of its imports of CITES-listed tree species and recognized that cooperation between exporting, transit and importing countries was essential in the fight against illegal trade.

*Regarding trade in specimens of Pterocarpus erinaceus*

The Committee agreed to:

- a) maintain the recommendation to suspend commercial trade in specimens of the species *Pterocarpus erinaceus* from Nigeria under Article XIII until the following conditions are met:
  - i) The Party concerned makes a scientifically based non-detriment finding for trade in the species to the satisfaction of the Secretariat and the Chair of the Plants Committee, having regard to Resolution Conf. 16.7 (Rev. CoP17) on *Non-detriment findings* and based on the outcomes of the Review of Significant Trade process for this species; and
  - ii) The Party provides evidence of adequate legal acquisition findings to the satisfaction of the Secretariat and the Chair of the Standing Committee, having regard to Resolution Conf. 18.7 (Rev. CoP19) on *Legal acquisition findings*.

*Regarding legislation and law enforcement*

- b) Nigeria should strengthen the regulatory framework in relation to forestry management, including forestry legislation at the State level, to avoid any loopholes that may be generated by the distribution of competences between Federal and State levels.
- c) Nigeria should continue 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 (Rev. CoP19) on *Prohibiting, preventing, detecting and countering corruption*. The strategy should protect officials responsible for the implementation and enforcement of CITES from undue pressure, obstruction and threats.
- d) Nigeria should establish a national platform for enforcement cooperation and coordination between relevant authorities to strengthen the control of trade in CITES-listed species and to combat transnational organized wildlife crime, in line with relevant paragraphs of Resolution Conf. 11.3 (Rev. CoP19) on *Compliance and enforcement*.
- e) Nigeria should scale up efforts to map out organized crime groups involved in illegal wildlife trade and operating in the country. Nigeria should convene multidisciplinary investigative teams involving all relevant authorities. These teams will 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 issuance of export permits and information systems*

- f) Nigeria should establish an efficient and secure information system, preferably an electronic system (resources permitting), to facilitate the issuance of permits and certificates, and the verification of all CITES provisions applicable to the specimens to be exported.
- g) Nigeria should 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.

*Handling and disposal of seized stockpiles CITES-listed species*

- h) Nigeria should clearly define the competences of, and the division of labour between, relevant institutions to ensure that adequate control measures are put in place to secure storage facilities for seized stocks of CITES-listed species, including for pangolins and ivory.

*Collaboration with Nigeria*

- i) The Committee thanked Parties, partners of the International Consortium on Combating Wildlife Crime (ICWC), members of the civil society and cooperation agencies that are providing financial, technical and logistical support to Nigeria and invited them to coordinate further with the CITES Secretariat to avoid duplication and align activities to the extent possible with the implementation of the recommendations of the Standing Committee.

### Monitoring progress

- j) The Secretariat should remain in close contact with Nigeria, monitor the Party's progress in the implementation of recommendations of the Standing Committee, and bring any matters of concern to the attention of the Committee.
- k) The Committee requested Nigeria to report on progress made in the implementation of recommendations d) to j) by the document deadline of its 78th meeting, 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 78th meeting of the Standing Committee.

33.12 Malagasy palisanders and rosewoods (*Dalbergia* spp.) and ebonies (*Diospyros* spp.): Report of Madagascar..... SC77 Doc. 33.12

Madagascar introduced document SC77 Doc. 33.12, reporting on progress made in the implementation of Decision 19.71 directed to Madagascar and the recommendations of the Standing Committee at its 75th meeting. The document provides a report on the prosecutions undertaken between 2017 and 2022 and their outcome, and on the seizures, arrests and prosecutions conducted during this period concerning CITES-listed species. Madagascar reported on the measures taken on a national level to fight trafficking, including a zero tolerance policy and close cooperation with the Ministry of Justice for prosecutions; training for financial investigations in the area of environmental crime organized by INTERPOL and the UN Office on Drugs and Crime (UNODC) and participation in Operation Thunder; a national self-assessment of the combat against wildlife crime and forest crime following the ICCWC indicators; and strengthening of surveillance measures in protected areas and at borders. Madagascar also reported working with partners on a national usage plan of seized stocks using a wood marking technology and a system of traceability, with the Party aiming to inform the Secretariat and the Standing Committee of the outcomes of the pilot at the end of the project.

The United States of America (Committee Member for North America), Panama, the European Union and its Member States, and the International Tropical Timber Organization (ITTO), congratulated Madagascar on the progress made, particularly on the monitoring and control of stockpiles and on scientific matters. As a Party using seized wood stocks domestically, Panama outlined how it mitigated the risks of laundering, describing its rules covering the registration of artisans to ensure that there is traceability of the specimens. ITTO remarked that locating all the stockpiles had been a difficult endeavour.

The European Union and its Member States cautioned, however, that not enough procedures for evaluation and traceability were established, as the control and inventory of the timber stockpiles were restricted to two areas. They suggested the creation of an intersessional working group to consider and provide guidance on the measures surrounding the domestic use of stockpiles. This was supported by the United States (Committee Member for North America) and the World Wide Fund for Nature (WWF), speaking also on behalf of the Centre for International Environmental Law (CIEL) and the Environment Investigation Agency (UK).

Madagascar noted all the comments and clarified that seized stocks would only be used at the state level, with a governmental consortium already in place to manage laundering risks. However, it suggested that the previous consultative advisory group could be revived to provide advice and support. The United States (Committee Member for North America) suggested that Madagascar work with the Secretariat on developing terms of reference to ensure that the group provided meaningful help to the Party.

The Committee noted document SC77 Doc. 33.12, the progress reported by Madagascar and the comments made on the floor.

The Committee invited Madagascar, in consultation with the Secretariat, to reconvene and develop terms of reference of the consultative advisory group that had been established at CoP18 to support Madagascar with the domestic use of its stockpiled wood and with other issues, as appropriate.

### 33.13 Totoabas (*Totoaba macdonaldi*)

- 33.13.1 Report presented by Mexico as Chairman of the Trilateral Contact Group on law enforcement to combat the illegal trade of totoaba..... SC77 Doc. 33.13.1

and

- 33.13.2 Report of the Secretariat ..... SC77 Doc. 33.13.2

Mexico, as Chair of the Trilateral Contact Group on Law Enforcement to combat the illegal trade in totoaba, introduced document SC77 Doc. 33.13.1 and provided an oral update on the operationalization of the Trilateral Contact Group on Law Enforcement between China, Mexico and the United States of America, reporting that the terms of reference for the Contact Group, contained in the Annex to the information document SC77 Inf. 28, had been agreed in September 2023. The first meeting of the Contact Group would be convened in the first quarter of 2024.

The Secretariat introduced document SC77 Doc. 33.13.2, which summarized responses received to Notification to the Parties 2023/069 from transit and destination countries of totoabas (Canada, China including Hong Kong SAR of China and Macau SAR of China, Mexico, the Republic of Korea and the United States of America) and presented the implementation by Mexico of the targets and milestones of the compliance action plan as assessed by the Secretariat in Annex 5 to the document. The Secretariat reported that Japan had provided a response since the publication of the document, specifying that there were no records of import or export of totoaba from Japan. The Secretariat welcomed the progress made by Mexico with implementation of its compliance action plan but noted that further efforts were needed by all concerned, and proposed technical missions to China and the United States. The terms of reference of the study on vaquita and totoaba were available in Annex 6 of the document. The Secretariat reported that more information on this issue would be presented at SC78.

On document SC77 Doc. 33.13.2, Mexico provided an account of the work it had undertaken and the progress made in the context of its action plan and reported building a sense of social responsibility, through ongoing dialogue with local fisheries, work with communities, participation in a marine totoaba spotting cruise, and workshops for strengthening the social fabric. Mexico also reported innovative measures such as the concrete block installation project, which had almost totally eliminated the presence of vessels and nets in the Zero Tolerance Area (also corroborated by experts and organizations such as Sea Shepherd), and the recognition of the compliance action plan by other international fora (i.e., the World Heritage Committee), as well as the terms of reference of the Trilateral Contact Group. Mexico expressed commitment to continue to work with civil society, international organizations and universities to continue to implement the action plan and build on the positive accomplishments, but reminded that this was an issue of illegal trafficking and reiterated the importance of having the study on totoaba trafficking and of using the communication channels established in the *Meeting of range, transit and consumer States of totoaba* held in 2021. Mexico called on the international community, in particular transit and consumer Parties, but also other Parties, observers and civil society, to play their part in addressing this trade.

China welcomed the proposed technical missions to China and the United States, and stated that it remained committed to implement the Terms of Reference of the Trilateral Contact Group and combat the illegal trade in swim bladders. China reported on its progress, including upgrading the status of the totoaba to a first class protected species, prohibiting the sale and consumption of swim bladders, prioritizing swim bladders by law enforcement agencies and effecting seizures, raising awareness on totoaba, and continued cooperation with the Secretariat on more targeted demand reduction activities.

The United States (Committee Member for North America), while acknowledging the progress made by Mexico, expressed concern for the lack of compliance with the regulatory agreements, pointing to a recent increase in seizures in the United States, including two large shipments. The United States disagreed with the Secretariat's assessment of milestones met, considering that the reporting by Mexico on the zero-

tolerance area did not give evidence of reduced use of gill nets within the vaquita refuge outside of the zero-tolerance area, and that the period of reporting coincided with the period of lowest activity in the fishing seasonal cycle. While welcoming a mission to the United States, the Party indicated that, as it was primarily a transit rather than destination country, the Secretariat's resources could better be used in a third technical mission to Mexico or a combined mission to both countries.

Honduras (Committee Member for Central and South America and the Caribbean), speaking on behalf of the Central and South American and the Caribbean region, Indonesia (Committee Member for Asia), speaking on behalf of the Asian region, Kenya (Committee Member for Africa), New Zealand (Committee Member for Oceania), speaking on behalf of the Oceania region, the United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe), Brazil (Committee Member for Central and South America and the Caribbean), Benin, Canada, China, the European Union and its Member States, India, and Senegal acknowledged the progress made by Mexico. However, concerns were expressed by many that these efforts were proving insufficient. Switzerland, while welcoming the efforts, remarked that despite a long list of initiatives over the five decades since the decline of the vaquita became known, daily activities still occurred in the zero-tolerance zone. The European Union and its Member States called on the seizure and destruction of gill nets and the reduction of vessels in the zero-tolerance zone.

Indonesia (Committee Member for Asia), speaking on behalf of the Asian region, supported the recommendations in document SC77 Doc. 33.13.2, including the technical missions to China and the United States. India, noting the extinction alert for the vaquita published in August 2023, suggested that 'request' in the recommendations be replaced with 'urge'. Canada broadly supported the recommendations in the document, and stressed that, while it had no case files for totoaba, it would continue to be vigilant. The United Kingdom (Committee Member for Europe) and the European Union and its Member States supported continued reporting against all objectives in the compliance plan. The European Union questioned whether the deadline could be moved forward on a number of milestones, and reported that it was having bilateral discussions with Mexico on how it could support the country.

Chad (Committee Member for Africa) stated that with the late publication of the documents, initially only in Spanish, and the oral update provided by Mexico, it would welcome more time to evaluate the information. Chad suggested the creation of a technical advisory group to assess the technical information; this was supported by New Zealand (Committee Member for Oceania), speaking on behalf of the Oceania region, Kenya (Committee Member for Africa), Argentina, Benin, Senegal, the United Kingdom, and the United States. The Secretariat cautioned that Mexico was sharing sensitive confidential information about enforcement and international organized crime, and therefore that a technical advisory group might not be operable. Moreover, there was no provision for a technical advisory group or an advisory group for compliance issues in Resolution Conf. 14.3 (Rev. CoP19) on *CITES compliance procedures* or in Resolution 11.3 (Rev. CoP19) on *Compliance and enforcement*, and any new modality would need to be agreed by the Conference of the Parties before setting a precedent without a legal basis under CITES.

Honduras (Committee Member for Central and South America and the Caribbean), speaking on behalf of the Central and South American and the Caribbean region, called on Parties to support Mexico's efforts by adopting complementary measures to combat illegal trafficking on an international level. Brazil (Committee Member for Central and South America and the Caribbean), speaking as a Party, recognized that coordinated efforts from all countries, including transit and destination countries, were needed. Guatemala, as a neighbouring country to Mexico, reported that it was considering how to share information on any future seizures and that it was ready to collaborate with Mexico. Kenya (Committee Member for Africa) urged continued engagement with China and the United States and reporting from the Trilateral Contact Group.

Mexico thanked Parties for their comments and the United States and China for their acceptance of technical missions to their countries. Mexico remarked that while it had provided an action plan with significant progress, reports had not yet been received from



other countries involved, and therefore suggested that reports from other countries on their efforts to combat the trade be provided in a timely manner before a third technical mission to Mexico were to occur. Alternatively, Mexico suggested that any third mission take place after the missions to China and the United States. The Chair stated that the order of the missions would be determined by the Secretariat. Mexico requested that the established channels be used to notify Mexico of any seizures, such as those mentioned by the United States, given that it had not received any formal notification of them.

The Committee noted the report presented by Mexico in document SC77 Doc. 33.13.1.

The Committee:

- a) noted the responses to Notification to the Parties No. 2023/069 and the associated information provided in document SC77 Doc. 33.13.2;
- b) welcomed the rapid progress made by Mexico with implementation of its compliance action plan;
- c) requested Mexico to:
  - i) take into consideration the observations of the Secretariat as presented in Annex 5 to document SC77 Doc. 33.13.2;
  - ii) prepare a report for the 78th meeting of the Standing Committee (SC78) on progress with the implementation of targets and associated milestones in its compliance action plan; and
  - iii) submit the report to the Secretariat 90 days in advance of SC78, for it to be made available to the Committee for consideration;
- d) requested the Secretariat to continue to monitor Mexico's implementation of its compliance action plan and make the report submitted by Mexico to SC78 in accordance with recommendation c) available to the Committee together with any recommendations the Secretariat may have;
- e) agreed to review Mexico's progress with the implementation of its compliance action plan at SC78 and consider if any further compliance actions or measures are needed;
- f) requested China and the United States of America to invite the Secretariat for a technical mission to have a better understanding of the measures and activities being implemented by these Parties in accordance with the provisions of paragraphs a) to c) of Decision 18.292 (Rev. CoP19);
- g) invited the Secretariat to undertake a third technical mission to Mexico to review and monitor the implementation of the compliance action plan and to assess the situation on the ground;
- h) requested China, Mexico and the United States of America to report to SC78 in accordance with Decision 19.74, and to decide at SC78 if sufficient progress has been made or if further measures are needed regarding any of these three Parties;
- i) subject to the availability of funds and resources, requested the Secretariat to work with INTERPOL and UNODC to convene a Wildlife Inter Regional Enforcement (WIRE) meeting and a Regional Investigative and Analytical Case Meeting (RIACM) on totoaba, as anticipated in the [agreed outcome document](#) of the online *Meeting of Range, Transit and Consumer States of Totoaba*;
- j) noted the progress regarding the study on vaquita and totoaba; and
- k) noted the comments made on the floor, including the request by Mexico for the Secretariat to undertake its mission to Mexico after its missions to China and the United States of America.

34. National ivory action plan process ..... SC77 Doc. 34

The Secretariat introduced document SC77 Doc. 34, outlining the progress on reporting by the 13 Parties participating in the NIAP process. Four Parties are in Category A (most affected by the illegal trade in ivory): the Democratic Republic of the Congo, Nigeria, Togo and Viet Nam. These Parties require priority attention. Four are in Category B (markedly affected by the illegal trade in ivory): Cambodia, Gabon, Malaysia and Mozambique. Finally, five Parties are in Category C (affected by the illegal trade in ivory): Angola, Cameroon, Congo, the Lao People's Democratic Republic and Qatar. It was noted that reports on progress with NIAP implementation had been received from Malaysia, Togo and Viet Nam since the time of writing of document SC77 Doc. 34, but that, due to their late submission, the Secretariat had not been able to assess these reports prior to the meeting. On this basis, the Secretariat suggested updates to the recommendations for the three Parties.

The Democratic Republic of the Congo emphasized its intention to submit a progress report, which had been delayed due to issues related to conflicts within the country. The Party requested that the deadline for the submission of its report be postponed to SC78. Gabon similarly reassured the Committee of its intention to submit its progress report as soon as possible, and noted it was in discussions with TRAFFIC regarding the submission of reports to ETIS.

Cambodia highlighted the accomplishments within its NIAP, including significant efforts made to address the illegal ivory trade, and requested to exit the NIAP process at the next meeting of the Standing Committee. Qatar highlighted the progress made since the submission of its first NIAP progress report in 2018 and asked the Committee to note that Qatar had implemented all its obligations in accordance with its NIAP.

Viet Nam also provided clarification on the late submission of its report, which was due to recent changes in its national Management Authority. The Party noted that the final version of its progress report would be submitted by December 2023, and agreed with the amendment made by the Secretariat to the recommendations concerning Viet Nam in the document.

Cameroon thanked the Secretariat for its analysis of Cameroon's report and noted the recommendations in the document, particularly those related to indicators, and expressed its commitment to improve the implementation of its NIAP.

Mozambique, in reference to paragraph 50 of the document, noted that it did not provide information on dehorning of rhinoceroses in the Limpopo National Park as there are no resident rhinoceroses in Limpopo.

Nigeria drew attention to subparagraph c) of section 4 of Resolution Conf. 10.10 (Rev. CoP19) on *Trade in elephant specimens* that contains provisions to enable the Secretariat to seek cooperation with experts, and suggested the Standing Committee request the Secretariat to consult such experts to aid in the assessment of progress reports. This was supported by Environmental Investigation Agency (EIA) (also on behalf of Born Free Foundation, the Center for Biological Diversity, David Shepherd Wildlife Foundation, Fondation Franz Weber, IFAW, Humane Society International (HSI), Japan Tiger Elephant Fund, Pro Wildlife, SSN, WCS and WWF). The Secretariat suggested that the experts to be consulted could be considered under the *Review of the National Ivory Action Plans Process*.

The United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe) and Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, noted the lack of reporting by some Parties with concern and considered that oral updates at the meeting were insufficient to allow the Committee to evaluate progress. These Parties proposed that the non-reporting Parties of Congo, Gabon, the Lao People's Democratic Republic, as well as Angola, whose report did not include new progress made, submit a satisfactory progress report within 60 days after the meeting and for a trade suspension to be considered if this recommendation was not met. This recommendation was further supported by the Environmental Investigation Agency UK (also on behalf of Born Free Foundation, the Center for Biological Diversity, David Shepherd Wildlife Foundation, Fondation Franz Weber, International Fund for Animal Welfare, Humane Society International, Japan Tiger Elephant Fund, Pro Wildlife, Species Survival Network, the Wildlife Conservation Society and the World Wide Fund for Nature).

The Committee requested Belgium, speaking on behalf of the European Union and its Member States, and the United Kingdom of Great Britain and Northern Ireland to consolidate their suggested edits to the recommendations in paragraph 78 of document SC77 Doc. 34, taking into consideration the comments made by the Democratic Republic of the Congo and Nigeria, and submit an in-session document for consideration later in the meeting.

Later in the meeting, Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States and the United Kingdom (Committee Member for Europe), introduced document SC77 Com. 5, which contained revised recommendations based on the discussions in plenary on document SC77 Doc. 34. Belgium noted that the revised recommendations had not yet been considered by other Members of the Committee or the Parties concerned. Belgium proposed editorial changes to recommendations e), h), k) and m) for clarity, and the deletion of a) ii) as this was now redundant. For Togo and Viet Nam, Belgium considered that late reporting should not become an extension to the deadline as this was unfair to other Parties, and proposed a recommendation to suspend trade if the reports were not to the satisfaction of the Secretariat. For Angola, Congo, and the Lao People's Democratic Republic, in line with the approach taken at previous Standing Committee meetings, Belgium requested that progress reports be submitted within 60 days of the meeting and, if the reports were not to the satisfaction of the Secretariat, proposed a recommendation to suspend trade. For Malaysia, Belgium proposed reporting to the 78th meeting of the Standing Committee.

The Democratic Republic of the Congo, speaking as acting Committee Member for Africa in the absence of Chad, considered that the proposed recommendations had not taken into account the comments by Nigeria and the Democratic Republic of the Congo in plenary as agreed by the Committee. Morocco (Committee Member for Africa), supported by Indonesia (Committee Member for Asia), Kuwait (Committee Member for Asia) and Madagascar (Committee Member for Africa), proposed that the Democratic Republic of the Congo be allowed to submit a report within 60 days of the conclusion of the meeting before the recommendation to suspend trade was issued. Kenya (Committee Member for Africa) proposed that the decision on the recommendation to suspend trade be delayed to the 78th meeting of the Standing Committee if the Democratic Republic of the Congo had not provided a satisfactory response. Due to exceptional circumstances in the country, the Democratic Republic of the Congo proposed a deadline of April 2024. Belgium requested that it be explicitly noted that this was granted due to exceptional circumstances to avoid setting a precedent.

Regarding the recommendations for Gabon in document SC77 Com. 5, Gabon argued that, if a compliance matter had not been resolved, Resolution Conf. 14.3 (Rev. CoP19) on *CITES compliance procedures*, had provision for a warning to be issued by the Secretariat, and for a suspension only if a problem persisted with no intention by the Party of respecting the Convention. As this was the first time that Gabon had not submitted a report to the Standing Committee and as it was committed to providing a report within 60 days of the conclusion of the meeting, the Party requested that recommendation to suspend trade, if the report was not satisfactory, be replaced with a written warning. This was supported by the Democratic Republic of the Congo (acting Committee Member for Africa in the absence of Chad), speaking on behalf of the African region, Kuwait (Committee Member for Asia), Madagascar (Committee Member for Africa) and Morocco (Committee Member for Africa).

