

## CITES COP17 HIGHLIGHTS: MONDAY, 3 OCTOBER 2016

CITES CoP17 approached the finish line with the Committees wrapping up their work. Proposals to downlist and uplist populations of African elephants were defeated in Committee I, as was the proposal to permit a limited and regulated trade in white rhino horn. Committee II adopted a core budget increase of 0.24% and two additional posts.

### COMMITTEE I

#### PROPOSALS TO AMEND APPENDICES I AND II:

**Southern white rhinoceros:** Swaziland introduced CoP17 Prop.7 to alter annotations to the listings of Southern white rhinoceros (*Ceratotherium simum simum*) in Appendix II, permitting limited and