Malaysia, expressing its commitment to comply with the recommendations and accepting the amendments in document SC77 Com. 5, reiterated its proposed recommendation in plenary that the Standing Committee, at its 78th meeting, consider whether Malaysia could exit the NIAP process in accordance with step 5 of the Guidelines to the NIAP process. This was supported by Indonesia and Kuwait (Committee Members for Asia). Cambodia requested the addition of a similar recommendation to its case.

The Committee agreed the recommendations in in-session document SC77 Com. 5 amended as follows:

#### *Category A Parties*

#### **Democratic Republic of the Congo**

- a) The Committee:
  - i) noted that the Democratic Republic of the Congo did not submit a report on progress with NIAP implementation;
  - ii) noting the exceptional circumstances in the country, requested the Secretariat in accordance with Step 4, paragraph f), of the *Guidelines to the NIAP process*, speaking on behalf of the Committee to request the Democratic Republic of the Congo to submit its NIAP progress report to the Secretariat by 1 April 2024;
  - iii) if there is no satisfactory report by the Democratic Republic of the Congo, requested the Secretariat to issue a Notification to Parties recommending all Parties to suspend commercial trade in CITES-

listed species with the Democratic Republic of the Congo until it submits a progress report to the Secretariat confirming that progress has been made towards NIAP implementation.

## **Nigeria**

### b) The Committee:

- i) noted the limited progress made by Nigeria in implementing its NIAP and encourage the Party to step up efforts to progress implementation of its NIAP;
- ii) agreed an overall rating of 'partial progress' for Nigeria, in accordance with Step 4, paragraph e), of the *Guidelines* in accordance with Step 4 paragraph e) of the *Guidelines*.

## **Togo and Viet Nam**

### c) The Committee:

- i) noted the late submission of the reports on progress with NIAP/NIRAP implementation by Togo and Viet Nam;
- ii) requested the Secretariat to review and assess the two progress reports;
- iii) if either of the two reports is not to the satisfaction of the Secretariat, requested the Secretariat to issue a Notification to Parties recommending all Parties to suspend commercial trade in CITES-listed species with the relevant Party until that Party concerned submits a satisfactory progress report to the Secretariat confirming that progress has been made towards NIAP/NIRAP implementation

## **Category B Parties**

## **Cambodia**

### d) The Committee:

- i) noted the progress made by Cambodia in implementing its NIAP;
- ii) agreed an overall rating of 'achieved' for Cambodia, in accordance with Step 4 paragraph e) of the *Guidelines* and invited the Secretariat to engage with relevant experts to further evaluate progress made by Cambodia so that the Secretariat can make a recommendation on whether Cambodia can exit the NIAP process; and
- iii) agreed that it will consider at its 78th meeting whether Cambodia should exit the NIAP process in accordance with Step 5 of the *Guidelines of the NIAP process*.

## **Gabon**

### e) The Committee:

- i) noted that Gabon did not submit reports on progress with NIAP implementation and its commitment to do so; and
- ii) requested the Secretariat in accordance with Step 4, paragraph f), of the *Guidelines to the NIAP process*, speaking on behalf of the Committee to request Gabon to submit its NIAP progress report to the Secretariat within 60 days of the conclusion of SC77; and
- iii) if there is no satisfactory report by Gabon, requested the Secretariat to issue a written caution, requesting Gabon to submit its NIAP progress report to the Secretariat and to offer assistance to Gabon.

## **Malaysia**

### f) The Committee:

- i) noted that Malaysia submitted a report on progress with NIAP implementation after the deadline;
- ii) requested the Secretariat to review and assess the progress report and bring any matters of concern to its attention at SC78;
- iii) urged Malaysia to submit its progress report on NIAP implementation no later than 90 days before the 78th meeting of the Standing Committee; and
- iv) agreed that it will consider at its 78th meeting whether Malaysia should exit the NIAP process in accordance with Step 5 of the *Guidelines of the NIAP process*.

#### **Mozambique**

- g) The Committee:
  - i) noted the limited progress made by Mozambique in implementing its NIRAP and encouraged the Party to step up efforts to progress implementation of its NIRAP;
  - ii) agreed an overall rating of 'partial progress' for Mozambique, in accordance with Step 4, paragraph e), of the *Guidelines* in accordance with Step 4 paragraph e) of the *Guidelines*.

#### *Category C Parties*

#### **Angola**

- h) The Committee:
  - i) noted that the report submitted by Angola does not include new progress made, and therefore expressed serious concern about the stagnation of NIAP implementation in Angola in the past two years;
  - ii) requested the Secretariat in accordance with Step 4, paragraph f), of the *Guidelines to the NIAP process*, speaking on behalf of the Committee to request Angola to submit its NIAP progress report to the Secretariat within 60 days of the conclusion of SC77;
  - iii) if there is no satisfactory report by Angola, requested the Secretariat to issue a Notification to Parties recommending all Parties to suspend commercial trade in CITES-listed species with Angola until it submits a progress report to the Secretariat confirming that progress has been made towards NIAP implementation.
- i) The Committee noted the request of Angola for technical assistance in training, and encouraged Parties, governmental, intergovernmental and non-governmental organizations and others to provide, where possible, financial and technical assistance to Angola to support the implementation of its NIAP.

#### **Cameroon**

- j) The Committee:
  - i) noted the limited progress made by Cameroon in implementing its NIAP and encouraged the Party to step up efforts to progress implementation of its NIAP;
  - ii) agreed an overall rating of 'limited progress' for Cameroon, in accordance with Step 4, paragraph e), of the *Guidelines to the NIAP process*;
  - iii) encouraged Parties, governmental, intergovernmental and non-governmental organizations and others to provide, where possible, financial and technical assistance to Cameroon to support the implementation of its NIAP.

#### **Congo**

- k) The Committee:

- i) noted that the Congo did not submit reports on progress with NIAP implementation;
  - ii) requested the Secretariat in accordance with Step 4, paragraph f), of the *Guidelines to the NIAP process*, speaking on behalf of the Committee to request Congo to submit its NIAP progress report to the Secretariat within 60 days of the conclusion of SC77;
  - iii) if there is no satisfactory report by Congo, requested the Secretariat to issue a Notification to Parties recommending all Parties to suspend commercial trade in CITES-listed species with Congo until it submits a progress report to the Secretariat confirming that progress has been made towards NIAP implementation.
- l) The Committee urged the Congo to submit reports to the Elephant Trade Information System as a matter of urgency.

#### **Lao People's Democratic Republic**

- m) The Committee:
- i) noted that the Lao People's Democratic Republic did not submit reports on progress with NIAP implementation;
  - ii) requested the Secretariat in accordance with Step 4, paragraph f), of the *Guidelines to the NIAP process*, speaking on behalf of the Committee to request the Lao People's Democratic Republic to submit their NIAP progress report to the Secretariat within 60 days of the conclusion of SC77;
  - iii) if there is no satisfactory report by Lao People's Democratic Republic, requested the Secretariat to issue a Notification to Parties recommending all Parties to suspend commercial trade in CITES-listed species with the Lao People's Democratic Republic until they submit a progress report to the Secretariat confirming that progress has been made towards NIAP implementation.

#### **Qatar**

- n) The Committee:
- i) noted the progress made by Qatar in implementing its NIAP and encouraged the Party to step up efforts to progress implementation of its NIAP;
  - ii) agreed an overall rating of 'partial progress' for Qatar, in accordance with Step 4, paragraph e), of the *Guidelines of the NIAP process*.

The Committee noted the comments made on the floor.

#### **35. Review of Significant Trade in specimens of Appendix-II species**

##### **35.1 Overview of the Review of Significant Trade ..... SC77 Doc. 35.1 (Rev. 1)**

The Secretariat introduced document SC77 Doc. 35.1 (Rev. 1), providing details of the 119 cases currently in the Review of Significant Trade (RST) process; of these cases, 80 relate to fauna and 39 relate to flora, which include the 21 species/country combinations that were selected by the Animals Committee and the 20 species/country combinations selected by the Plants Committee for inclusion in Stage 2 of RST at their 32nd and 26th meetings, respectively (AC32 and PC26; Geneva, June 2023). In addition, the Secretariat reported on the publication of draft guidance for the RST Tracking and Management System and invited Parties to provide feedback on the system in response to Notification to the Parties No. 2023/114 of 18 September 2023. Finally, the Secretariat indicated that it planned to include a training module on the RST on the CITES Virtual College and would provide an update on the implementation of Decision 17.110 (Rev. CoP19) at SC78.

The Committee noted document SC77 Doc. 35.1 (Rev. 1) and agreed that Decisions 17.108 (Rev. CoP19) and 17.109 (Rev. CoP19) have been implemented.

There were no interventions.

The Secretariat introduced document SC77 Doc. 35.2 (Rev. 1), reporting on actions taken by Parties to implement the recommendations made by the Animals and Standing Committees under the Review of Significant Trade (RST) to ensure compliance with the obligations of Article IV, paragraph 2 (a), 3 or 6 (a) of the Convention. The Secretariat informed the Standing Committee of its determination as to whether the recommendations formulated by the Animals Committee had been implemented by the range States concerned. The Secretariat provided editorial amendments to recommendation o) for *Uromastix geyri*/Mali on the floor, and additionally informed the Committee that Morocco had submitted a response on *Anguilla anguilla* within the agreed timeframe that had only recently come to the Secretariat's attention. This report was made available as information document SC77 Inf. 24 and accordingly, the Secretariat amended its recommendation to the Standing Committee for *Anguilla anguilla*/Morocco.

Regarding *Anguilla anguilla*/Morocco, the Chair of the Animals Committee noted that the Animals Committee had reviewed Morocco's response and had unanimously agreed to its removal from the process. The United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe) supported the removal of the species-country combination from the RST process, provided that quotas continued to be published on the CITES website and that any increase to the quota is notified to the Secretariat and Animals Committee Chair, including the scientific basis for the quota. However, Poland (Committee Member for Europe), speaking on behalf of the European Union and its Member States, proposed retaining *Anguilla anguilla*/Morocco in the process on the basis that local harvesting affected all range countries of the European eel and also in light of the International Council for the Exploration of the Sea (ICES) advice of zero catches in all habitats in 2023. Poland (on behalf of the European Union and its Member States) additionally sought clarification on the use of source codes W and R and the proportion of glass eels used for conservation purposes. Morocco reported that no wild eels had been exported from Morocco since 2019, and that all exports under source code R originate from aquaculture. Morocco further informed the Committee of its repopulation policy in place since 2006, that requires that 10% of eel production be reserved for the repopulation of rivers. The Animals Committee Chair emphasized that the Animals Committee had determined Morocco had fulfilled the recommendations under the process. Poland (speaking on behalf of the European Union and its Member States) suggested that future quotas set by Morocco take into account ICES advice; however this was not supported.

Regarding *Uromastix geyri*/Mali, the United Kingdom (Committee Member for Europe) supported the recommendation to suspend trade, noting with concern the lack of response from Mali, as well as continuing trade reported by Mali and importing countries despite a zero export quota published on the CITES website.

Regarding *Pandinus imperator*/Togo, the United States of America (Committee Member for North America), speaking on behalf of the North American region, requested clarification on the case, as the document did not contain specific recommendations for the Committee to consider. The Secretariat clarified that *Pandinus imperator*/Togo remained subject to a recommendation to suspend trade, but that Togo had indicated it would undertake studies under the Compliance Assistance Programme with any information arising from these studies presented to the Animals Committee and Standing Committee when possible.

The United States, on behalf of the North American region, expressed concern with the lack of responses by some Parties, and encouraged Parties to inform the Secretariat if they are experiencing any difficulties in addressing their recommendations.

a) Concerning *Chelonoidis denticulatus* from Suriname, the Committee:

- i) agreed to retain trade in *Chelonoidis denticulatus* from Suriname within the review;
- ii) encouraged Suriname to continue to work with the Secretariat through the Compliance Assistance Programme (CAP) to develop a non-detriment finding for this species; and
- iii) encouraged Suriname to provide an update on the implementation of the recommendations to the Secretariat by 1 March 2024 for consideration and inclusion in its report to the 33rd meeting of the Animals Committee.

- b) Concerning *Malayemys subtrijuga* from Indonesia, the Committee:
- i) congratulated Indonesia for the significant progress it has made towards implementing the recommendations of the Animals Committee;
  - ii) agreed to remove *Malayemys subtrijuga* from Indonesia from the review;
  - iii) encouraged Indonesia to publish an export quota of 125 for live individuals of *Malayemys subtrijuga*, including a maximum straight carapace length (SCL) of 10 cm; and
  - iv) invited Indonesia to share its new management plan for *Malayemys subtrijuga* with the Animals Committee when it becomes available.
- c) Concerning *Notochelys platynota* from Indonesia, the Committee:
- i) congratulated Indonesia for the significant progress it has made towards implementing the recommendations of the Animals Committee;
  - ii) invited Indonesia to publish an annual export quota from 2024 of 250 specimens of *Notochelys platynota* with a maximum straight carapace length (SCL) of 15 cm;
  - iii) reminded Indonesia that any change to this quota should be communicated to the Secretariat and the Chair of the Animals Committee along with a justification, for their agreement;
  - iv) agreed that recommendations d) to g) of the Animals Committee remain outstanding; and
  - v) encouraged Indonesia to provide an update on the implementation of the outstanding recommendations d) to g) to the Secretariat by 1 March 2024 for consideration and inclusion in its report to the 33rd meeting of the Animals Committee.
- d) Concerning *Strombus gigas* from Grenada, the Committee is invited to:
- i) congratulated Grenada for the significant progress it has made towards implementing the recommendations of the Animals Committee; and
  - ii) encouraged Grenada to continue working closely with the Secretariat and the CFMC/OSPESCA/WECAFC/CRFM/CITES working group on queen conch (QCWG) to implement the recommendations and provide an update to the Secretariat by 1 March 2024 for consideration and inclusion in its report to the 33rd meeting of the Animals Committee, as appropriate.
- e) Concerning *Trioceros feae* from Equatorial Guinea, the Committee:
- i) agreed to remove *Trioceros feae* from Equatorial Guinea from the RST subject to the publication of a zero export quota; and
  - ii) reminded Equatorial Guinea that any change to this quota should be communicated to the Secretariat and the Chair of the Animals Committee along with a non-detriment finding, including a justification of how the change is conservative, based on estimates of sustainable off-take that make use of best available scientific information, for their agreement in advance of any trade taking place.
- f) Concerning *Trioceros montium* from Cameroon, the Committee:
- i) agreed to remove *Trioceros montium* from Cameroon from the RST subject to the publication of a zero annual export quota;
  - ii) noted that, with the establishment of a zero quota, Cameroon will have implemented the recommendations of the Animals Committee; and



- iii) reminded Cameroon that any change to this quota should be communicated to the Secretariat and the Chair of the Animals Committee along with a non-detriment finding, including a justification of how the change is conservative, based on estimates of sustainable off-take that make use of best available scientific information, for their agreement in advance of any trade taking place.
- g) Concerning *Trioceros quadricornis* from Cameroon, the Committee:
  - i) agreed to remove *Trioceros quadricornis* from Cameroon from the RST subject to the publication of a zero annual export quota;
  - ii) noted that, with the establishment of a zero quota, Cameroon will have implemented the recommendations of the Animals Committee; and
  - iii) reminded Cameroon that any change to this quota should be communicated to the Secretariat and the Chair of the Animals Committee, along with a non-detriment finding, including a justification of how the change is conservative, based on estimates of sustainable off-take that make use of best available scientific information, for their agreement in advance of any trade taking place; and an update on the implementation of Animals Committee recommendations a) to c).
- h) Concerning *Amazona farinosa* from Guyana, the Committee:
  - i) requested Guyana to share the results of its population study of psittacines; and
  - ii) urged Guyana to provide information on the implementation of recommendations c) to l) by 1 March 2024 so that it can be considered by the Animals Committee at its 33rd meeting.
- i) Concerning *Amazona farinosa* from Suriname, the Committee:
  - i) congratulated Suriname on the significant progress it has made in implementing the recommendations of the Animals Committee and the Standing Committee;
  - ii) agreed to establish an export quota of 200 specimens, reminding Suriname that, if there are any increases to the interim quota, the planned changes should be communicated to the Secretariat and the Chair of the Animals Committee along with a justification of how the change is conservative, based on estimates of sustainable off-take that make use of best available scientific information, for their agreement;
  - iii) agreed that recommendation l) has been implemented; and
  - iv) encouraged Suriname to continue working closely with the Secretariat to implement the outstanding recommendations and provide an update to the Secretariat by 1 March 2024 to be included in its report to the 33rd meeting of the Animals Committee.
- j) Concerning *Ara ararauna* from Guyana, the Committee:
  - i) requested the Secretariat to publish an annual export quota of 660 birds for *Ara ararauna* from Guyana;
  - ii) urged Guyana to clarify how the data from the survey was used to determine the sustainable level of off-take and the proposed export quota; and address the concerns by the Animals Committee in its review of the study (see Annex 2 to document SC75 Doc. 8); and
  - iii) invited Guyana to submit a new non-detriment finding, based on survey data by 1 March 2024 for review by the Animals Committee at its 33rd meeting.

- k) Concerning *Ara ararauna* from Suriname, the Committee:
- i) congratulated Suriname on the significant progress it has made in implementing the recommendations of the Animals Committee and the Standing Committee;
  - ii) agreed to establish a conservative quota of 500 specimens on *Ara ararauna* for Suriname;
  - iii) reminded Suriname that any increases to the interim quota should be communicated to the Secretariat and the Chair of the Animals Committee along with a justification of how the change is conservative, based on estimates of sustainable off-take that make use of best available scientific information, for their agreement;
  - iv) agreed that recommendation m) has been implemented; and
  - v) encouraged Suriname to continue working closely with the Secretariat to implement the outstanding recommendations and provide an update to the Secretariat by 1 March 2024 to be included in its report to the 33rd meeting of the Animals Committee.
- l) Concerning *Ara chloropterus* from Guyana, the Committee:
- i) requested Guyana to share the results of its population study of psittacines; and
  - ii) urged Guyana to provide information on the implementation of recommendations c) to k) before 1 March 2024 for consideration by the Animals Committee at its 33rd meeting.
- m) Concerning *Ara chloropterus* from Suriname, the Committee:
- i) acknowledged the progress that has been made by Suriname;
  - ii) welcomed the fact that the process of establishing quotas in Suriname is now being done by the Scientific Authority;
  - iii) encouraged the Management Authority to follow the advice of the Scientific Authority and maintain the zero quota until further studies can justify a sustainable quota to be agreed with the Chair of the Animals Committee;
  - iv) agreed that recommendation l) has been implemented; and
  - v) urged Suriname to provide an update on the implementation of recommendations outstanding by 1 March 2024 so it can be considered by the Animals Committee at its 33rd meeting.
- n) Concerning *Poicephalus gulielmi* from the Democratic Republic of the Congo, the Standing Committee urged the Democratic Republic of the Congo to provide an update on the implementation of the outstanding recommendations c) to g) by 1 March 2024 for consideration by the Animals Committee at its 33rd meeting.
- o) Concerning *Uromastix geyri* from Mali, the Standing Committee recommended that all Parties suspend trade in specimens of *Uromastix geyri* from Mali until it demonstrates compliance with Article IV, paragraphs 2 (a) and 3, for trade in this species, and provides full information to the Secretariat regarding compliance with the recommendations of the Animals and Standing Committees.
- p) Concerning *Cuora amboinensis* from Indonesia, the Committee:
- i) congratulated Indonesia for the significant progress it has made in implementing the recommendations of the Animals Committee
  - ii) agreed to remove *Cuora amboinensis* from Indonesia from RST subject to the publication of a revised export quota of 7,200 specimens from the wild, including a minimum straight carapace length (SCL) of 18 cm; and

- iii) reminded Indonesia that any change to this quota should be communicated to the Secretariat and the Chair of the Animals Committee along with a non-detriment finding, including a justification of how the change is conservative, based on estimates of sustainable off-take that make use of best available scientific information, for their agreement.
- q) Concerning *Anguilla anguilla* from Algeria, the Standing Committee requested Algeria to provide an update on the implementation of the outstanding recommendations by 1 March 2024 for consideration by the Animals Committee at its 33rd meeting.
- r) Concerning *Anguilla anguilla* from Morocco, the Standing Committee:
  - i) congratulated Morocco for the significant progress it has made in implementing the recommendations of the Animals Committee; and
  - ii) agreed to remove *Anguilla anguilla* from Morocco from the review;
  - iii) requested Morocco to continue to communicate their quota to the Secretariat;
  - iv) reminded Morocco that any change to this quota should be communicated to the Secretariat and the Chair of the Animals Committee along with a non-detriment finding, including a justification of how the change is conservative, based on estimates of sustainable off-take that make use of best available scientific information, for their agreement in advance of any trade taking place.
- s) Concerning *Anguilla anguilla* from Tunisia, the Committee:
  - i) commended Tunisia for its ongoing progress in implementing the remaining recommendations d) to l);
  - ii) invited the anguillid specialist group of the International Union for Conservation of Nature (IUCN) to assist Tunisia in the development of its non-detriment finding; and
  - iii) invited Tunisia to provide an update on the implementation of the outstanding recommendations by 1 March 2024 for consideration by the Animals Committee at its 33rd meeting.

The Committee noted comments made on the floor.

### 35.3 Implementation of recommendations of the Plants Committee ..... SC77 Doc. 35.3

The Secretariat introduced document SC77 Doc. 35.3, reporting on actions taken by Parties to implement recommendations made by the Plants and Standing Committees under the Review of Significant Trade (RST) to ensure compliance with the obligations of Article IV, paragraph 2 (a), 3 or 6 (a) of the Convention. The Secretariat informed the Standing Committee of its determination as to whether the recommendations formulated by the Plants Committee had been implemented by the range State concerned.

Regarding *Dalbergia retusa*/Nicaragua, Poland (Committee Member for Europe), speaking on behalf of the European Union and its Member States, suggested the case be retained in the RST process given the species' lack of natural regeneration and the lack of management plans for concessions where the species is harvested, and requested clarification on whether Nicaragua intends to publish a quota. Similarly, Poland suggested *Pericopsis elata*/Congo also be retained, as many recommendations of the Plants Committee were yet to be fully implemented.

Regarding *Pericopsis elata*/Democratic Republic of the Congo, Poland (Committee Member for Europe), speaking on behalf of the European Union and its Member States, agreed that the Democratic Republic of the Congo had complied with the recommendations within the framework of the RST, but still had concerns regarding its removal from the process and suggested its retention. The Democratic Republic of the Congo, supported by Cameroon, reiterated that the Plants Committee had determined that it had met all the recommendations, and queried the rationale for retaining the case in the process.

Regarding *Prunus africana*/Cameroon, Cameroon indicated it had made significant efforts in the development of NDFs for the species and had set a precautionary export quota. Poland (on behalf of the European Union and its Member States) stated that the 2023 quota was not published on the CITES website. The Secretariat clarified that it had received Cameroon's quota for 2023 and would correct the omission.

Regarding *Pterocarpus santalinus*/India, Poland (on behalf of the European Union and its Member States) supported the removal of the case from the process and the recommendations directed to India. While India welcomed the recommendation to remove the case from the RST process, they did not understand the rationale for recommendations g) ii) and iii), on the basis that other cases proposed for removal from the RST were not subject to similar conditions. India further assured the Committee that harvest and export of wild *P. santalinus* from India was not permitted, and that India regularly reported on the export of seized and artificially propagated *P. santalinus* to the Secretariat and would continue to do so through its annual reports. Kuwait (Committee Member for Asia) supported the deletion of recommendations g) ii) and iii).

The United States of America (Committee Member for North America), speaking on behalf of the North American region, supported the recommendations in the document. Furthermore, regarding Section 2 of the document on matters not related to the implementation of Article IV, the United States noted its concern regarding the lack of response by one of the Parties involved in trade and considered that additional discussion was needed on the origin of parental stocks. The United States suggested that the Standing Committee invite the Secretariat to further engage with the Parties concerned, request additional information on the origin of parental stock and on the use of source codes, and to present recommendations to the next Committee on how to address these issues.

Singapore, referring to paragraph 17 in Section 2 of the document, noted that Singapore had been incorrectly identified as a range State that exports *Aquilaria malaccensis* in document PC26 Doc. 16.5, and clarified that it does not export its native species.

The Committee:

a) *Dalbergia retusa*/Nicaragua:

- i) noted that the Secretariat is exploring avenues to support Nicaragua's request for financial support, as part of the field-testing phase of the NDF-project (as per Decision 19.132);
- ii) requested the Secretariat to issue a Notification inviting Parties and relevant stakeholders to contribute financial resources in support of Nicaragua's implementation of outstanding RST recommendations; and,
- iii) urged Nicaragua to make significant progress in the implementation of outstanding recommendations c) and d) of the Plants Committee in time for the matter to be considered at SC78.

b) *Dalbergia retusa*/Panama: in accordance with recommendation h) of the Plants Committee for this case, agreed that Panama has complied with all recommendations in the framework of the RST process for *Dalbergia retusa* and can be removed from the process.

c) *Pericopsis elata*/Congo: urged Congo to continue to make progress on outstanding recommendations, in close collaboration with the Secretariat, and requested Congo to provide an update in time for the matter to be considered at SC78.

d) *Pericopsis elata*/Democratic Republic of the Congo: in accordance with recommendation l) of the Plants Committee for this case, agreed that the Democratic Republic of the Congo has complied with all recommendations in the framework of the RST process for *Pericopsis elata* and can be removed from the process.

e) *Prunus africana*/Cameroon: agreed that Cameroon has complied with all recommendations for *Prunus africana* and can be removed from the RST process.

f) *Prunus africana*/Democratic Republic of the Congo: in accordance with recommendations m) and n) of the Plants Committee for this case, agreed that the Democratic Republic of the Congo

has complied with all recommendations in the framework of the RST process for *Prunus africana* and can be removed from the process.

- g) *Pterocarpus santalinus*/India: agreed that India has complied with all recommendations for *Pterocarpus santalinus* and can be removed from the RST process;

The Committee noted the Secretariat's report as contained in paragraphs 16 and 17 of document SC77 Doc. 35.3 and the comments made on the floor.

36. Review of trade in specimens reported as produced in captivity..... SC77 Doc. 36

The Secretariat introduced document SC77 Doc. 36, reporting on actions taken by Parties to implement recommendations made by the Animals Committee and Standing Committee in order to ensure compliance with the obligations of Article IV, paragraph 4 and 5 of the Convention for the 11 cases that were retained in the Review of trade in animals specimens reported as produced in captivity following SC74 and SC75. The Secretariat also drew attention to the 21 species-country combinations identified for review by the Animals Committee at its 32nd meeting (AC32; Geneva, June 2023) and invited the Committee to consider if any of the species-country combinations in the table in Annex 2 of the document should be selected for review under Resolution Conf. 17.7 (Rev. CoP19) on *Review of trade in animal specimens reported as produced in captivity*.

Brazil (Committee Member for Central and South America and the Caribbean), speaking on behalf of the Central and South America and the Caribbean region, supported the recommendations in document SC77 Doc. 36, and additionally requested the selection of *Panthera onca*/South Africa in the review, which was echoed by Honduras (Committee Member for Central and South America and the Caribbean).

Poland (Committee Member for Europe), speaking on behalf of the European Union and its Member States, the United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe) and the United States of America (Committee Member for North America), proposed edits and additional recommendations regarding *Centrochelys sulcata*/Benin, Ghana, Mali and Togo, regarding *Varanus exanthematicus*/Ghana, regarding *Cacatua alba*/Indonesia, regarding *Vulpes zerda* and *C. sulcata*/Sudan, and regarding *Geochelone elegans*/Jordan.

Regarding *Centrochelys sulcata*/Benin, Benin provided a correction to document SC77 Doc. 36, noting that it had responded to the Secretariat's consultation letter on 1 June 2022, in which it had indicated it had established a zero quota for *C. sulcata*.

Regarding *Testudo hermanni*/North Macedonia, the United States did not support the removal of the case before the additional guidance concerning the origin of the founder stock was developed by the Secretariat.

Morocco (Committee Member for Africa), Kazakhstan and the United Arab Emirates provided updates on the management of captive breeding of *Chlamydotis undulata* (Houbara bustard). Morocco and Kazakhstan indicated they had shared information with the Secretariat. The Secretariat acknowledged the receipt of the information and noted these responses would be considered at the next meeting of the Animals Committee (AC33; July 2024).

Poland (Committee Member for Europe), speaking on behalf of the European Union and its Member States, supported recommendation b) in the document on the development of guidance for situations where the founding stock was acquired before a species was listed on CITES or before the Party joined the Convention. On this recommendation, the United States additionally suggested the Committee request the Secretariat to consult with experts, including from Parties and other relevant bodies. The United States commented that the guidance should also address situations where endemic species are subject to stricter domestic measures, including guidance on ensuring that founding stock has been sourced legally from range States and how to document that founding stock was acquired before the relevant law went into effect or otherwise complied with the law.

The United States encouraged exporting Parties to consult with importing Parties on inconsistencies in reported source codes, and to make changes to CITES annual reports, as appropriate. If these inconsistencies arose due to differences in interpretation, the United States suggested the exporting Party should be requested to provide such information to the Secretariat for consideration at the 78th meeting of the Standing Committee. In cases of apparent incorrect application of captive production codes such as 'D', the United States suggested that the Secretariat should be requested to remind the Parties concerned of

the provisions agreed by the Conference of the Parties in Resolution Conf. 12.10 (Rev. CoP15) and remind all Parties of the procedure outlined in that Resolution for trade in Appendix-I species for commercial purposes.

The Committee requested Poland on behalf of the European Union and its Member States, the United Kingdom of Great Britain and Northern Ireland and the United States of America to consolidate their suggested edits to the proposed Standing Committee recommendations in Annex 1 to document SC77 Doc. 36 and submit an in-session document for consideration later in the meeting.

The Committee requested the Secretariat to develop guidance for situations where the founding stock was acquired before the species was listed on CITES or before the Party concerned joined the Convention and report to SC78, taking into account the comments made on the floor.

The Committee noted the following new species-country combinations selected for review at AC32.

	Species	Country	Criterion/criteria met	Source code
1	<i>Macaca fascicularis</i>	Indonesia	Significant numbers	F
2	<i>Macaca fascicularis</i>	Cambodia	Significant numbers; Legal acquisition	C, F, D
3	<i>Macaca fascicularis</i>	Philippines	Significant numbers	C
4	<i>Macaca fascicularis</i>	Viet Nam	Significant numbers	C
5	<i>Chlamydotis macqueenii</i>	Kazakhstan	Significant increase	C
6	<i>Chlamydotis undulata</i>	Morocco	Significant numbers	C
7	<i>Kinyongia boehmei</i>	Kenya	Significant numbers	C
8	<i>Gecko gecko</i>	Indonesia	Significant numbers	F
9	<i>Ctenosaura quinquecarinata</i>	Nicaragua	Significant increase	C
10	<i>Ctenosaura similis</i>	Nicaragua	Significant increase	C
11	<i>Testudo graeca</i>	Jordan	Shift in source code	C
12	<i>Testudo horsfieldii</i>	Uzbekistan	Significant numbers; Shift in source code	F, R, C
13	<i>Testudo kleinmanni</i>	Syrian Arab Republic	Significant increase; Legal acquisition; Breeding biology	C
14	<i>Testudo kleinmanni</i>	Egypt	Legal acquisition; Breeding biology	C
15	<i>Nectophrynoides asperginis</i>	United States of America	Significant numbers	F, C
16	<i>Dendrobatus auratus</i>	Nicaragua	Significant numbers	C
17	<i>Oophaga pumilio</i>	Nicaragua	Significant numbers	F, C
18	<i>Agalychnis callidryas</i>	Nicaragua	Significant numbers	C
19	<i>Cheilinus undulatus</i>	Indonesia	Significant numbers	R
20	<i>Hirudo medicinalis</i>	Azerbaijan	Significant increase; Significant numbers; Legal acquisition	C
21	<i>Batagur borneoensis</i>	United States of America	Breeding biology	C

The Committee requested the Secretariat to contact the Parties in Table 7 of Annex 2 to document SC77 Doc. 36 to inquire about the source codes used and any reporting inconsistencies and bring back to the Standing Committee any issue that would require follow up.

The Committee noted the progress made and the proposed way forward towards the implementation of Decisions 19.63 to 19.65.

Later in the meeting, the Secretariat introduced document SC77 Com. 4, prepared on the basis of the discussions in plenary on document SC77 Doc. 36 and containing revised recommendations consolidating the comments made on the floor. The Secretariat noted a transcription error in recommendation d) for *Varanus exanthematicus*/Ghana, which should mention Ghana not Benin.

The United States (Committee Member for North America), speaking on behalf of the North American region, considered that the recommendation b) for *Vulpes zerda*/Sudan and *Centrochelys sulcata*/Sudan was not

clear enough on breeding stock, and suggested an amendment to refer to the establishment of the breeding stock in accordance with Resolution Conf. 10.16 (Rev. CoP19) on *Specimens of animal species bred in captivity* instead of a non-detriment finding for the founder stock.

The Committee agreed the recommendations in in-session document SC77 Com. 4 amended as follows:

1. Concerning *Centrochelys sulcata* / Benin, the Standing Committee agreed to:
  - a) retain *Centrochelys sulcata* from Benin in the review and maintain its current zero export quota for captive bred specimens (C) of *C. sulcata* until such time as it addresses the concerns of the Animals and Standing Committees; and
  - b) encourage Benin to provide an update on the implementation of the recommendations to the Secretariat by 1 March 2024 so that the matter can be considered at the 33rd meeting of the Animals Committee (AC33, July 2024, tbc).
2. Concerning *Centrochelys sulcata* / Ghana, the Standing Committee agreed to:
  - a) remove *Centrochelys sulcata* from Ghana from the review subject to the publication of a maximum size limit of 15cm straight carapace length with its export quota on the CITES website; and
  - b) remind Ghana of the offer from the United States of America to provide assistance related to the development and implementation of a unique marking system for the breeding stock at the facilities.
3. Concerning *Varanus exanthematicus* / Ghana, the Standing Committee agreed to:
  - a) retain *Varanus exanthematicus* from Ghana in the review;
  - b) request that Ghana clarify if its 2023 export quotas of 3,000 wild (W) and 9,000 ranched (R) were established based on the rapid assessment carried out by the Scientific Authority and explain the scientific justification for how it has arrived at these figures when it has stated that it has not been able to make an NDF;
  - c) invite Ghana to share its rapid assessment with the Chair of Animals Committee for review; and
  - d) encourage Ghana to provide an update on the implementation of the recommendations to the Secretariat by 1 March 2024 so that the matter can be considered at the 33rd meeting of the Animals Committee (AC33, July 2024, tbc).
4. Concerning *Cacatua alba* / Indonesia, the Standing Committee agreed to:
  - a) remove *Cacatua alba* from Indonesia from the review; and
  - b) encourage Indonesia not to accept cases of unnatural high reproductive output in these facilities without further evidence. For example, Indonesia is encouraged to use a genetic parenthood test able to verify parentage claims as part of its future monitoring programme to ensure that wild stock is not being laundered through these facilities, noting that the UK has offered to share its experience with Indonesia in this regard.
5. Concerning *Centrochelys sulcata* / Mali, the Standing Committee agreed to:
  - a) retain *Centrochelys sulcata* from Mali in the review-until such time as it addresses the concerns of the Animals and Standing Committees; and
  - b) urge Mali to provide an update on the implementation of the recommendations to the Secretariat by 1 March 2024 so that the matter can be considered at the 33rd meeting of the Animals Committee (AC33, July 2024, tbc).

6. Concerning *Centrochelys sulcata* / Togo, the Standing Committee agreed to:
  - a) retain *Centrochelys sulcata* from Togo in the review until such time as it addresses the concerns of the Animals and Standing Committees; and
  - b) encourage Togo to provide an update on the implementation of the recommendations to the Secretariat by 1 March 2024 so that the matter can be considered at the 33rd meeting of the Animals Committee (AC33, July 2024, tbc).
7. Concerning *Hippocampus comes* / Viet Nam, the Standing Committee agreed to:
  - a) remove *Hippocampus comes* from Viet Nam from the review;
  - b) remind Viet Nam that, should it wish to resume trade from these or similar facilities with source code W or F, it should make legal acquisition findings (LAFs) and non-detriment findings (NDFs) prior to authorising trade; and
  - c) invite Viet Nam to share its NDF with the Chair of Animals Committee for review prior to resuming trade.
8. Concerning *Vulpes zerda* / Sudan, the Standing Committee agreed to:
  - a) remove *Vulpes zerda* from Sudan from the review; and
  - b) request confirmation from Sudan that specimens of *V. zerda* will not be exported from the breeding facility for commercial purposes until they are satisfied that the breeding stock was established in accordance with Resolution Conf. 10.16 (Rev. CoP19) on *Specimens of animal species bred in captivity*.
9. Concerning *Centrochelys sulcata* / Sudan, the Standing Committee agreed to:
  - a) remove *Centrochelys sulcata* from Sudan from the review; and
  - b) request confirmation from Sudan that specimens of *C. sulcata* will not be exported from the breeding facility for commercial purposes until they are satisfied that the breeding stock was established in accordance with Resolution Conf. 10.16 (Rev. CoP19) on *Specimens of animal species bred in captivity*.
10. Concerning *Geochelone elegans* / Jordan, the Standing Committee agreed to:
  - a) remove *Geochelone elegans* from Jordan from the review;
  - b) request confirmation from Jordan that trade in *G. elegans* from the facility will not resume without first informing the Secretariat and Chair of the Standing Committee; and
  - c) request information on the disposal of the stock that was held at the facility.
11. Concerning *Testudo hermanni* / North Macedonia, the Standing Committee agreed to:
  - a) remove *Testudo hermanni* from North Macedonia from the review; and
  - b) request the Secretariat to work with North Macedonia to improve its capacity needs concerning captive breeding.

The Committee requested the Secretariat to consider ways in which the information concerning Parties that are released from the review process under certain conditions can be made easily available in the long term to ensure that conditions are adhered to and can be monitored and bring forward a proposal for accomplishing that task for consideration at the 78th meeting of the Standing Committee.



37. Possession of specimens of species included in Appendix I ..... SC77 Doc. 37

In document SC77 Doc. 37, the Secretariat recalled that, pursuant to Article VIII and Resolution Conf. 8.4 (Rev. CoP15) on *National laws for the implementation of the Convention*, national legislation of the Parties to the Convention should allow for the regulation and penalization of possession of specimens of species included in the Convention Appendices – including Appendix I. In the context of the review of national legislation under the National Legislation Project, the Secretariat noted that a recurrent gap in national legislation is the absence of prohibition of the possession of illegally traded specimens of CITES-species.

The Committee noted document SC77 Doc. 37 and further noted that comments on this document would be requested by Notification to the Parties.

### **Illegal trade and enforcement**

38. Review of Resolution Conf. 11.3 (Rev. CoP19) on Compliance and enforcement ..... SC77 Doc. 38

Document SC77 Doc. 38 contained an update from Kenya and New Zealand, as co-Chairs of the Standing Committee's working group on the review of Resolution Conf. 11.3 (Rev. CoP19) on *Compliance and enforcement*, on the progress of the working group that responded to a questionnaire (see the Annex to the document) on the topics identified in Decision 19.66 with a view to determining if there are “gaps” that should be addressed in Resolution Conf. 11.3 (Rev. CoP19). The document reported that working group members discussed the already identified gaps and whether these should be addressed in Resolution Conf. 11.3 (Rev. CoP19) or in other Resolutions and identified additional gaps.

The Committee noted document SC77 Doc. 38 and further noted that comments on this document would be requested by Notification to the Parties.

39. Enforcement

39.1 Enforcement matters ..... SC77 Doc. 39.1

The Secretariat introduced document SC77 Doc. 39.1 containing information *inter alia* on anti-corruption activities implemented by Parties and the International Consortium for Combating on Wildlife Crime and highlighted that corruption continued to pose a significant challenge to addressing wildlife crime. The Secretariat further provided updates on matters related to CITES illegal trade reports and the maintenance of the CITES Illegal Trade Database and associated costs as well as on the *CITES directory of laboratories that conduct wildlife forensic testing*.

Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, and India, agreed with the recommendations in the document. Canada supported recommendations a) and b) in the document but suggested the deletion of the recommendation in paragraph 35 c) on the basis that the Secretariat could bring any concerns for consideration at the next meeting of the Conference of the Parties. Kuwait (Committee Member for Asia) and China supported this proposal.

India, Malaysia and Singapore provided updates on efforts to develop wildlife forensic testing capabilities, including the establishment of facilities that are now registered in the *CITES directory of laboratories that conduct wildlife forensic testing*. Georgia (Committee Member for Europe) highlighted that further activities related to forensic testing were needed as many countries lacked the resources needed to conduct this testing.

The Committee:

- a) encouraged Parties to actively pursue the implementation of Decision 19.78 and to implement the provisions in paragraph 6 c) to g) of Resolution Conf. 11.3 (Rev. CoP19), where not yet done;
- b) encouraged Parties to draw upon the [\*CITES directory of laboratories that conduct wildlife forensic testing\*](#), to facilitate forensic applications being used to the fullest extent possible to combat wildlife crime, where needed; and
- c) noted the comments made by Georgia and other Parties on the floor.

39.2 International Consortium on Combatting Wildlife Crime ..... SC77 Doc. 39.2

The Secretariat introduced document SC77 Doc. 39.2, which presented an update on the key activities implemented under the Strategic Programme of the International Consortium on Combating Wildlife Crime (ICCWC). The report highlighted success stories from Parties, operational support, the launch of the Biannual Report 2021-2022 (also available as information document SC77 Inf. 11), the implementation of the *ICCWC Toolkit* and *Indicator Framework*, and activities implemented at the national, regional and global levels. The Secretariat thanked the European Union, France, Germany, the Hong Kong Special Administrative Region (SAR) of China, Monaco, Norway, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America for the financial contributions, and reported that ICCWC would now initiate the implementation of the ICCWC Vision 2030 and its associated Strategic Action Plan 2023-2026.

The Committee:

- a) noted the efforts of Parties to combat wildlife crime and welcome the support provided by ICCWC;
- b) noted that the *ICCWC Wildlife and Forest Crime Analytic Toolkit* and the *ICCWC Indicator Framework for Combating Wildlife and Forest Crime* have been revised and updated, and encouraged Parties to make use of these tools as anticipated in paragraph 19 c) of Resolution Conf. 11.3 (Rev CoP19) on *Compliance and enforcement*;
- c) encouraged Parties to actively engage in ICCWC initiatives and operations and to reach out to ICCWC for support where needed; and
- d) welcomed the generous contributions from donor Parties enabling the implementation of the ICCWC Strategic Programme.

There were no interventions.

39.3 CITES Big Cats Task Force..... SC77 Doc. 39.3

The Secretariat introduced document SC77 Doc 39.3 with an update on the implementation of Decision 19.92 and presented the outcome of the CITES Big Cats Task Force meeting (Entebbe, Uganda; 24 to 28 April 2023) in the Annex to the document. The Secretariat invited the Committee to consider merits of a resolution on illegal trade in big cat specimens, including a possible revision of Resolution Conf. 12.5 (Rev. CoP19) on *Conservation of and trade in tigers and other Appendix-I Asian big cat species* that could be made applicable to all big cat species.

Brazil (Committee Member for Central and South America and the Caribbean), speaking on behalf of the Central and South America and the Caribbean region, supported by Argentina, suggested that discussion on a potential resolution be postponed to the next meeting of the Standing Committee; or, alternatively, that jaguars (*Panthera onca*) be excluded from the revised resolution on the basis that the intersessional working group on jaguars was in the process of considering a specific draft resolution on jaguars.

India and Malaysia expressed support for increasing the scope of Resolution Conf. 12.5 (Rev. CoP19) to be applicable to all big cat species. Poland (Committee Member for Europe, speaking on behalf of the European Union and its Member States) and Kenya (Committee Member for Africa) supported the recommendations in the document but emphasized the need to address and maintain species-specific measures for Appendix-I big cat species. India also highlighted its successful efforts to conserve its wild populations of tigers and Asiatic lions and drew attention to the launch of the International Big Cat Alliance (ITCA), and urged big cat range States, interested non-range States, IGOS and NGOs to join the partnership.

Nigeria, echoed by Senegal, South Africa, the United Republic of Tanzania and Zimbabwe, did not support the potential revision of Resolution Conf. 12.5 (Rev. CoP19) to be applicable to all big cat species. These Parties noted that the threats facing Appendix-I big cat species varied according to species and regions and required targeted conservation actions. Nigeria, supported by Senegal and the United States of America (Committee Member for North America), requested further information on the potential benefits of a single resolution and proposed that consideration of the proposal be

postponed to the 78th meeting of the Standing Committee. The Zoological Society of London (also on behalf of European Association of Zoos and Aquaria, Environmental Investigation Agency, Four Paws, Panthera, TRAFFIC, Wildlife Conservation Society, and World Wildlife Fund for Nature) echoed the concerns of these Parties. Uganda indicated it remained open to further discussions to develop a harmonized position on the matter, given the diverse responses to the recommendations in the document.

The Committee:

- a) requested the Secretariat to issue a Notification to the Parties to invite perspectives on a possible resolution on all big cats and to prepare an analysis of the merits and drawbacks of developing a resolution on all big cats, in consultation with the Animals Committee, and to submit its conclusions and recommendations to the Standing Committee at its 78th meeting; and
- b) encouraged all Parties affected by illegal trade in specimens of big cat species to make every effort to implement the strategies, measures and activities outlined in the CITES Big Cats Task Force outcome document, as a matter of priority.

39.4 Wildlife crime enforcement support in West and Central Africa ..... SC77 Doc. 39.4

Nigeria, as Chair of the Standing Committee intersessional working group on wildlife crime enforcement support in West and Central Africa, introduced document SC77 Doc. 39.4 with an update on the progress of the working group in considering issues such as promoting collaboration between source, transit and consumer countries and the establishment and administration of a CITES enforcement fund or other mechanisms. The Chair reported that the working group agreed that mechanisms and platforms to promote collaboration between source, transit and consumer countries already existed and should be better used. On the establishment of a fund or other financial mechanisms, the Chair noted that there had been overall agreement by the working group that an additional funding mechanism was not needed at this stage. However, the Chair noted that working group members stressed that additional funding was needed and reported a lack of awareness of existing support available from initiatives and funding opportunities, as well as how to access them. Further discussions were required to explore existing mechanisms that could provide targeted and sustainable financial support to combat wildlife crime and implement CITES.

China encouraged enforcement and cooperation between source, transit and consumer countries. Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, agreed that further discussion could help to understand why existing mechanisms were not easily accessible and noted that the working group had not yet discussed the questionnaire. The United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe) suggested that discussions also consider why collaboration along the supply chains remained a challenge, to understand the utility of existing mechanisms. Liberia, echoed by Benin, Guinea and Senegal, while accepting that there may be challenges in accessing existing funds, stressed that existing funding mechanisms were unlikely to be sufficient to address wildlife crime in Africa and called for more fundraising.

The Committee:

- a) noted the discussions of the working group;
- b) requested the working group to continue its discussions with regards to Decision 19.88 paragraph b);
- c) requested the working group to consider and, if needed, finalize the questionnaire directed to Parties, inter-governmental organizations and non-governmental organizations, regarding existing access to finance mechanisms for CITES enforcement;
- d) requested the CITES Secretariat to issue a Notification to the Parties regarding existing access to finance mechanisms for CITES enforcement, once finalized by the working group; and
- e) requested the working group to report on the implementation of Decision 19.88 paragraph b) to the 78th meeting of the CITES Standing Committee.

40. Marine turtles (Cheloniidae spp. and Dermochelyidae spp.) ..... SC77 Doc. 40

The Secretariat introduced document SC77 Doc. 40 and drew the Committee's attention to Decision 18.217 (Rev. CoP19) directed to the Standing Committee. The Secretariat presented consolidated information on the documents referred to in the Decision, including the study *Status, scope and trends of the legal and illegal international trade in marine turtles, its conservation impacts, management options and mitigation priorities*. Regarding Notification to the Parties No. 2020/035 and No. 2021/065, the Secretariat noted that responses to these Notifications were presented in information document SC77 Inf. 2.

Indonesia and Japan (Committee Members for Asia), New Zealand (Committee Member for Oceania), speaking on behalf of the Oceania region, the United States of America (Committee Member for North America), speaking on behalf of the North American region, Benin, the Democratic Republic of the Congo and India supported the establishment of an intersessional working group on marine turtles. These Parties variously provided updates on their national measures to conserve marine turtles, including measures to address illegal trade. New Zealand proposed that a Notification be sent to invite interested Parties and observers to join the working group, as a number of marine turtle range States from Oceania were not present at the meeting.

The Committee:

- a) noted the observations of the Secretariat presented in paragraphs 8 to 10 of document SC77 Doc. 40;
- b) established an intersessional working group on marine turtles, with a mandate to conduct the review anticipated in paragraph a) of Decision 18.217 (Rev. CoP19) with a particular focus on compliance and enforcement aspects relevant to marine turtles, and to propose amendments to Resolution Conf. 19.5 to further strengthen it, for consideration by the Standing Committee at its 78th meeting; and
- c) requested the Secretariat to issue a Notification to the Parties to invite Parties and observers to express an interest in participating in the Standing Committee's intersessional working group on marine turtles.

41. Asian big cats (Felidae spp.)

41.1 Report of the Secretariat ..... SC77 Doc. 41.1

The Secretariat introduced document SC77 Doc. 41.1 on the status of Asian big cats in the wild, their conservation, and trade controls put in place by Parties, using information provided by the range States on measures taken to comply with Resolution Conf. 12.5 (Rev. CoP19) on *Conservation of and trade in tigers and other Appendix-I Asian big cat species* and any relevant additional information provided by other countries.

Poland (Committee Member for Europe), speaking on behalf of the European Union and its Member States, the United States of America (Committee Member for North America) and South Africa supported the recommendations in the document. Committee Members encouraged Parties to submit annual illegal trade reports regularly and in a timely manner.

Indonesia (Committee Member for Asia) provided an oral update of activities undertaken to conserve wild populations of the Sumatran tiger and Javan leopard, including population monitoring, habitat protection and prevention of illegal trade, and indicated it would submit relevant information in response to Notification to the Parties No. 2023/091 of 21 July 2023. India also informed Parties of its national legislation in place to protect big cat species, as well as updates on increases in its tiger population, which was noted to be increasing by 6% annually. India proposed a series of edits to the recommendations in the document, and in particular, noted that the recommendations as contained in the document excluded consumer States and proposed specific edits to the recommendations.

The World Wide Fund for Nature (WWF) (also on behalf of the Association of Zoos and Aquariums, Born Free Foundation, the European Association of Zoos and Aquaria, the Environmental Investigation Agency UK, Four Paws, Panthera, Wildlife Conservation Society, Wildlife Justice Commission and the Zoological Society of London) expressed deep concern that only five of 31 Asian big cat range States provided information in response to the Notification to the Parties No. 2023/019, and urged the Secretariat develop draft timebound, country-specific measures for consideration at the 78th meeting of the Standing Committee. They suggested that the Secretariat

submit a report on Asian big cats for each Conference of the Parties, similar to those prepared on African and Asian rhinoceroses. The United States supported the suggestion for the Secretariat to develop country-specific recommendations in its reports to the Committee.

The Committee:

- a) noted the information provided by Parties in response to Notification to the Parties No. 2023/091;
- b) encouraged all Parties to include seizure data related to Asian big cat species in their annual illegal trade reports and submit their reports in a timely manner; and
- c) requested the Secretariat to:
  - i) issue a Notification to the Parties inviting:
    - A. all range States of *Panthera pardus* within its Asian range to submit a report to the Secretariat on the conservation measures undertaken and poaching incidents detected; and
    - B. all Parties that made seizures of specimens of *Panthera pardus* to submit a report to the Secretariat on seizure data involving *Panthera pardus*;
  - ii) report on the information received to the 78th meeting of the Standing Committee; and
  - iii) develop, where possible, country-specific recommendations in its report to the Standing Committee on this agenda item.

The Committee requested India to submit its additional recommendation as an in-session document for consideration later in the meeting.

Later in the meeting, the Chair invited India to introduce document SC77 Com. 1. India withdrew the document, considering that the matter required further deliberations and would be returned to in future meetings.

India withdrew in-session document SC77 Com. 1.

#### 41.2 Asian big cats in captivity ..... SC77 Doc. 41.2

The Secretariat introduced document SC77 Doc. 41.2, reporting on its work conducted in accordance with Decision 18.108 (Rev. CoP 19), including missions to Parties with facilities keeping Asian big cats in captivity that may be of concern in the Czech Republic, the Lao People's Democratic Republic, South Africa, Thailand and Viet Nam. The Secretariat noted that, as the Lao People's Democratic Republic is currently subject to the Article XIII process, recommendations emanating from its mission were included under document SC77 Doc. 33.10. It was further noted that a provisional date for a mission to the United States of America had been confirmed, and that while a mission to China was proposed for January 2024, the Secretariat had not yet received an official invitation letter.

Poland (Committee Member for Europe), speaking on behalf of the European Union and its Member States, the United States of America (Committee Member for North America) and South Africa supported the recommendations in paragraph 92 of the document. The United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe) proposed minor amendments to several of the recommendations in the document to strengthen language and urged the recommendations directed to specific Parties to be timebound; these were supported by Poland (on behalf of the European Union and its Member States) and the United States. Liberia suggested a minor editorial amendment to recommendation e) i) in paragraph 92 of the document.

Poland (Committee Member for Europe), on behalf of the European Union and its Member States and echoed by India and the United States of America (Committee Member for North America), additionally invited the remaining priority Parties identified in document SC70 Doc. 51 who had not

yet extended an invitation to the Secretariat to do so. Poland also drew attention to the EU tiger guidance adopted in 2022 to limit commercial trade in captive-bred tigers.

India, supported by the United States, proposed additional recommendations directed to the Secretariat to carry out an exercise to identify additional facilities of concern. The Secretariat proposed that this could be revisited at SC78 and, if there was a need to identify further facilities, this could be put forward to CoP20 as a draft decision.

Thailand provided an update on its ongoing process of amending its national regulations to enable stricter measures for the control of tigers in captive breeding facilities. Viet Nam indicated it was currently partnering with the World Wide Fund for Nature (WWF) on a DNA sampling project of tigers in captivity. Thailand and Viet Nam shared concerns with recommendations b) and g) in paragraph 92 of the document and proposed the deletion of aspects that referred to the prohibition of establishment of new facilities keeping tigers in captivity with narrow exemptions. These Parties considered that the prohibition of the establishment of new facilities was inconsistent with their national laws, and beyond the remit of CITES. Viet Nam also expressed the need for detailed guidance to facilitate the implementation of Decision 14.69. The United States suggested that the development of guidance should be done in consultation with the Animals Committee.

China queried paragraph 27 of Annex 2 to the document that indicated the Lao People's Democratic Republic faced challenges in establishing law enforcement cooperation with China. China emphasized that there was a well-established dialogue between the two Parties and welcomed further cooperation.

The nomenclature specialist for fauna noted that recommendation g) of the document referred to the subspecies *Panthera tigris corbetti*, which was no longer recognized as a subspecies following CoP18, and therefore proposed the recommendation refer to "tiger specimens referable to the mainland South East Asian lineage".

The Association of Zoos and Aquariums (AZA), also on behalf of Born Free Foundation, European Association of Zoos and Aquaria (EAZA), Environmental Investigation Agency, Four Paws, TRAFFIC, Wildlife Conservation Society, Wildlife Justice Commission, WWF and the Zoological Society of London, suggested the Committee consider a definition of the meaning of "breeding for conservation purposes", and suggested the IUCN Species Survival Commission *Guidelines on the use of ex situ management for species conservation* could form the basis of these considerations.

IWMC-World Conservation Trust, also behalf of the Sustainable Use Coalition – Southern Africa, noted that Decision 14.69 was still in effect, given that CoP Decisions have to be renewed at each meeting of the Conference of the Parties and considered Resolution Conf. 12.5 (Rev. CoP19) to be an appropriate place for these measures.

The Committee:

- a) urged all Parties in whose territories there are facilities keeping Asian big cats in captivity to:
  - i) implement paragraph 1 h) of Resolution Conf. 12.5 (Rev. CoP19) on the *Conservation of and trade in tigers and other Appendix-I Asian big cat species*; and
  - ii) strengthen compliance monitoring and enforcement of legislative provisions relating to facilities keeping tigers in captivity through the strict implementation of regulatory requirements ensuring that registers are accurately maintained; identification of individual tigers is a compulsory requirement (using microchips, DNA analysis and stripe identification images as appropriate); inspections are carried out regularly; that the disposal is done with the necessary controls and oversight, and any irregularities strictly penalized;
- b) further urged all Parties in whose territories there are facilities that breed large numbers of tigers and facilities housing large numbers of tigers to consider taking a more methodical approach regarding these facilities to improve their conservation and educational value, as well as to put an end to the activities of facilities that do not have conservation or educational value, fail to comply with regulations and pose a risk regarding parts and derivatives from these animals entering illegal trade. Such an approach could include:

- i) identification of facilities keeping tigers of genetic and conservation value and engagement of these facilities in coordinated conservation breeding for such animals;
  - ii) identification of facilities keeping tigers in captivity that are suitably located to ensure public access and that meet husbandry and welfare conditions based on national and international guidelines, and implementation of support programmes where needed (for example providing guidance on development of educational materials, signs and posters), for these facilities to fully transform into facilities with educational value that are raising awareness benefitting conservation of tigers in the wild, including bringing the attention of the public to illegal trade and the need to combat it;
  - iii) implementing and enforcing measures to reduce the number of tigers in facilities that are not contributing to conservation of wild tigers or have limited educational value, by restricting breeding of tigers (e.g., by separating male and female tigers, sterilization or other disposal measures, including euthanasia) within these facilities, as well as restricting these facilities from acquiring any new animals;
  - iv) taking into consideration Decision 14.69 that directs Parties to restrict the captive population to a level supportive only to conserving wild tigers and that tigers should not be bred for trade in their parts and derivatives, prohibiting the establishment of new facilities keeping tigers in captivity with narrow exemptions where warranted;
  - v) assessing the need for rescue centres, sanctuaries, or other disposal measures, including euthanasia, etc. as may be required due to the phase-out of intensive tiger operations; and
  - vi) reviewing of management practices and controls to regulate activities of facilities keeping tigers in captivity to ensure that they are adequate to prevent tiger specimens from entering illegal trade from or through such facilities, including licensing of such facilities, accurate record keeping of individual tigers, regular inspections and well-regulated disposal of tigers that die in captivity.
- c) encouraged all Parties where a demand for tiger parts and derivatives exist to enhance their efforts in demand reduction activities related to illegal trade in Asian big cats in accordance with Resolution Conf. 17.4 (Rev. CoP19) on *Demand reduction strategies to combat illegal trade in CITES-listed species* taking into consideration the *Guidance on demand reduction strategies to combat illegal trade in CITES-listed species*;
- d) also encouraged all governments, intergovernmental organizations, international aid agencies, and non-governmental organizations to urgently provide funds and other assistance to Parties with facilities that breed large numbers of tigers and those housing large numbers of tigers, to support the implementation of recommendation b) above;

in addition to the recommendations a), b) and c) addressed to all Parties,

- e) encouraged the Czech Republic to:
- i) continue to collaborate and coordinate with the State Veterinary Administration to strengthen procedures relating to the disposal process, including improved monitoring to ensure complete destruction of carcasses; and
  - ii) conduct an inspection of the facility that the Secretariat could not visit during its mission and provide a report on its findings to the Secretariat by 30 days before the document deadline of SC78 (i.e., 5 November 2024).
- f) encouraged South Africa to:
- i) standardize and strengthen legislative provisions relating to activities involving the keeping, breeding, international trade in and disposal of tigers;

- ii) standardize processes relating to registers to be kept by facilities, inspections of facilities and destruction of carcasses through the development of standard operating procedures or other similar mechanisms;
  - iii) develop educational materials and displays to enhance the public education and awareness-raising value associated with the display of tigers;
  - iv) initiate a process to address the legislative gap relating to the regulation of activities involving alien Appendix-I listed species (including tigers);
  - v) address compliance monitoring and enforcement of the existing permit conditions for all facilities with a specific focus on the facilities with long term non-compliance matters;
- g) urged Thailand and Viet Nam to:
- i) identify any specimens of tigers referable to the mainland Southeast Asian lineage (also known as *Panthera tigris corbetti*) and encourage facilities to engage in coordinated conservation breeding for these animals and other appropriate actions;
  - ii) strengthen measures to:
    - A. restrict the breeding of tigers in captive facilities and the importation of tiger to these facilities to levels supportive only to conserving tigers;
    - B. monitor individual tigers kept in facilities through the use of microchips, stripe pattern identification and DNA analysis, as appropriate;
    - C. prohibit the establishment of new facilities keeping tigers in captivity with narrow exemptions where warranted; and
    - D. restrict the parts and derivatives for which possession is authorized to prevent these specimens from entering illegal trade;
  - iii) develop educational materials and displays to enhance the public education and awareness-raising value associated with the display of tigers;
  - iv) enhance standard operating procedures for inspections and disposal of specimens (including destruction of carcasses after verification of individual that died and train officials to undertake inspections and monitor the disposal of carcasses, where needed).

The Committee agreed two additional general recommendations as follows:

- h) The Committee encouraged those Parties identified in document SC70 Doc. 51 in whose territories there are facilities which may be of concern keeping Asian big cats in captivity and who had not yet extended an invitation to the Secretariat to undertake a mission to do so and directed the Secretariat to report back to SC78.
- i) The Committee requested the Secretariat, in consultation with the Animals Committee, to develop guidance to Parties on how to evaluate the conservation aspects of tiger captive-breeding facilities, subject to external funding.

42. Illegal trade in African great apes  
 (*Gorilla gorilla*, *Gorilla beringei*, *Pan troglodytes* and *Pan paniscus*) ..... SC77 Doc. 42

Liberia introduced document SC77 Doc. 42 containing the history of CITES activities related to great apes and an update on illegal trade in African great apes. Liberia expressed its deep concern with declining populations of chimpanzees and emphasized the need to reenergize CITES efforts to conserve great apes, and accordingly, suggested the re-convening of the CITES Great Ape Enforcement Task Force and amendments to Resolution Conf. 13.4 (Rev. CoP18) on *Conservation of and trade in great apes*.

Kenya (Committee Member for Africa), Benin and the Pan African Sanctuary Alliance (also on behalf of AWI, Born Free Foundation, David Shepherd Wildlife Foundation, Four Paws, Fondation Franz Weber, HSI, IFAW,



Pro Wildlife and SSN) supported the draft decisions in Annex 1 to re-establish the CITES Great Ape Enforcement Task Force and the amendments to Resolution Conf. 13.4 (Rev. CoP18) contained in Annex 2. Poland (Committee Member for Europe), speaking on behalf of the European Union and its Member States, supported the re-establishment of the task force but stressed that solutions should cover all great ape species.

The United States of America (Committee Member for North America), speaking on behalf of the North American region, requested further details on the goals of the task force to avoid duplication of efforts with the ongoing work of the Great Apes Survival Partnership (GRASP) and other relevant organizations, which was echoed by the United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe). The United States, supported by Poland (Committee Member for Europe), speaking on behalf of the European Union and its Member States, and the United Kingdom, proposed amendments to the reporting requirements of the proposed task force, and further suggested that the Secretariat issue a Notification to the Parties to gather comments on the amendments to Resolution Conf. 13.4 (Rev. CoP18) proposed by Liberia in Annex 2 of the document.

The Democratic Republic of the Congo, regarding the chimpanzees reportedly stolen from a primate sanctuary mentioned in paragraph 21 of the document, reported that an investigation was underway.

China opposed the allegations of illegal trade in chimpanzees described in paragraph 23 in the absence of supporting evidence.

The Committee:

- a) noted the information in document SC77 Doc. 42;
- b) invited the Secretariat to issue a Notification to the Parties on behalf of Liberia seeking inputs and comments on the draft decisions contained in Annex 1 to document SC77 Doc. 42 and the proposed changes to Resolution Conf. 13.4 (Rev. CoP18) on *Conservation of and trade in great apes* in Annex 2 to document SC77 Doc. 42 and to provide these comments to Liberia; and
- c) invited Liberia to submit draft decisions on illegal trade in African great apes and proposed amendments to Resolution Conf. 13.4 (Rev. CoP18) to the Conference of the Parties at its 20th meeting (CoP20).

43. Jaguars (*Panthera onca*)..... SC77 Doc. 43

The Secretariat introduced document SC77 Doc. 43 and presented the outcomes of the meeting of jaguar range States held in Cuiabá, Brazil, from 18 to 22 September 2023. Representatives of 16 jaguar range States participated in the meeting, as well as representatives from a number of specialized agencies of the United Nations, international and national non-governmental organizations and academics. The meeting covered different topics related to collaboration, integration and alignment; the establishment of a long-term system for monitoring illegal killing, illegal trade and conservation of jaguars; an intergovernmental platform (and action plan or working programme); criteria for the selection of landscapes and sustainable financial mechanisms.

Brazil (Committee Member for Central and South America and the Caribbean), as Chair of the intersessional working group on jaguars, thanked the stakeholders for their support in organizing the meeting and for their participation and transparent, objective discussions, the results of which are contained in the document. Brazil invited the Standing Committee to adopt the recommendations in the document.

Honduras (Committee Member for Central and South America and the Caribbean), Peru and Mexico, as participants in the working group, supported the recommendations. Honduras highlighted the importance of carrying out demand reduction, as well as preventing human-wildlife conflict. Peru reported that it would actively participate in the working subgroup on sustainable financial mechanisms and that its national action plan for jaguar conservation had been implemented. Peru was elaborating a national plan for overcoming human-wildlife conflict and working with local populations to ensure cohabitation with wildlife and reduce poaching. Mexico considered it appropriate to create a working subgroup on financial opportunities for jaguars to strengthen conservation measures and reported that the country would focus on creating funds to achieve the working objectives for this species.

Poland (Committee Member for Europe), speaking on behalf of the European Union and its Member States, recognized that the European Union was involved in three out of the four identified routes of the international

illegal trade of jaguar. Poland supported the recommendations with an addition to recommendation c) to include a joint CITES-CMS jaguar initiative as an option in the creation of an intergovernmental platform.

The Secretariat of the Convention on Migratory Species (CMS) stated that the programme of work for jaguar conservation jointly developed by CMS and CITES Parties, with the contribution of the Jaguar 2030 Roadmap Coordination Committee, would help bring all range States and jaguar experts together to address threats in a comprehensive and inclusive manner. Panthera, speaking on behalf of Born Free, Defenders of Wildlife, Environment Investigation Agency, Four Paws, Humane Society International, TRAFFIC, and the Jaguar 2030 Roadmap Coordination Committee members (Panthera, UNDP, UNEP, UNODC, WCS, World Bank and WWF), supported the recommendations, highlighted the importance of the species for local communities and as indicators of biodiversity, and indicated its readiness to continue to support the Parties in delivering on their commitments.

The Committee:

- a) noted the main results and conclusions of the meeting of jaguar range States;
- b) requested the Secretariat to prepare terms of reference for the creation of a modular system for monitoring illegal killing of jaguars, illegal trade in their parts and derivatives and other aspects related to conservation, for consideration by the 33rd meeting of the Animals Committee and the 78th meeting of the Standing Committee;
- c) requested the CITES Secretariat to prepare terms of reference for the creation of an intergovernmental platform as specified in paragraph 21 of document SC77 Doc. 43, including the option of a joint CITES-CMS jaguar initiative. The terms of reference should be presented to the next meeting of the Standing Committee (SC78);
- d) in line with activity B10 of the CMS-CITES Joint Work Programme 2021-2025 (Annex 2, SC73 Doc. 13), which establishes that the Secretariats of both Conventions should “collaborate on the conservation of the jaguar, taking into account existing mandates and ongoing efforts and initiatives in the region”, recommended that both Secretariats jointly develop, in close consultation with jaguar range States and inviting contributions from the Convention on Biological Diversity and other relevant organizations, a joint working programme establishing specific priorities for jaguar conservation throughout the region, activities to promote coexistence, and necessary actions for preventing and combating illegal killing and illegal trade of jaguars, their parts and derivatives for consideration by the 33rd meeting of the Animals Committee and the 78th meeting of the Standing Committee;
- e) recommended that both Secretariats, subject to the availability of external funding, jointly organize a second meeting of jaguar range States to discuss the implementation of the joint working programme for jaguar conservation with the support of relevant partner organizations;
- f) established, within the Standing Committee working group on jaguars, a working subgroup on financial opportunities for the jaguar that should consider the possibility of creating a regional common fund for jaguar conservation; and
- g) requested the CITES Secretariat to follow up on the agreements related to paragraph 11 on the seven joint working areas and the players involved and paragraphs 25 to 27 on criteria/prioritization of landscapes through a Notification to the Parties requiring regular updates to the jaguar questionnaire.

44. Conservation of and control of trade in the Tibetan antelope (*Pantholops hodgsonii*) ..... SC77 Doc. 44

Document SC77 Doc. 44 contained a report by the Secretariat on the implementation of Resolution Conf. 11.8 (Rev. CoP17) on *Conservation of and control of trade in the Tibetan antelope*, highlighting the responses provided by China, India, Italy, Switzerland and the United States of America on their enforcement measures in eliminating the illicit trade in Tibetan antelope products. While there has been a decrease in the number of seizures in recent years, the data also underscored that illegal trade in Tibetan antelope specimens continues.

The Committee noted document SC77 Doc. 44 and further noted that comments on this document would be requested by Notification to the Parties.

45. Rhinoceroses (Rhinocerotidae spp.) ..... SC77 Doc. 45

The Secretariat introduced document SC77 Doc. 45 and presented information provided by Parties that were contacted by the Secretariat regarding measures to address the illegal killing of rhinoceroses and trafficking of rhinoceros horn. The Secretariat noted that, in addition to responses received from Botswana, China (including Hong Kong SAR of China), Qatar, South Africa and the United Arab Emirates, responses had been received from Malaysia and Viet Nam and were available as information documents SC77 Inf. 33 and SC77 Inf. 29, respectively. On this basis, the Secretariat suggested updates to the recommendations for these Parties. The Secretariat additionally informed the Committee that, since the preparation of the document, additional funding had been secured to convene the CITES Rhinoceros Enforcement Task Force.

Kenya (Committee Member for Africa), Poland (Committee Member for Europe), speaking on behalf of the European Union and its Member States, the United States of America (Committee Member for North America), speaking on behalf of the North American region, Namibia and Viet Nam supported the document's recommendations, including the amendments by the Secretariat. The United States shared that it was pleased to be able to provide funding towards the convening of the CITES Rhinoceros Enforcement Task Force meeting.

Namibia informed the Committee of new measures put in place following the rhinoceros poaching surge in 2022, which included revised management and conservation plans for black and white rhinoceroses, as well as recently developed plans for specific national parks and conservation areas. Namibia reported the figure of rhinoceroses poached to date in 2023 was less than half of the total 2022 figure. Kenya (Committee Member for Africa), also reporting on its initiatives to address rhinoceros poaching and trafficking, noted that no rhinoceros poaching had been recorded in 2021 and that it continued to report lower levels of poaching. Botswana indicated it was fully committed to the implementation of Decision 19.117, as shown by its measures implemented to address the illegal killing of rhinoceroses.

China, regarding paragraph 48 of the document, clarified that it cooperates and collaborates closely with law enforcement agencies of African countries, including South Africa, through intelligence exchange and joint investigations.

Malaysia highlighted that its report on the implementation of Decision 19.118 and 19.119 had been submitted as information document SC77 Inf. 33 and expressed its hope that the report could be assessed.

Conservation Force commended range States for their successful rhinoceros conservation, particularly the efforts of Mozambique for their establishment of new community conservation areas.

The Committee:

- a) welcomed the [Chitwan Declaration for Asian Rhinos Conservation 2023](#) agreed by the five Asian rhinoceros range States;
- b) welcomed the reduction in poaching incidents observed in Botswana in 2022 and 2023 compared to previous years and encouraged the Party to rapidly progress implementation of its 2023 to 2028 National Anti-Poaching Strategy;
- c) requested the Parties to which Decisions 19.117, 19.118 and 19.119 are directed to take the comments and observations of the Secretariat in paragraphs 47 to 59 of document SC77 Doc.45, as relevant to them, into consideration in their implementation of these respective Decisions;
- d) encouraged Angola and Namibia to review trends associated with the illegal killing of rhinoceroses and illegal trade in rhinoceros specimens affecting them, and the measures and activities they are implementing to address these crimes, to ensure that these measures and activities are effective and adapted as may be needed to respond to any newly identified trends;
- e) noted that Viet Nam submitted a report to the Secretariat on 3 November 2023, which is available as information document SC77 Inf. 29, and that Malaysia submitted a report to the Secretariat on 8 November 2023, which is available as information document SC77 Inf. 33, and requested the two Parties to take any comments and observations from the Secretariat in accordance with recommendation f) i) into consideration in their implementation of Decisions 19.118 and 19.119, as applicable to them;

- f) requested the Secretariat to:
- i) review the reports from Malaysia and Viet Nam available in information documents SC77 Inf. 29 and Inf. 33 and provide its comments and observations to these Parties;
  - ii) seek information from the Parties concerned by recommendations c) to e), on activities conducted and measures implemented in accordance with these recommendations; and
  - iii) report to the 78th meeting of the Standing Committee on the results of activities conducted in accordance with recommendations f) i) and ii), together with any recommendations the Secretariat may have; and
- g) requested Parties included in the [Directory of illegal trade in rhinoceros horn focal points](#) to immediately inform the Secretariat if the details of their national focal points in the Directory should be updated.

## Regulation of trade

### 46. Legal acquisition findings ..... SC77 Doc. 46

Document SC77 Doc. 46 contained a summary of the Secretariat's capacity-building activities related to legal acquisition findings, including the organization of training workshops and regular correspondence with Parties to answer their queries.

The United States of America (Committee Member for North America) expressing its support for enhancing knowledge and best practices regarding the implementation of Resolution Conf. 18.7 (Rev. CoP19) on *Legal acquisition findings* to assist Parties, however noted its concerns over the publication of legal acquisition findings on the CITES webpage given the sensitive information often contained within these documents. Additionally, the United States considered that the guide should be complementary rather than prescriptive, as portions of the guide may not be implementable by all Parties.

The Food and Agriculture Organization drew attention to its ongoing development of "CITES-LEX", an online catalogue of resources to facilitate access to relevant legislation and information to support the development of legal acquisition findings.

The Committee:

- a) encouraged Parties to implement Resolution Conf. 18.7 (Rev. CoP19) and use the "Rapid guide for making legal acquisition findings", as appropriate, when preparing their legal acquisition findings; and
- b) invited Parties to, where possible, share their legal acquisition findings to build knowledge and share best practices regarding the implementation of Resolution Conf. 18.7 (Rev. CoP19) on *Legal acquisition findings* and requested the Secretariat to make any shared legal acquisition findings available on the CITES webpage, as appropriate.

### 47. Introduction from the sea ..... SC77 Doc. 47

The Secretariat introduced document SC77 Doc. 47 and presented a summary of the activities conducted with regards to Decision 19.140 on *Introduction from the sea*. The document contained an update on the adoption of the *Agreement on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction* that is open for signature; on the information provided by Parties on their implementation of Resolution Conf. 14.6 (Rev. CoP16) on *Introduction from the sea*; on the progress made regarding the Secretariat's work with the States that are most active in the trade in CITES-listed marine species; and on the feedback received by the Secretariat on the ten most frequently asked questions (FAQ) on introduction from the sea and the responses proposed by the CITES Secretariat, contained in the Annex to the document. The Secretariat invited further feedback and editorial comments on the FAQ with an extended deadline for input to 31 December 2023 and noted that the FAQ was a living document that would be made available on the CITES website.

Japan (Committee Member for Asia) supported the recommendations as amended by the Secretariat and had no further comments on the revised FAQ. New Zealand (Committee Member for Oceania), speaking on behalf of the Oceania region, and the United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe) supported the recommendations in the document and the revised FAQ in the Annex,

hoping that clearer guidance would facilitate improved compliance of a misunderstood topic and drawing attention to the workshop making NDFs for specimens of Appendix-II species taken from areas beyond national jurisdiction in February 2024. The United States of America (Committee Member for North America), speaking on behalf of the North American region, reported that it had further input on the FAQ, provided in information document SC77 Inf. 35. The European Union and its Member States had further revisions to propose on the FAQ, on striking the balance between providing practical guidance without being too prescriptive, and on avoiding making reference to provisions for which there was no practical experience.

On a potential review of Resolution Conf. 14.6 (Rev. CoP16) raised in the document, New Zealand (Committee Member for Oceania), speaking on behalf of the Oceania region, hoped that the NDF workshop in February 2024 would result in a number of suggestions to be considered at the 33rd meeting of the Animals Committee and the 78th meeting of the Standing Committee. New Zealand also noted that the intersessional working group on sharks might suggest additional changes to Resolution Conf. 14.6 (Rev. CoP16). The United States (Committee Member for North America), speaking on behalf of the North American region, considered it premature to review the Resolution, as the discussions to arrive at the existing Resolution had been contentious and taken years before reaching an agreement; they suggested that the Secretariat issue a notification to the Parties requesting information on the specific challenges in the implementation of the Resolution.

The International Fund for Animal Welfare (IFAW), speaking on behalf of the other members of the High Seas Alliance (International Union for the Conservation of Nature (IUCN), Natural Resources Defence Council (NRDC), Whale and Dolphin Conservation (WDC), Zoological Society of London (ZSL)) as well as Animal Welfare Institute (AWI), Blue Resources Trust, Defenders of Wildlife, Humane Society International (HSI), Save Our Seas Foundation and World Wide Fund for Nature (WWF), and echoed by Wildlife Conservation Society (WCS), supported the recommendations and revised FAQ and urged the Parties to ratify the Agreement on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction.

The Committee:

- a) noted the recent adoption of the UN *Agreement on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction*;
- b) noted the responses from Parties provided on the implementation of Resolution Conf. 14.6 (Rev. CoP16) and summarized in paragraphs 10 to 14 of document SC77 Doc. 47;
- c) noted the revised 10 questions most frequently asked on 'CITES trade from areas beyond national jurisdiction' and the responses prepared by the Secretariat, contained in the Annex to document SC77 Doc. 47 and encouraged Parties to provide further inputs by 31 December 2023;
- d) requested the Secretariat to make the living document available on the CITES webpage and to use it as part of its capacity-building material to test its utility and applicability and collect further feedback;
- e) requested the Secretariat to issue a Notification to the Parties to seek information on specific challenges with the implementation of Resolution Conf. 14.6 (Rev. CoP16) and its Annex; and
- f) requested the Secretariat to prepare a further report for its 78th meeting for onward submission to the 20th meeting of the Conference of the Parties.

48. Purpose-of-transaction codes ..... *No document*

The Committee noted that comments on this agenda item would be requested by Notification to the Parties.

49. Electronic systems and information technology ..... SC77 Doc. 49

In document SC77 Doc. 49, Switzerland as Chair of the Standing Committee's intersessional working group on electronic systems and information technologies, in consultation with the Secretariat, provided an update on the progress of the working group and on the activities undertaken by the Secretariat. The document reported that the Secretariat has enhanced its collaboration with the United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT) and the United Nations Economic Commission for Europe (UNECE), as well as with the United Nations Conference on Trade and Development's (UNCTAD) ASYCUDA Programme that provides the eCITES BaseSolution, an off-the-shelf solution for electronic

CITES permitting systems. The Secretariat published version 3.0 of the CITES Electronic Permitting Toolkit in English, French and Spanish and translated the guidelines and specifications for Electronic Permit Information eXchange (EPIX) of CITES permits and certificates into French and Spanish. The Secretariat commissioned a Study on the use of two-dimensional (2D) barcodes on CITES permits/certificates to collect information regarding the current practices on the use of two-dimensional (2D) barcodes on CITES permits and analyze and prepare the elements of draft guidelines on the use of 2D codes in electronic CITES permitting. The Secretariat pursued its capacity-building activities with, *inter alia*, a regional workshop on electronic CITES permitting systems in Asia.

The document reported that the working group focused its deliberations on i) possible alternatives to the physical endorsement of the CITES permits at the border including in transit; ii) the use of two-dimensional barcodes; and iii) risk-based control procedures. The working group also discussed the challenges of using HS codes in implementing risk-based control procedures in different countries.

The Committee noted document SC77 Doc. 49 and further noted that comments on this document would be requested by Notification to the Parties.

50. Stocks and stockpiles ..... SC77 Doc. 50

Document SC77 Doc. 50 contained a summary of previous intersessional work on the issue of stocks and stockpiles and provided an overview of current species-specific Resolutions and Decisions of the Conference of the Parties that include provisions related to stocks/stockpiles. In the document, the Secretariat proposed the following definition of stocks and stockpiles: “In the context of CITES, the words stocks and stockpiles are used interchangeably to refer to any volume or number of accumulated dead specimens of CITES-listed species held temporarily by public or private entities.” The Secretariat further highlighted that there is some merit in providing guidance on management and control of stocks and stockpiles and on the methods for preventing specimens from entering into illegal trade.

The Committee noted document SC77 Doc. 50 and further noted that comments on this document would be requested by Notification to the Parties.

51. Stocks and stockpiles (elephant ivory) ..... SC77 Doc. 51

The Secretariat introduced document SC77 Doc. 51 and presented a summary related to stockpile declarations for 2022 and an overview of the number of Parties that had informed the Secretariat of stockpiles of ivory within their territory from 2014 to 2023. The Secretariat indicated that it is currently not able to identify all those Parties which are urged to make submissions based on the criteria outlined in paragraph 7 e) of Resolution Conf. 10.10 (Rev. CoP19) on *Trade in elephant specimens*, as it does not have a formal list of such Parties and the Parties have not yet agreed on a definition of what constitutes ‘a stockpile’. The Secretariat had previously identified Burundi as a Party where ivory stockpiles are not well secured based on information provided by the Party in 2004 and on a seizure in Uganda in 2015, and the Secretariat intended to put in place arrangements to conduct a technical mission to Burundi, if invited to do so. The Secretariat also informed the Committee that it has recently initiated the development of a database to better systematize and secure the data on ivory stockpiles reported by Parties.

The United States of America (Committee Member for North America), speaking on behalf of the North American region, supported the recommendations, suggesting language changes in recommendations a) and b) to better align with the language of the Resolution. The United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe) supported the recommendations as amended by the United States and urged Burundi to engage with the Secretariat. Kenya (Committee Member for Africa), Cameroon, Gabon and Nigeria urged Parties to report on whether they were holding stockpiles of ivory, to identify the Parties concerned by the issue. Kenya remarked that the issue of ivory leaking from stockpiles into the market had been ongoing for a long time and only with proper accounting, logging and cataloguing could this issue be addressed. Kenya suggested amendments to recommendation a) to ‘urge’ Parties to step up their efforts, and particularly those in the NIAP process, those whose seizures or confiscations were reported to ETIS, and those that are range States to elephants; this was supported by Gabon. Gabon suggested an amendment to recommendation c) to allow Parties to report on the absence of stocks.

Nigeria reported on its updated procedure for seized and confiscated items, including training of officers, secured records, a training manual, and making use of the established parameters in ETIS forms on documenting the chain of custody. Nigeria also reported that crushing would be used to dispose of a stock in the near future. Benin informed that it had received support from the Elephant Protection Initiative enabling

it to report for the first time to the Secretariat, and that this could be a pathway for other Parties to follow. Cameroon reported a number of initiatives in recent years to ensure that it had control of the stock in its territory, undertaking security upgrades in its warehouses, training and building capacity, tagging ivory and completing ETIS forms. Cameroon also noted the need to address human-wildlife conflict which was fuelling illegal trade.

The Committee:

- a) urged Parties to step up their efforts in line with the provisions of paragraph 7 e) of Resolution Conf. 10.10 (Rev. CoP19) on *Trade in elephant specimens* concerning stockpiles, particularly Parties in the National Ivory Action Plan (NIAP) process, Parties that have reported seizures and confiscations to the Elephant Trade Information System (ETIS) and elephant range States, with a view of submitting the information to the Secretariat every year;
- b) invited regional Members and Alternate regional Members, as part of their regular contact with Parties in their region, to remind Parties of the actions they are urged to take in paragraph 7 e) of Resolution Conf. 10.10 (Rev. CoP19);
- c) recommended that Parties submit information on destroyed stockpiles or absence thereof, to the extent possible; and
- d) requested the Secretariat to continue to engage with Burundi to put in place arrangements to conduct a technical mission to Burundi, in accordance with paragraph 29 e) in the Annex to Resolution Conf. 14.3 on *CITES compliance procedures*, to verify the current status of the Burundi stockpile, and to report to the Committee on its findings.

52. Transport of live specimens ..... SC77 Doc. 52

The Secretariat provided an update to the information in document SC77 Doc. 52 on the organization of a workshop to share best practices related to live animal and plant transport, informing the Committee that the Wildlife Conservation Society had provided funding for the proposed online workshop and that a provisional date would be communicated through a Notification to the Parties. In light of this, the Secretariat invited the Committee to amend recommendation b) in paragraph 11 to reflect the updated status of the funding.

The United States of America (Committee Member for North America), speaking on behalf of the North American region, proposed amendments to the draft terms of reference, which included to incorporate considerations of human health and to add a third deliverable on the compilation of best practices of the Parties involved in the transport of live animals and plants. Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, while supportive of the United States' addition of a third deliverable, was of the view that including human health concerns was beyond the scope of the International Air Transport Association (IATA) regulations.

The United States, on behalf of the North American region, requested an update from the Secretariat on progress on the implementation of Decision 19.159 on making the International Air Transport Association (IATA) guidelines more easily accessible to Parties. The Secretariat indicated that, following CoP19, the Secretariat had discussed the possibility of providing Parties with access to the IATA guidelines at no cost and was currently awaiting for a response from IATA.

IATA expressed its commitment to supporting Decision 19.159 and indicated it was working closely with the Secretariat to explore options for making the Live Animals Regulations and other relevant standards accessible to all stakeholders. IATA indicated it was in the process of developing an online portal to provide easy access to the regulations. The World Association of Zoos and Aquariums stressed the importance of IATA regulations being readily available to Parties and all stakeholders, and for these to be updated regularly.

The Animal Welfare Institute, speaking also on behalf of ADM Capital Foundation, Born Free Foundation, Center for Biological Diversity, David Shepherd Wildlife Foundation, Defenders of Wildlife, Fondation Franz Weber, Four Paws International, Humane Society International, Natural Resources Defense Council, Pan African Sanctuary Alliance, Pro Wildlife and Species Survival Network, encouraged the Committee to consider measures to evaluate and reduce the risk of pathogen spill-over during the transport of live animals, and further highlighted the need for species-specific transport guidelines and arrangements for the regular review the *CITES guidelines for the non-air transport of live animals and plants*, as called for in Resolution Conf. 10.21 (Rev. CoP16) on *Transport of live specimens*.

The Committee:

- a) agreed to the following changes to the draft Terms of Reference for the virtual workshop on transport of live specimens in the Annex to document SC77 Doc. 52; and

*Content:*

- b) *Understanding the process for amending and revising the current methods in the LAR to meet safer transport methods, ~~including crate design~~; amending ambiguous texts;*
- c) understanding the principles of live animal container design and the guidelines for evaluating the number of animals that can be transported together;

Expected deliverables:

3. Compilation of experiences and best practices of the Parties related to the transport of live animals and plants.

- b) invited the Secretariat to organize the workshop in accordance with the terms of reference and to collaborate with experts from Parties, non-governmental organizations and other stakeholders as resource persons.

53. Rapid movement of wildlife diagnostic samples and musical instruments..... SC77 Doc. 53

Document SC77 Doc. 53 presented an update by Australia, as Chair of the intersessional working group on rapid movement of wildlife diagnostic samples and of musical instruments, on the progress of the working group, indicating that the working group agreed to complete its work in two separate subgroups, one focusing on wildlife diagnostic samples and the other one on musical instruments. On wildlife diagnostic samples, the group noted that simplified procedures are not used by every Party, creating inconsistency. Many members expressed that better guidance for Parties on using the simplified procedures in emergency situations would be beneficial. Members also expressed a specific desire to better define the requirements for cataloguing of specimens under different circumstances (e.g., research, diagnosis, or forensic). On musical instruments, similar to the wildlife diagnostic samples, the most significant barriers to the movement of musical instruments via existing simplified procedures include the inconsistent use of these procedures by Parties. In both subgroups, members suggested that better guidance for Parties on how to apply the simplified procedures available could be beneficial.

The Committee noted document SC77 Doc. 53 and further noted that comments on this document would be requested by Notification to the Parties.

54. Specimens produced through biotechnology ..... SC77 Doc. 54

In document SC77 Doc. 54, Cuba, as Chair of the intersessional working group on specimens produced through biotechnology, provided an update on the progress of the working group. The document reported that the working group was focusing its deliberations on the following questions:

- a) Do you think it is pertinent to consult the Parties on the implementation of Resolution Conf. 9.6 (Rev. CoP19) on *Trade in readily recognizable parts and derivatives*, and on which specimens, identified by the Parties as produced through biotechnology, are traded; taking into account that the parties were already consulted in 2020, Notification No. 2020/062, on the application of Resolution Conf. 9.6 (Rev. CoP19)?
- b) Do you consider it necessary to create a new source code for specimens obtained through biotechnology, considering that diverging views were expressed on this matter during the discussions of this working group in its previous period?

The Committee noted document SC77 Doc. 54 and further noted that comments on this document would be requested by Notification to the Parties.



55. Dialogue meeting for African elephant range States (*Loxodonta africana*)..... SC77 Doc. 55 (Rev. 1)

Botswana introduced document SC77 Doc. 55 (Rev. 1), which contained in its Annex draft terms of reference for a CITES Dialogue Meeting on trade in live African elephants and other issues of relevance to African elephant conservation. Botswana emphasized that the pertinent topics identified in the document aimed to provide an overview of the long-standing challenges facing African elephant range States, and that these topics did not represent a final agenda for the meeting. Finally, it was hoped that the meeting could be held ahead of the next meeting of the Conference of the Parties. The Secretariat provided additional details on the process for the organization of dialogue meetings, drawing attention to relevant elements of Resolution Conf. 14.15 on *Dialogue meetings*.

Kenya (Committee Member for Africa) emphasized that the intent of the Decision adopted at CoP19 was to further discuss trade in live African elephants, and that the dialogue meeting could be expanded to consider other contentious issues only following consultation with other African elephant range States. Kenya expressed regret that consultation with the region had not occurred prior to the meeting but proposed to continue in-session discussions and return to the matter later in the meeting. Chad (Committee Member for Africa) expressed concern regarding several elements of the terms of reference in the document and proposed revisions that would limit the agenda of the meeting to topics concerning, *inter alia*, harmonisation for trade in live African elephants; sustainable financing; and the African Elephant Action Plan. Chad additionally considered it was premature to hold the meeting in the first half of 2024, with more time needed to consult technical experts.

The United States of America (Committee Member for North America), speaking on behalf of the North American region, supported Decision 19.167 and its call for a CITES dialogue meeting and, noting the importance of the discussions being led by African elephant range States, suggested that trade of live African elephants should be the primary focus of the meeting. Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, supported discussions being driven by range States and remarked that elements in the terms of reference such as National Ivory Action Plans and the distinction of *Loxodonta africana* and *L. cyclotis* were less relevant to the implementation of Decision 19.167.

The Committee invited African elephant range States to submit consolidated recommendations based on paragraph 6 of document SC77 Doc. 55 (Rev. 1) for consideration later in the meeting, noting that, pursuant to Decision 19.167, the Committee was directed to call a CITES dialogue meeting as per Resolution Conf. 14.5 on *Dialogue meetings*.

Later in the meeting, Kenya (Committee Member for Africa) introduced document SC77 Com. 7, correcting that it had been developed by the African elephant range States present at the meeting and not by all African elephant range States. Kenya clarified that 'non-commercial' had been retained in square brackets on page 3 of the document as it had not been fully agreed during the compilation of the document, but that there had since been agreement to delete the term and that the discussions on sustainable financing would cover all topics, which was confirmed by Botswana, the Democratic Republic of the Congo and Zimbabwe.

Belgium (on behalf of the European Union and its Member States) supported the recommendations. On the draft terms of reference, Belgium sought clarification on what was meant by 'open and closed sessions', as it was unclear on what sections the African elephant specialist group of the International Union for Conservation of Nature and the United Nations Environment Programme would be expected to attend. Kenya responded that this had not yet been discussed.

The United States (Committee Member for North America) suggested that the scope of participants be broadened to 'other technical experts'. The Chair of the Standing Committee clarified that participation was the decision of the range States, and that the Standing Committee was invited to only note the draft terms of reference.

The Committee agreed the recommendations in in-session document SC77 Com. 7 as follows:

The Committee:

- a) pursuant to Decision 19.167, called for the CITES dialogue meeting as per Resolution Conf. 14.5 on *Dialogue meetings* for African elephant range States;
- b) welcomed Botswana's offer to host the dialogue meeting, in consultation with the Chair of the Standing Committee and range States;

- c) noted the draft terms of reference found in the Annex to document SC77 Com. 7;
- d) instructed the Secretariat, on the basis of the draft terms of reference, to support the organization of a dialogue meeting in the second half of 2024, in collaboration with Botswana, the Chair of the Standing Committee, and the African regional representatives of the Committee, in accordance with the Annex to Resolution Conf. 14.5 on *Dialogue meetings*;
- e) requested the Secretariat to ensure adequate funds are available to support 2 delegates per African elephant range State, as well as other African state Parties subject to funding, as well as to assist Botswana on the overriding costs of hosting the dialogue meeting such as conference facility and provision of interpretation for the two languages of the Convention, being English and French; and
- f) requested the Secretariat to engage with the Africa Union Commission to explore the possibility to have a Ministerial segment on the last day of the dialogue meeting.

The Committee noted the comments made on the floor.

#### 56. Disposal of confiscated specimens..... SC77 Doc. 56

Document SC77 Doc. 56 informed the Committee that the Secretariat had updated the dedicated webpage on disposal of illegally traded and confiscated specimens on the CITES website and that it had not received information on existing networks and resources on the management of seized and confiscated live animals. The document reported that the Secretariat has secured partial funding from the European Union to develop new materials consistent with Annex 3 to Resolution Conf 17.8 (Rev. CoP19) on *Disposal of illegally traded and confiscated specimens of CITES-listed species*.

The Committee noted document SC77 Doc. 56 and further noted that comments on this document would be requested by Notification to the Parties.

#### 57. Labelling system for trade in caviar ..... *No document*

The Committee noted that comments on this agenda item would be requested by Notification to the Parties.

### Exemptions and special trade provisions

#### 58. Review of CITES provisions related to trade in specimens of animals and plants not of wild source..... SC77 Doc. 58

In document SC77 Doc. 58, Belgium and Canada, as co-chairs of the intersessional working group on the review of CITES provisions related to trade in specimens of animals and plants not of wild source, provided an update on the progress of the working group and indicated that they had shared with the Animals and Plants Committees a [roadmap](#) for a review of CITES provisions related to trade in specimens of animals and plants not of wild source. The document reported that the Animals and Plants Committees established a joint working group that will work separately and jointly with the Standing Committee's working group.

The Committee noted document SC77 Doc. 58.

#### 59. Review of Resolution Conf. 12.10 (Rev. CoP15) on *Registration of operations that breed Appendix-I animal species in captivity for commercial purposes*..... SC77 Doc. 59

The United States of America, as Chair of the intersessional working group on the review of Resolution Conf. 12.10 (Rev. CoP15) on *Registration of operations that breed Appendix-I animal species in captivity for commercial purposes*, introduced document SC77 Doc. 59, which provided an update on the progress of the working group.

Japan (Committee Member for Asia), the United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe), the European Union and its Member States and Mexico expressed support for streamlining and simplifying the process related to major changes in the nature of operations or in the type(s) of products being produced for export to avoid unnecessary disturbance on trade. In particular, the United Kingdom highlighted the simpler process in place for plants under Resolution Conf. 9.19 (Rev. CoP15) on *Registration of nurseries that artificially propagate specimens of Appendix-I plant species for export purposes*. The European Union and its Member States agreed that a re-registration process should only be

required if changes to an operation could undermine the operation's ability to meet the requirements of Resolution Conf. 12.10 (Rev. CoP15) on *Registration of operations that breed Appendix-I animal species in captivity for commercial purposes*. The European Union and its Member States additionally drew attention to information document CoP19 Inf. 50, which provided detailed information on the view of the European Union and its Member States with respect to the review of Resolution Conf. 12.10 (Rev. CoP15).

The Animal Welfare Institute (AWI), also speaking on behalf of ADM Capital Foundation, Born Free Foundation, David Shepherd Wildlife Foundation, Environmental Investigation Agency, Four Paws International, Humane Society International, Pan African Sanctuary Alliance, Pro Wildlife and Species Survival Network, recommended that the Standing Committee emphasize the importance of identifying the specific species, specimens or products approved for export on the CITES registration website; develop and agree to a comprehensive definition of what is understood by 'major changes'; and put safeguards in place to ensure that trade from registered operations will not negatively affect efforts to address illegal trade.

The Committee noted document SC77 Doc. 59 and the comments made by the European Union, Japan, Mexico, the United Kingdom of Great Britain and Northern Ireland and the Animal Welfare Institute.

60. Identifying information on species at risk of extinction affected by international trade ..... SC77 Doc. 60

Document SC77 Doc. 60 provided an update by the United Kingdom of Great Britain and Northern Ireland, as Chair of the intersessional working group on species at risk of extinction affected by international trade, on the progress of the working group. The document reported that the main areas for discussion would be to:

- a) continue to review methods of identifying species that may be at risk of extinction and threatened by international trade, including any existing assessments that have looked at this previously;
- b) understand the issues or difficulties Parties face when developing proposals to amend the CITES Appendices;
- c) review and provide recommendations on the support, materials, guidance or any other capacity building (considering Resolution Conf. 19.2 on *Capacity-building*) that Parties might benefit from in developing proposals to amend the CITES Appendices; and
- d) review the recommendations of the joint AC/PC intersessional working group and provide any recommendation of its own to the Standing Committee.

The Committee noted document SC77 Doc. 60 and further noted that comments on this document would be requested by Notification to the Parties.

61. Phytosanitary certificates that are regarded as artificial propagation certificates ..... SC77 Doc. 61

The Republic of Korea introduced document SC77 Doc. 61 and its Annex, presenting results of a survey of 12 Parties that implement paragraph 15 of Resolution Conf. 12.3 (Rev. CoP19) on *Permits and certificates*, i.e., those Parties that issue phytosanitary certificates as certificates of artificially propagated Appendix-II specimens.

The United States of America (Committee Member for North America), speaking on behalf of the North American region, indicated it did not have concerns with Parties implementing paragraph 15 of Resolution Conf. 12.3 (Rev. CoP19), but strongly supported the need to maintain accurate information on the CITES website, particularly for Parties that no longer implement special provisions for the use of phytosanitary certificates. As such, the United States, speaking on behalf of the North American region, proposed a series of amendments to the recommendations in the document, including that these Parties notify the Secretariat that they are no longer implementing special provisions for the issuance of phytosanitary certificates, and proposed the submission of a draft decision to the next meeting of the Conference of the Parties to consider the issue further.

Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, requested clarification on the meaning of the term "Convention-level measures" in paragraph 7 of the document and expressed support for the amendments proposed by the United States, speaking on behalf of the North American region.

The Committee:

- a) noted the information presented in document SC77 Doc. 61 and its Annex;
- b)
  - i) invited Parties no longer implementing special procedures to issue phytosanitary certificates in lieu of CITES certificates of artificial propagation to notify the Secretariat of such; and
  - ii) Parties implementing this provision are reminded of the recommendations set forth in Resolution Conf. 12.3 on *Permits and certificates*, paragraph 15.a) that: "Such certificates must include the scientific name of the species and the type and quantity of the specimens and bear a stamp, seal or their electronic equivalent, or other specific indication stating that the specimens are artificially propagated as defined by CITES;"
- c) requested the Secretariat to update the CITES website, based on the information provided in accordance with paragraph b) i) above, including the CITES Exemptions and special procedures webpage website as well as this information in the Country profiles; and
- d) requested the Chair of the Standing Committee, in coordination with the Chair of the Plants Committee, to submit a draft decision to the next meeting of the Conference of the Parties to further explore the applicable taxa and how Parties apply the special procedures in accordance with paragraph 5 of Article VII and as outlined in Resolution Conf. 12.3 (Rev. CoP19), section VIII, for consideration during the next intersessional period.

### Species conservation and trade

#### Fauna

#### 62. West African vultures (Accipitridae spp.) ..... SC77 Doc. 62

The Secretariat introduced document SC77 Doc. 62, containing information relating to the implementation of Decisions 19.192 to 19.196, and highlighted in particular responses to a Notification to the Parties that indicated poisoning was the key concern for Parties, and summarized the information on seizures of West African vultures contained in Annex 2. The Secretariat informed the Committee that funds for production of identification materials had not yet been secured.

Benin, while in agreement with the recommendations in the document, requested further guidance on how to best implement recommendation b), particularly with respect to uses that are tied to magical and religious beliefs.

The Convention on Migratory Species (CMS) acknowledged its ongoing joint work with CITES through its Multispecies Action Plan to Conserve African Eurasian Vultures 2017-2019 and noted that this issue would be on the agenda for CMS COP14 in 2024.

The Committee:

- a) encouraged Parties, West African range States and relevant intergovernmental and non-governmental organizations to strengthen efforts in mobilizing activities as anticipated by Decision 19.193;
- b) encouraged West African vulture range States to strengthen and expand initiatives aimed at implementing demand reduction strategies concerning belief-based use and consumption of vulture parts and derivatives; and
- c) noted the enquiry made by Benin about the best way to reduce belief-based demand and invited the Secretariat to consider this issue as part of its work on demand reduction.

#### 63. Elephants (Elephantidae spp.)

##### 63.1 Report of the Secretariat on the implementation of Resolution Conf. 10.10 (Rev. CoP19)..... SC77 Doc. 63.1 (Rev. 1)

The Secretariat introduced document SC77 Doc. 63.1 (Rev. 1), which contained five main parts. The first part of the document summarized data on levels of illegal killing of elephants, illegal and

legal trade in elephant specimens, the status of elephant populations and the implementation of the African Elephant Action Plan. The Secretariat drew attention to the decline of the proportion of illegally killed elephants (PIKE), but high numbers of carcasses were reported in Africa in 2022, a number of these linked to human elephant conflict. The Elephant Trade Information System (ETIS) showed fewer seizures although organized criminal activity in illegal ivory trade still appeared to be occurring. The Secretariat reported that the status reports for African forest and African savannah elephants would be available late 2023/early 2024 and indicated the loss of several populations since 2016. The Secretariat also highlighted that the revised African Elephant Action Plan 2023-2027 approved by African elephant range States was available as information document SC77 Inf. 3. On the second part of the document, the Secretariat reported on changes to ETIS Online to accommodate the data validation process and provide a data flow for data submission, and noted that the funds secured for the ETIS programme were not sufficient to maintain the minimum required operation of the programme in coming years. The Secretariat also reported working on consolidating ivory stockpile data into a database. Regarding the third part of the document, the Secretariat noted that concerns had been raised in the MIKE-ETIS Technical Advisory Group on the feasibility of an analysis of ETIS data connected to each Party with a legal domestic ivory market for commercial trade. On part four of the document, the Secretariat reported receiving responses from seven Parties on the status of the closure of their domestic ivory markets. Finally, on the fifth part of the report, the Secretariat indicated that the provisional agenda for the MIKE and ETIS subgroup was available as information document SC77 Inf. 13 and that the subgroup would meet in the margins of the meeting and report to plenary.

The United Nations Environment Programme (UNEP), speaking also on behalf of the African Elephant Fund, noted that the revised action plan would only be efficient if supported by resources, as the African Elephant Fund played a key role in supporting range States through projects on anti-poaching measures, research, cross-border collaboration and community conservation efforts. UNEP urged Parties and organizations to continue contributing to the Fund, and stated that alternative sustainable financing pathways needed to be explored.

The African Elephant Specialist Group (AfESG) of the International Union for the Conservation of Nature (IUCN) provided a preview of the information to be contained in the status reports for the African forest and savannah elephants. The AfESG noted that some sites had not been surveyed for over 10 years and encouraged cooperation to prioritize data collection at those sites. The AfESG also encouraged population studies in transboundary areas for conservation and mitigation, and stood ready to support those efforts. The AfESG considered that conflicts between humans and elephants needed to be addressed with urgency. The AfESG requested range States to inform it of any new national elephant plans, and encouraged range States of both species to incorporate both into their planning. Finally, the AfESG reported having established a task force dedicated to generating evidence for the sustainable use of elephants, and would actively engage with policymakers in due course.

TRAFFIC provided an update on aspects of ETIS, and requested that Parties respond in a timely manner to any requests for the validation of data. On the analysis of ETIS data connected to each Party with a legal domestic ivory market for commercial trade, TRAFFIC reiterated the difficulties in determining what constituted a legal domestic market and the large variability in existing prohibitions. TRAFFIC also urged Parties to provide dedicated funds for minimum operations, as it did not have the budget to maintain relevant operations beyond October 2024.

The United States of America (Committee Member for North America), speaking on behalf of the North American region, supported the recommendations in the document, but thought that opting out of sharing ETIS data with ICCWC, as in recommendation d), should not be encouraged as normal practice, encouraging all Parties to share their data with ICCWC. The United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe), Japan (Committee Member for Asia), Namibia, South Africa, Uganda and Zimbabwe supported the recommendations in the document. China did not object to the recommendations in principle, but regarding paragraph 38 of the document, where it was noted that the elephant population in China was troubling, China stated that populations should be considered from an ecological perspective rather than strict national boundaries, and as the nature reserve was linked with an area in the Lao People's Democratic Republic, the population was not in trouble.

On recommendation a), Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, the United Kingdom (Committee Member for Europe), and the United States (Committee Member for North America), speaking on behalf of the North American

region, commended Parties for their efforts contributing to the downward PIKE. Kenya (Committee Member for Africa) remarked that it would be useful to address why the submission of data in West Africa was low. Uganda drew attention to the fact that elephants killed as a result of human wildlife conflict could be reported either as illegal killing or natural death, and this needed to be standardized for the benefit of the PIKE analysis.

On recommendation c), Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, and Singapore emphasized the importance of standardized and verified data and for Parties to work with TRAFFIC in the data validation process. Belgium highlighted the guidelines on how to report hunting trophies in annual trade reports. Singapore considered that unverified data should not be included in ETIS.

On ivory seizures and domestic ivory markets and the analysis in recommendation e), Chad (Committee Member for Africa) remarked that the analysis had revealed difficulties in identifying legal markets, and, along with Kenya (Committee Member for Africa), Burkina Faso, Gabon, Liberia, Senegal and the Japan Tiger and Elephant Fund, speaking also on behalf of ADM Capital Foundation, Animal Welfare Institute, Born Free Foundation, Center for Biological Diversity, David Shepherd Wildlife Foundation, Environmental Investigation Agency, Fondation Franz Weber, Humane Society International, Natural Resources Defense Council, Pro Wildlife and the Species Survival Network, supported tasking the MIKE-ETIS Subgroup with considering information document SC77 Inf. 19 submitted by Burkina Faso with preliminary research on the topic. Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, supported by the United Kingdom (Committee Member for Europe), suggested including all Parties that have a legal domestic commercial market in ivory in the analysis, only excluding those Parties with a full ban in ivory trade with no exemptions. Zimbabwe and Namibia considered that ivory domestic markets were outside the purview of CITES. Senegal encouraged consideration of consumer country markets, such as the legal domestic market in Japan as highlighted by the Japan Tiger and Elephant Fund. Japan (Committee Member for Asia) responded that ivory could only be traded domestically and under specific conditions, with strict management measures in place that were being strengthened to ensure that it was not contributing to poaching and illegal trade and that these measures were reported on consistently.

On financing, Kenya (Committee Member for Africa), Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, and Namibia echoed UNEP's call for funding to the African Elephant Fund to implement the African Elephant Action Plan. The United Kingdom (Committee Member for Europe), supported by Uganda and the United Republic of Tanzania, suggested an additional recommendation, already made at SC74, encouraging donors, partners and Parties to provide funding. Kenya considered that the priorities were tackling human-wildlife conflict that was now widespread across the African elephant range, and improving connectivity for elephants. Kenya also supported the suggestion by the AfESG to give priority to survey populations not updated for over 10 years, suggesting that support be given in order to have a status by the 20th meeting of the Conference of the Parties to make informed decisions on policy and trade issues.

India provided an update on the situation in its country, including that the ivory market was permanently closed and that trade in ivory and carved items was banned. The United Republic of Tanzania provided an update on its recent efforts to combat poaching and illegal wildlife trade, including the development of a new strategy 2023-2033 and the revision of its elephant management plan to be relaunched this year.

The Convention on Migratory Species (CMS) noted that the revised African Elephant Action Plan aligned with the priorities and objectives of CMS and had been submitted for endorsement at its 14th meeting of the Conference of the Parties in February 2024.

The Committee:

- a) noted the downward Proportion of Illegally Killed Elephants (PIKE) trend in Africa and the lower number of seizures reported under the Elephant Trade Information System (ETIS) and commended the efforts of elephant range States and other Parties and partners, in supporting actions to maintain this positive trend;

- b) encouraged elephant range States to continue to use the Online Database of the programme Monitoring the Illegal Killing of Elephants (MIKE) for MIKE data submission and Parties to use ETIS Online to submit seizure information;
- c) encouraged Parties to participate in the ETIS data validation process, including through response to Notifications to the Parties on this matter;
- d) requested TRAFFIC to include an option in the ETIS forms (Word, Excel and Online) for Parties to indicate if they do not want their ETIS data made available to the members of the International Consortium on Combating Wildlife Crime (ICWC) for global research and analysis;
- e) welcomed the revised African Elephant Action Plan as approved in 2022 by the African elephant range States;
- f) invited the Secretariat to issue a Notification to the Parties seeking input on the criteria to be used to identify Parties with a legal domestic ivory market to be included in the analysis called for in Decision 19.99;
- g) invited the MIKE-ETIS Subgroup to consider the responses and propose criteria for identifying the Parties to be included in the analysis and prepare research questions and report back to SC78; and
- h) encouraged donors and partners to support African elephant range States to conduct and fund surveys of elephant populations and encouraged Parties to provide funding to the African Elephant Fund for the implementation of the revised African Elephant Action Plan.

Later in the meeting, Belgium, as Chair of the MIKE and ETIS Subgroup, presented the report of the in-session meeting of the Subgroup, contained in document SC77 Com. 6.

The Committee agreed the recommendation in in-session document SC77 Com. 6 as follows:

The Committee requested TRAFFIC, in collaboration with the Secretariat, to publish the automated aggregated elephant specimen seizure data summaries on the public section of the otherwise password secured ETIS Online, while maintaining a link to this information on the CITES website.

#### 63.2 Financial and operational sustainability of the MIKE and ETIS programmes ..... SC77 Doc. 63.2

The Secretariat introduced document SC77 Doc. 63.2, informing the Committee that the European Union was planning to co-finance the implementation of a modified MIKE programme for an additional five-year period, beginning in 2025. The Secretariat reported having begun consultations with African elephant range States, MIKE site focal points, the MIKE Technical Advisory Group, and potential donors to design a modified MIKE programme, and will continue to seek inputs. The Secretariat indicated that inputs received so far highlighted a critical need for site-based training support to ensure effective data collection and reporting. The Secretariat also cited suggestions to collect information on current threats such as human-elephant conflict and drought-related deaths, and monitor for the early detection of emerging threats such as diseases. The Secretariat noted that funding shortfalls remained in meeting the resource requirements for the continued implementation of the ETIS programme beyond mid-2024. If these resources were not made available, the responsibilities of the ETIS programme mandated in Resolution Conf. 10.10 (Rev. CoP19) on *Trade in elephant specimens* may not be met.

Noting the funding shortfalls, the United States of America (Committee Member for North America), speaking on behalf of the North American region, echoed by Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, encouraged Parties to consider possible funding options to contribute to the ETIS programme, as the information provided by ETIS was crucial to understanding the evolving nature of illegal ivory trade and identify Parties mostly affected by illegal ivory trade and therefore at greatest risk. Uganda stressed that funding was necessary to consolidate the gains made by the Programme, attesting that the Programme had contributed significant knowledge on illegal killing of elephants and strengthened law enforcement.

The United States (Committee Member for North America), speaking on behalf of the North American region, requested that recommendation b) be amended to specify reporting to the 78<sup>th</sup> meeting of the Standing Committee to ensure continued oversight; this was supported by Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, and Uganda. Belgium also requested that recommendation b) refer to both the ETIS and MIKE programmes, which was supported by Uganda and Zambia.

Japan, as one of the donors to the MIKE programme, stated that it expected the redesigned MIKE programme to continue to be conducted based on local needs. On the ETIS programme, Japan hoped to see it continue in a cost-effective and prioritized manner.

The Committee:

- a) noted the Secretariat's plan to redesign the MIKE programme activities to consider the outcomes of the evaluation and reflect the current conservation needs and realities of the African Elephant range States while addressing financial and operational sustainability; and
- b) encouraged the Secretariat to prepare proposals and explore alternative options for support to the MIKE and ETIS programmes for consideration of donors, pursuant to Decision 19.36, paragraph a), and to report on progress at SC78.

64. Great apes (Hominidae spp.):

Report on the implementation of Resolution Conf. 13.4 (Rev. CoP18)..... SC77 Doc. 64

The Secretariat introduced document SC77 Doc. 64, reporting on its work with the Great Apes Survival Partnership (GRASP) and its associated initiatives, as well as summarizing seizures reported by Parties in their illegal trade reports and providing an update on the status of and threats to great apes since the last report to CITES in 2018.

Poland (Committee Member for Europe), speaking on behalf of the European Union and its Member States, and the United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe) supported the recommendations in the document. Poland expressed deep concern regarding the declining population trend of great apes, and the United Kingdom, noting the lack of an agenda item on great apes at CoP19, emphasized the need to reinvigorate efforts to protect great apes.

Indonesia (Committee Member for Asia) provided updates on its national policies to protect orangutans, including reintroduction programmes, monitoring systems, and an action plan for the species.

The Secretariat of the Convention on Migratory Species (CMS) informed the Committee of the upcoming meeting of the CMS Gorilla Agreement that will take place in parallel with the meeting of the GRASP Council from 11 to 15 December 2023.

The Committee:

- a) recalled recommendations in Resolution Conf. 13.4 (Rev. CoP18) on *Conservation of and trade in great apes* and, considering the continued declines in great ape populations reported in document SC77 Doc. 64 and its Annexes, encouraged Parties, intergovernmental organizations, international aid agencies and non-governmental organizations to implement comprehensive enforcement controls to address illegal trade in great apes, including local and online sales of specimens, including live apes;
- b) encouraged all great ape range States to take urgent steps to develop, implement, or expand *in situ* great ape management and conservation programmes addressing the major drivers of great ape population declines and illegal trade, namely poaching for wild meat, or conflict, and deforestation of great ape habitats;
- c) encouraged great ape range States to coordinate action on known or suspected illegal great ape trade;
- d) urged all Parties to provide accurate and up-to-date information on illegal trade in great apes in the CITES Annual Illegal Trade report in a timely manner, following the guidelines developed by the Secretariat and, as appropriate, consider contributing to the GRASP Apes Seizure database and the IUCN SSC A.P.E.S. database as per Resolution Conf. 13.4 (Rev. CoP18); and



- e) encouraged Parties, intergovernmental organizations, international aid agencies and non-governmental organizations to consider any relevant actions or assistance to address illegal trade in great apes and support the conservation of great apes, and to bring any such actions or assistance to the attention of the Secretariat.

65. Saiga antelopes (*Saiga* spp.)..... SC77 Doc. 65

Document SC77 Doc. 65 provided an overview of the information the Secretariat had received from range States of the saiga antelope and important consumer and trading countries. The document included information on their implementation of measures directed to them in the *Medium-Term International Work Programme for the Saiga Antelope for 2021-2025* [MTIWP (2021-2025)], developed in support of the *Memorandum of Understanding concerning Conservation, Restoration and Sustainable Use of the Saiga Antelope* (*Saiga* spp.) and its *Saiga Action Plan*. The document also summarized the outcome of the Secretariat's consultation with Ukraine regarding its use of source code "U" for *S. tatarica*.

Kazakhstan reported significant conservation efforts undertaken at the national level and the recovery of its saiga population to nearly two million individuals as of 2023. Kazakhstan also reported increasing human-wildlife conflict due to this population growth and updated the Committee on its national population management strategy, which included domestic use of saiga meat and the storage of saiga horn under strict government control with no use or trade. Kazakhstan indicated it was considering a proposal to amend the existing saiga annotation. The United States of America (Committee Member for North America) stressed that such a proposal should be provided to the Secretariat so that it could be effectively evaluated before the 20th meeting of the Conference of the Parties. Kazakhstan, supported by the United States, suggested that Decision 19.213, paragraph b), be renewed and expanded to include consumer Parties as well as range States. Finally, Kazakhstan, requested the Secretariat to develop guidance on the correct application of source code "U".

The Russian Federation noted its progress report had been submitted as information document SC77 Inf. 16 and stressed that it had no saiga horn stockpiles or a legal domestic market due to a ban on saiga hunting since 1999. The Russian Federation expressed concern over the use of source code "U" and proposed an additional recommendation to address the issue. Canada suggested a modifying formulation of the additional recommendation to address the concern.

China noted the risk of human-wildlife conflict and disease as a result of the growing saiga population. Accordingly, China, echoed by Nigeria and Conservation Force, speaking also on behalf of the International Council for Game and Wildlife Conservation (CIC), Dallas Safari Club, the European Federation of Associations for Hunting & Conservation (FACE), Safari Club International, Safari Club International Foundation, Sustainable Use Coalition – Southern Africa (SUCo-SA), Wild Sheep Foundation and IWMC-World Conservation Trust, expressed support for Kazakhstan's population control measures and encouraged the Committee to explore ways to support the legal and sustainable trade in saiga products from Kazakhstan, noting the potential livelihood benefits of such trade.

Japan (Committee Member for Asia), Poland (Committee Member for Europe), speaking on behalf of the European Union and its Member States, and the United States (Committee Member for North America) supported the recommendations proposed in the document. Poland (Committee Member for Europe), speaking on behalf of the European Union and its Member States, raised concerns with the low level of reporting of many range States. The United States additionally urged Parties with stockpiles of saiga specimens to share information, including the volume, provenance and condition of stockpiles, with the Secretariat.

The Secretariat of the Convention on Migratory Species (CMS) congratulated Kazakhstan on its conservation achievements and highlighted the importance of the development of a global strategy to ensure that any reopening of international trade in saiga derivatives does not harm conservation efforts. It indicated that the CMS Saiga MOU meeting in early 2025 could facilitate preparation on this subject ahead of the 20th meeting of the Conference of the Parties.

The Committee:

- a) commended Kazakhstan on the recovery of their saiga populations;

- b) noted the progress range State Parties and important consumer and trading countries/regions of saiga parts and derivatives have made on the implementation of the *Medium-Term International Work Programme for the Saiga Antelope for 2021-2025*; and
- c) recommended that range States of the saiga antelope (*Saiga* spp.) and important consumer and trading countries and regions of saiga parts and derivatives refer to Resolution Conf. 18.7 (Rev. CoP19) on *Legal acquisition findings* when verifying the origin of specimens and only use source code “U” in accordance with the provisions of Resolution Conf. 12.3 (Rev. CoP19) on *Permits and certificates*;
- d) agreed to revise and renew Decision 19.213 to encourage both range States and consumer States to establish internal market controls for saiga parts, including registration of stockpiles, labelling of parts and products, and registration of manufacturers and traders, and report such information to the CITES Secretariat;
- e) noted the concerns relating to the potential impact of application of source code “U” on saiga antelope and invited Parties to submit a document in this regard for consideration by the Conference of the Parties at its 20th meeting, as appropriate;
- f) reminded Parties to use the [Guide to the application of CITES sources codes](#) when applying source code “U”;
- g) noted the comments made on the floor.

#### *Aquatic species*

#### 66. Eels (*Anguilla* spp.)..... SC77 Doc. 66

The Secretariat introduced document SC77 Doc. 66 and presented an update on the implementation of Decisions 19.218 to 19.221 on *Eels* (*Anguilla* spp.), and noted it was in the process of collating responses to Notification to the Parties No. 2021/018 and No. 2023/062 on the status, management and trade in eels. The document contained a recommendation to establish an intersessional working group to review these responses. The Secretariat also presented an analysis of the data on seizures of *Anguilla anguilla* in the CITES Illegal Trade Database as submitted by CITES Parties.

The Secretary-General presented the Certificate of Commendation to the Deputy Executive Director of Europol in recognition of exemplary interagency coordination and operational activities undertaken during the latest edition of Operation LAKE, a joint operation coordinated by Europol. The operation focused on preventing glass eel trafficking in Europe—an industry valued at 2.5 billion Euro in which approximately 100 tonnes of eels are trafficked annually.

Morocco (Committee Member for Africa), Poland (Committee Member for Europe), speaking on behalf of the European Union and its Member States, and the United States of America (Committee Member for North America), speaking on behalf of the North American region, expressed their support for the establishment of an intersessional working group.

The United States (Committee Member for North America), supported by the United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe), the International Union for Conservation of Nature (IUCN) and the Zoological Society of London, suggested that the mandate of the proposed intersessional working group could be expanded to consider the applicability of developing a genus-level resolution for *Anguilla*. The Chair of the Animals Committee suggested the Committee could instead invite the Animals Committee to evaluate the benefits of a genus-level resolution, and that the intersessional working group could then evaluate any recommendations of the Animals Committee, as already directed by existing recommendation c).

The United States (Committee Member for North America), echoed by the United Kingdom (Committee Member for Europe), noted the similarities of the mandates of the proposed intersessional working group and the Animals Committee intersessional working group on eels established at the 32nd meeting of the Animals Committee and stressed the need for coordination between the Chairs of these groups to avoid duplication of efforts.

IUCN, also on behalf of Zoological Society of London, drew attention to advice of the International Council for the Exploration of the Sea (ICES) that there should be zero catches of European eels in all habitats in 2023.

The Committee:

- a) noted the information in paragraphs 14 to 17 concerning the ongoing work on eels being carried out by the Animals Committee with regards to the implementation of Decision 19.220 and the information on illegal trade in European eel outlined in paragraphs 21 to 33;
- b) invited the views of the Animals Committee on the possible development of a specific resolution on European eels or a Resolution on the genus *Anguilla* spp.;
- c) established an intersessional working group with the following mandate:
  - i) review the Secretariat's summary of the responses to Notification to the Parties No. 2021/018 and Notification to the Parties No. 2023/062 on eels, including any updates provided under Decision 19.218 and any recommendations from the Secretariat to improve the implementation of the Convention for European eels;
  - ii) consider the recommendations of the Animals Committee;
  - iii) consider the applicability of developing a specific Resolution on European eel; and
  - iv) make draft recommendations to improve the implementation of the Convention for European eel for consideration by the Standing Committee at its 78th meeting.

Membership was agreed as follows: Australia, Canada, China, Dominican Republic, Germany, Indonesia, Japan, Morocco, Netherlands, New Zealand, Poland, Portugal, Republic of Korea, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America; Convention on Migratory Species, International Union for Conservation of Nature, Global Guardian Trust, World Wide Fund for Nature, and Zoological Society of London.

The Committee requested the Secretariat to follow-up with the members of the working group in order to identify a Chair.

- d) encouraged Parties to actively engage in any operations and targeted activities to address illegal eel trade; and
- e) noted the comments made on the floor.

## 67. Sharks and rays (Elasmobranchii spp.)

### 67.1 Evidence of continued non-compliant trade in Appendix-II listed shark species (*Carcharhinus longimanus*)..... SC77 Doc. 67.1

Maldives introduced document SC77 Doc. 67.1 and presented a global analysis of the implementation of the Convention with respect to the inclusion in Appendix II of *Carcharhinus longimanus* (oceanic whitetip shark) and addressed the possible extent of illegal, unregulated, and unreported (IUU) fishing, and trade in this species that may not be in full compliance with CITES. Noting that, since its inclusion on Appendix II, *Carcharhinus longimanus* had been reassessed on the IUCN Red List of Threatened Species as Critically Endangered globally, Maldives welcomed the Animals Committee's decision to select *Carcharhinus longimanus* for the Review of Significant Trade process during the intersessional period. However, given that there appeared to be ongoing and substantial illegal and undocumented international trade and that inadequate legal acquisition findings might be occurring, Maldives believed further action was required. Maldives clarified that the inclusion of Australia in the analysis in the document was a result of a data error and suggested that Australia be removed.

New Zealand (Committee Member for Oceania), speaking on behalf of the Oceania region, thanked the Maldives for the detailed analysis and for correcting the error concerning Australia. While generally supportive of the recommendations, New Zealand expressed concern that table 8 of the

Annex to the document was too coarse, as it included Parties like New Zealand where the species was fully protected, and high volumes of trade might not include oceanic white tip sharks. New Zealand instead suggested that all Parties catching pelagic sharks should report on national level efforts and regulations, which would help importing countries determine if imports were legally acquired. Poland (Committee Member for Europe), speaking on behalf of the European Union and its Member States, and Japan (Committee Member for Asia) aligned with the recommendations as amended by New Zealand. Poland emphasized that this was part of a larger issue concerning all CITES-listed shark species and should be addressed in consequence.

Kenya (Committee Member for Africa), Kuwait (Committee Member for Asia), the United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe), the United States of America (Committee Member for North America), speaking on behalf of the North American region, Argentina, Australia, Gabon and Mozambique supported the recommendations. The United Kingdom considered that although other pelagic shark species were also affected, the prioritisation of the oceanic white tip could help facilitate pathways for the effective implementation for all sharks. The United States expressed concern at the findings of the analysis, reminding Parties that all four tuna regional fisheries management organizations (RFMO) had prohibited retention, storage, transshipment and landing of the species in light of its decline. The United States urged compliance with trade controls and prioritisation of combatting IUU. Japan (Committee Member for Asia) reported having prohibited the retention of oceanic white tip sharks based on the RFMO decision.

Brazil (Committee Member for Central and South America and the Caribbean) did not oppose the recommendations but commented on its inclusion in the analysis, clarifying that it did not have a specific problem with oceanic white tip sharks. Brazil outlined several relevant policies and activities in its country, including a ministerial decree prohibiting fishing of any fish threatened with extinction. Argentina also queried its inclusion in the analysis, clarifying that it did not land oceanic white tip sharks. Australia appreciated the correction of its data, reporting that it complied with non-retention measures and had a negative NDF for the species.

Panama updated the Committee on actions it had taken to implement the CITES listings of sharks, including the organization of a workshop for fisheries, universities and national environmental organizations. Senegal reported that following its inclusion in the Review of Significant Trade at the last meeting of the Animals Committee, it had held national consultations and set a zero quota for the species in order to determine the situation. Oman reported that it had decided to suspend trade in the species for six months, effective from December 2023, to collect the necessary data to carry out an NDF. Oman reported having produced two NDFs for thresher and silky shark, and requested more support and capacity building in light of the challenges posed in producing NDFs for shark species, along with smart identification techniques and reporting methodologies. Mozambique noted implementation challenges in its country, especially concerning shark identification and enforcement, but that it was training at provincial level in species identification.

Opes Oceani Foundation stressed that document SC77 Doc. 67.1 showed that data needed improving and that trade was not meeting the CITES requirements for shark listings. It suggested that all shark species be included in the Review of Significant Trade.

The Committee:

- a) requested the Secretariat to prioritize *Carcharhinus longimanus* in its analysis being conducted under Decision 19.223, paragraph c), regarding the mismatch between catch and trade data;
- b) requested all Parties that catch pelagic sharks to report to the Secretariat on their national level implementation efforts and regulations for implementing the listing of *Carcharhinus longimanus*;
- c) requested the Secretariat to compile the responses of Parties and present them to the 78th session of the Standing Committee (SC78);
- d) based on the responses of Parties and the report of the Secretariat, agreed to identify possible cases of non-compliance; consider the development of guidance to support comprehensive reporting of shark trade; identify whether any amendments are necessary to relevant Resolutions of the Conference of Parties;

- e) requested the Secretariat to prioritize *Carcharhinus longimanus* under Decision 19.140, which requests the Secretariat to continue to monitor introduction from the sea implementation; and
- f) in addition to existing obligations to report confiscations or seizures of specimens of *Carcharhinus longimanus* in the annual illegal trade reports, strongly encouraged Parties who are encountering difficulties implementing the listing of this species to submit information to the Secretariat that will draw it to the attention of the Animals Committee or the Standing Committee, as appropriate.

67.2 Report of the Animals Committee ..... SC77 Doc. 67.2

The Chair of the Animals Committee (AC) introduced document SC77 Doc. 67.2, bringing to the attention of the Standing Committee a number of recommendations from the Animals Committee resulting from an in-session working group at its 32nd meeting. Regarding recommendations b) and c) in paragraph 5 of the document, the AC Chair noted that these were already included in paragraphs 8 and 9 of Resolution Conf. 12.6 (Rev. CoP18) on the *Conservation and management of sharks*. Regarding recommendation e), the Chair suggested that it be considered under the mandate of the electronic systems and information technology working group. Regarding recommendation f), the Chair clarified that it was intended to be directed at Parties and should be amended accordingly. Additionally, the Chair reported that the Animals Committee had agreed to nominate the representatives for Central and South America and the Caribbean (Mr. Gongora) and for Oceania (Mr. Robertson) to participate in the Standing Committee intersessional working group on sharks and rays.

Indonesia and Japan (Committee Members for Asia), the United States of America (Committee Member for North America), speaking on behalf of the North American region, and New Zealand (Committee Member for Oceania), speaking on behalf of the Oceania region, supported the recommendations in document SC77 Doc. 67.2 within the mandate of the Convention. The European Union and its Member States suggested that the World Customs Organization be invited to join the working group or any meeting of the working group looking at the HS codes.

Indonesia (Committee Member for Asia) reported that it had taken actions in recording and reporting in accordance with HS codes and in integrating systems for permits between the Ministry of trade and customs, expecting each ministry to have reliable data and standardized terms and measurement units.

Mozambique considered that the mismatch between catch and trade data should remain a top priority, but that national technical support to develop country studies on shark fins and meat trade and traceability mechanisms were also needed.

The Committee:

- a) encouraged Parties to report the trade of sharks and rays using the preferred terms and units (as identified in the latest *Guidelines for the preparation and submission for CITES annual reports*) at the species level and consider the addition of taxon-specific terms to assist in the reporting;
- b) reminded Parties of the provisions in paragraph 8) of Resolution Conf. 12.6 (Rev. CoP18) on *Conservation and management of sharks* on expanding national classification system for collecting and reporting of data on shark trade and reminded the Secretariat of the provisions in paragraph 9) of the same Resolution to monitor discussions within the World Customs Organization as it relates to sharks.
- c) encouraged Parties to use the available HS codes when reporting trade in the annual trade reports;
- d) encouraged Parties to consider the development of new digital reporting and traceability mechanisms; and
- e) reminded Parties to consider the appropriate use of pre-Convention permitting for different shark and ray product types for specimens that meet the requirements of Resolution

67.3 Report of the Secretariat ..... SC77 Doc. 67.3

The Secretariat introduced document SC77 Doc. 67.3 and informed the Committee that it had received information from 26 Parties on conservation and management of sharks and rays in response to Notification to the Parties No. 2023/027 of 16 March 2023, and that following review of the information by the Animals Committee at its 32nd meeting, a new Notification would be issued in 2024 to capture additional aspects. The Secretariat reported collaborating with TRAFFIC and the Food and Agriculture Organization of the United Nations (FAO) to conduct a further study on the apparent mismatch between the trade in products of CITES-listed sharks recorded in the CITES Trade Database and what would be expected based on the information available on catches of CITES-listed species, and the findings would be presented to the Animals Committee at its 33rd meeting and the Standing Committee at its 78th meeting. The Secretariat also reported on its collaboration with FAO on capacity-building activities. Finally, the Secretariat reported considering the feasibility of including catch location data in annual reports, and would provide further guidance and report back to the Animals Committee and Standing Committee, as appropriate.

The United States of America (Committee Member for North America), as Chair of the working group on sharks and rays, noted a late commencement of the working group, but reported that progress had been made on revising guidance in making assessments and determining if more guidance was needed, including engagement with Regional Fisheries Management Organizations (RFMOs). The working group would continue its work and provide a report to the Standing Committee at its 78th meeting.

Japan (Committee Member for Asia) supported the recommendations in document SC77 Doc. 67.3 within the mandate of the Convention. The United States (Committee Member for North America), speaking on behalf of the North American region, echoed by New Zealand (Committee Member for Oceania), speaking on behalf of the Oceania region, supported the recommendations, with the hope that clear guidance on landings from areas beyond national jurisdiction would help consistency in the reporting across Parties. The United States also suggested a new recommendation directed to the intersessional working group to identify potential solutions to address potential challenges associated with transport of biological samples for research and data collection purposes as a priority; this was supported by New Zealand.

The Wildlife Conservation Society (WCS), speaking also on behalf of Blue Resources Trust, Defenders of Wildlife, Florida International University, Humane Society International, International Fund for Animal Welfare, Natural Resources Defense Council, Oceana, Save Our Seas Foundation, and Species Survival Network, noted that the trade included in the document was underreported compared to peer-reviewed studies in East Asian markets and welcomed the commissioning of the study by TRAFFIC. The observer organizations also noted that tools to assist in the implementation of the listing were available and that shark-focused non-governmental organizations were ready to discuss their use with interested Parties.

The Committee:

- a) noted the progress made on the implementation of Decisions 19.222 to 19.224;
- b) requested the Standing Committee's intersessional working group on sharks and rays to consider the non-scientific aspects of the responses to Notification to the Parties No. 2023/027 contained in Annex 2 to document AC32 Doc. 37 (Rev. 1) to implement its mandate;
- c) invited the Secretariat to consider updating the *Guidelines for the preparation and submission of CITES annual and illegal reports* to include explicit guidance on reporting on specimens taken from areas beyond national jurisdiction and report on this at its 78th meeting; and
- d) invited the Standing Committee's intersessional working group on sharks and rays to identify potential solutions to address the challenges associated with the transport of biological samples for research and data collection purposes as a priority.

68. Queen conch (*Strombus gigas*) ..... SC77 Doc. 68

The Secretariat introduced document SC77 Doc. 68, which provided an update on the implementation of Decisions 19.233 to 19.236 on queen conch, specifically on the fifth and sixth meetings of the CFMC<sup>1</sup>/OSPESCA<sup>2</sup>/WECAFC<sup>3</sup>/CRFM<sup>4</sup>/CITES Working Group on Queen Conch in 2021 and 2023, respectively; and on the progress made under the Blue BioTrade project. The Secretariat further drew attention to the analysis of queen conch seizure data submitted in annual illegal trade reports from 2016 to 2020 contained in the document and proposed a precision to recommendation c) in the document.

The United States of America (Committee Member for North America), speaking on behalf of the North American region, supported the recommendations in the document and emphasized the importance of consistent reporting of the quantities of shells and meat to allow more accurate monitoring of trade.

Honduras (Committee Member for Central and South America and the Caribbean) expressed support for the document's recommendations and highlighted the need to distinguish between conch shells and pearls to provide clarity to customs officers.

The Committee:

- a) noted the reports produced under Phase 1 of the UNCTAD-OECS-CITES Blue BioTrade project on queen conch referred to in paragraph 16 of document SC77 Doc. 68;
- b) reminded Parties that the *Guidelines for the preparation and submission of the CITES annual illegal trade report* in Annex 2 to Notification to the Parties No. 2021/044 indicate that shells should preferably be reported by number and that meat should be reported in kilograms;
- c) reminded Parties that, according to paragraph 3 b) iv) of Resolution Conf. 13.7 (Rev. CoP17) on *Control of trade in personal and household effects*, up to three specimens of queen conch shells as personal or household effects are exempt from the requirement for CITES permits; and
- d) noted the comments made on the floor.

Flora

69. Products containing specimens of Appendix-II orchids (Orchidaceae spp.) ..... SC77 Doc. 69

The Secretariat introduced document SC77 Doc. 69 and presented recommendations of the Plants Committee following its consideration of the study *A Review of the Edible Orchid Trade*. In particular, the Secretariat highlighted the Plants Committee's recommendation that urged Parties to regulate trade in tuberous orchids as currently required under the Convention but appeared not to be the case considering the data in the CITES Trade Database.

Poland (Committee Member for Europe), speaking on behalf of the European Union and its Member States, the United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe) and the United Republic of Tanzania supported the recommendations in the document. The United Kingdom further reported it had recently provided funding to support the red listing of tuberous orchid species traded in southern Africa. Poland further noted the clear need to support enforcement, identification, and conservation assessments for tuberous orchids, but considered there to be unnecessary bureaucracy in the trade of artificially propagated species. Poland also suggested minor editorial amendments to the proposed recommendations c) and e). The Depositary Government (Switzerland) proposed additional textual amendments to recommendation e) to include reference to Decision 19.289 on Orchid specimens exempted through annotation #4 g).

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<sup>1</sup> Caribbean Regional Fisheries Mechanism

<sup>2</sup> Central American Fisheries and Aquaculture Organization

<sup>3</sup> Western Central Atlantic Fishery Commission

<sup>4</sup> Caribbean Fishery Management Council

The Committee:

- a) emphasized the need for identification manuals and training;
- b) urged Parties and other donors to support red list assessments for tuberous orchid taxa in international trade;
- c) urged Parties to improve regulation and enforcement relating to trade in tuberous orchids as is currently required under the Convention;
- d) requested the Secretariat to issue a Notification to Parties inviting them to provide information on:
  - i) trade volumes;
  - ii) manuals and regulations relating to trade in tuberous orchid, including domestic trade;
  - iii) enforcement challenges; and
  - iv) other relevant information related to trade in tuberous orchids, including any capacity-building needs; and
- e) agreed to consider the study called for in paragraph b) of Decision 19.246, if available; the Plants Committee's recommendations on the study, and including any responses to the Notification under Decision 19.268 at its 78th meeting and propose recommendations to the 20th meeting of the Conference of Parties (CoP20), including any draft decisions, as appropriate; and
- f) requested the Secretariat to present all relevant information from studies and Notifications under Decision 19.246 to the Standing Committee at its next meeting.

## Appendices of the Convention

### Annotations

#### 70. Annotations..... SC77 Doc. 70

The United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe), as Chair of the intersessional working group on annotations, introduced document SC77 Doc. 70 and updated the Committee on the activities of the working group. The document indicated annotations that had been identified as benefitting from clarification and amendment, including: annotation #14, especially the term 'exhausted agarwood powder', annotations #11 and #12 with clarification and guidance on when an extract becomes an ingredient, and annotation #4 where implementation would benefit from clarification or amendment. The working group members identified additional implementation matters as worth considering: a review of the timber annotations to determine if they could be simplified; a clarification of annotation #3 interpretation; and interpretation of the term 'finished products packaged and ready for retail trade'. Following an invitation by the 32nd Animals Committee in July 2023, the working group was also considering paragraphs g) and h) of annotation A10 for *Loxodonta africana* as part of its mandate.

The Committee noted this interim report and invited comments or guidance regarding the tasks included in the Terms of Reference contained in paragraph 3 and 4 of document SC77 Doc. 70 to be submitted directly to the United Kingdom of Great Britain and Northern Ireland as Chair of the intersessional working group on annotations.

#### 71. Implications of the transfer of a species from one Appendix to another..... SC77 Doc. 71

Document SC77 Doc. 71, prepared by the Secretariat, proposed that the issue of the implications of the transfer of a species from one Appendix to another refers to possible 'transition arrangements', which were different and separate from the question of the exemption provided under Article VII, paragraph 2, of the Convention for 'pre-Convention' specimens. The document also noted that, beyond the transfer of a species from one Appendix to another, other situations such as the period between the adoption of a listing of a new species or new specimens in the Convention's Appendices and the entry into force of such listings, or the period when Parties agree on a delay in the entry into force of the listings (12 months for Carcharhinidae



spp., 24 months for *Handroanthus* spp., *Roseodendron* spp. and *Tabebuia* spp.), constitute periods of transition.

The United States of America (Committee Member for North America), speaking on behalf of the North American region, supported the recommendations in the document and emphasized the importance of consultation with relevant experts from Parties and technical committees during the development of draft guidance related to periods of transition.

The Committee requested the Secretariat to:

- a) develop draft guidance and best practices related to periods of transition and possible transitory measures, including but not limited to the period between the adoption of a proposal to transfer a species from one Appendix to another and the entry into force of the new listing;
- b) in accordance with Decision 18.151 (Rev. CoP19), consider, in consultation with the Plants Committee, as appropriate, whether special recommendations should apply in the case of a transfer of a tree species with annotation #5 or other annotated plant species; and
- c) report back to the Standing Committee at its 78th meeting.

The Committee noted the comments made on the floor.

72. Information system for trade in specimens of CITES-listed tree species..... SC77 Doc. 72

The Secretariat introduced document SC77 Doc. 72 and provided an update on the development of an information system for trade in specimens of CITES-listed tree species, noting that partial funding had been secured from Switzerland. The Secretariat had developed draft terms of reference (ToRs) for a study on the feasibility and requirements for an information system on trade in specimens of CITES-listed tree species, which had been shared with the Chair, Vice-Chair and Members of the Plants Committee. The Secretariat reported that comments received from all regions represented at the Plants Committee were being compiled and would inform revised ToRs for an invitation to tender when the needed funding had been secured.

The United States of America (Committee Member for North America), speaking on behalf of the North American region, supported the information system in principle but expressed concerns about the complexity and cost of developing such a system, as well as the need for additional resources for any in-depth analysis of trade in trees as this will require additional data beyond CITES trade reports. The United States, echoed by China, encouraged the Secretariat to continue to consult the Plants Committee and Parties on progress and challenges in the development of the information system. China proposed a recommendation for the Secretariat to report to the Plants Committee and Standing Committee on progress at their next meetings.

The Committee noted the Secretariat's progress in the implementation of Decision 19.265 and invited the Secretariat to report to the Plants Committee at its 27th meeting, in accordance with Decision 18.317 (Rev. CoP19).

73. Informal review mechanism for existing and proposed annotations..... SC77 Doc. 73

The Secretariat introduced document SC77 Doc. 73 and updated the Committee that the study of the feasibility of an informal review mechanism for existing and proposed annotations would be launched once a consultant had been recruited, and that this process was underway.

The United States of America (Committee Member for North America), speaking on behalf of the North American region, expressed concerns regarding the adoption of an informal review mechanism, including its architecture and role, and noted it would monitor these issues as the work proceeds. The United States further proposed that the Secretariat consult with the Animals and Plants Committees to identify focal points for consultation with the Standing Committee on the proposal of the feasibility study, as per paragraph 6 of document PC26 Doc. 39 / AC32 Doc. 44.

The Committee noted the Secretariat's progress in the implementation of Decisions 19.266 and 19.267 and requested the Secretariat to consult with the scientific committees to identify focal points.

## Nomenclature matters

### 74. Taxonomy and nomenclature of African elephants (*Loxodonta* spp.) ..... SC77 Doc. 74

The Secretariat introduced document SC77 Doc. 74, summarizing the perspectives of Parties and other stakeholders on the potential effects of recognizing the African forest elephant (*Loxodonta cyclotis*) as a separate species to the African savannah elephant (*Loxodonta africana*) and developing a list of all current Resolutions and Decisions of the Conference of the Parties that could be impacted by the nomenclature change. Based on the inputs received, the Secretariat noted there was scientific consensus and agreement among Parties and stakeholders that there are two distinct species of African elephant on the African continent.

Belgium (Committee Member for Europe), speaking on behalf of the European Union and its Member States, supported the recognition of *Loxodonta cyclotis* as a separate species from *L. africana*, but remained open to how this nomenclature change would be reflected in the Appendices. Regarding the list of Resolutions impacted, Belgium considered that in terms of Resolution Conf. 10. 10 (Rev. CoP19) on *Trade in elephant specimens*, the data collected at MIKE sites should be species-specific if possible. Belgium did not foresee that any amendments would be needed to Resolution Conf. 14.5.

Kenya (Committee Member for Africa), the United Kingdom of Great Britain and Northern Ireland (Committee Member for Europe), the United States of America (Committee Member for North America), speaking on behalf of the North American region, Benin, Gabon, Liberia and Senegal expressed support for recognizing both species and including African elephants at the genus level in Appendix I as *Loxodonta* spp. These Parties variously considered that a genus-level listing best reflected the original intent of the listing proposal for *L. africana*; that species-specific listings could present implementation difficulties, such as in terms of permitting and MIKE analyses; and that a genus-level listing would have a minimal impact on existing Resolutions and Decisions. The United States noted in particular that, regardless of which approach is taken, no amendment proposal was needed and thus the change would not be subject to reservations.

China, the United Republic of Tanzania and Zimbabwe supported the recognition of both species but preferred to include both species in Appendix I at the species-level, in recognition of the different conservation challenges faced by each species.

The Democratic Republic of the Congo recalled discussions during the 32nd meeting of the Animals Committee on hybrids of *L. africana* and *L. cyclotis*, and noting it hosted populations of such hybrids, requested an update from the Secretariat on this issue in terms of implementation of the Convention.

The Committee:

- a) noted the summary of the information provided by the Parties and stakeholders with respect to the effect and implications of a change to the nomenclature of the African elephant;
- b) noted the list of Resolutions, Decisions and other matters analyzed by the Secretariat in paragraphs 18 to 33 of document SC77 Doc. 74 that could be potentially impacted by a taxonomic change and the comments made by Belgium on behalf of the European Union and its Member States;
- c) noted a preference for changing *Loxodonta africana* to *Loxodonta* spp. in Appendix I, as well as comments made on the floor;
- d) agreed to defer any conclusion on the standard nomenclature reference to the Animals Committee for its consideration its 33rd meeting; and
- e) should the Animals Committee agree to recommend a change to nomenclature and to the standard reference at its 33rd meeting, requested the Secretariat to prepare possible proposals for consequential amendments to relevant Resolutions and CITES guidelines and submit them for consideration by the Committee at its 78th meeting.

## **Concluding items**

### 75. Any other business ..... No document

There was no decision taken by the Committee.

Ukraine, supported by the European Union and its Member States and Georgia, read statements on the environmental impacts of the conflict in Ukraine, which were refuted by the Russian Federation. Indonesia and the European Union and its Member States read statements on the human and environmental impacts of the conflict in Palestine.

76. Determination of the time and venue of the 78th meeting ..... *No document*

The Committee noted that its 78th meeting would take place from 3 to 8 February 2025 in Geneva, Switzerland.

77. Closing remarks ..... *No document*

Following the remarks by the Secretary-General, the Chair thanked all participants for their cooperation, the Secretariat and the interpreters, and closed the meeting at 17h.

INTERVENTION BY THE DEMOCRATIC REPUBLIC OF THE CONGO ON  
DOCUMENT SC77 DOC. 33.6:  
APPLICATION OF ARTICLE XIII IN THE DEMOCRATIC REPUBLIC OF THE CONGO.

Madam Chair,

Distinguished Members of the Standing Committee, alternate Members, Party observers and non-governmental organization observers,

Greetings.

I am making this statement and request that it be included in the record of this 77th meeting of the Standing Committee.

I wish to thank the Secretariat for preparing the document under review on the Application of Article XIII in the Democratic Republic of the Congo.

However, I note that the Secretariat acknowledges the efforts made by the Democratic Republic of the Congo to implement Article XIII concerning the initial recommendations made when it was included in this process in 2016. Yet, the country paradoxically remains subject to the Article XIII process for new facts. This shows that the Article XIII process is becoming elastic, endless, and based on purely political considerations on every occasion, losing its relationship with the objectives of the CITES Convention. This explains the addition of paragraphs 24, 25 and 26 and new suggested recommendations. New facts that will happen tomorrow will lead to new recommendations. This way of proceeding must stop.

In addition, regarding the press statement presumably issued by the Department of State of the United States of America, released on 16 August 2023 and containing allegations against certain Congolese officials for alleged illegal trade of gorillas, chimpanzees, okapis and other wild species with China in exchange for bribes, the Congolese Government, through its Ministry of Foreign Affairs and Francophonie, has officially contacted the Embassy of the United States of America in Kinshasa to “deplore the irregularity in the procedure adopted by the U.S. Department of State by publishing such an accusation against the Congolese officials on the website and social media without respecting the adversarial principle and the presumption of innocence or having officially sent a letter on the matter through the diplomatic channel to those concerned or Congolese governmental authorities”. Moreover, since 16 August, no proof has been provided to the Congolese governmental authorities regarding the accusations made in the famous press statement. Even civil society has contacted the U.S. authorities demanding evidence of the transfer of gorillas, chimpanzees and okapis from the DRC to China in exchange for bribes following the press statement presumably issued by the U.S. Department of State, with no reply to date.

Nevertheless, I congratulate the CITES Secretariat for clarifying in its letter to the Democratic Republic of the Congo on 18 September 2023 that no records have been found in the CITES Trade Database on transactions of gorillas and chimpanzees (the okapi is not a species listed in the CITES Appendices) from the Democratic Republic of the Congo to China between 2003 and 2023. Paradoxically, the global okapi conservation network reported that the last okapi was legally exported from the DRC to the United States of America in 1992.

As for the concern about the designation of the CITES Management Authority reported in paragraph 26 of the document under review, the Democratic Republic of the Congo has taken the necessary measures to ensure that the past incident never happens again. Yet, this shows the independence with which Congolese justice acts. A regulatory text organizing the operation of the CITES Management Authority in the DRC is being finalized and will be reported at the next meeting of the Standing Committee.

Finally, I request that the recommendation included in paragraph 29 d) be deleted, given that the Democratic Republic of the Congo has already implemented strategies and policies to fight corruption. In fact, since June 2020 there is an Agency for the Prevention and Fight against Corruption (APLC) directly under the authority of the President of the Republic and clear penal provisions are in place to combat corruption in the DRC. Even official authorities involved in corruption have been arrested and tried by Congolese justice. Since June 2020, the CITES Management Authority of the DRC is implementing a system for electronic issuance of CITES permits that makes it possible to prevent and fight corruption linked to wildlife crime. This system will be implemented in 2024 in several other African States that have requested it because of its ability to solve several CITES

implementation issues such as electronic legal acquisition findings, effective management of quotas, identification of economic operators exploiting wild species, etc.

Thank you.

Done at Geneva on 7 November 2023,

Delly TSHIOMA KATATA, Diplomatic Advisor to the Head of State,

Member of the delegation of the DRC at the 77th meeting of the Standing Committee.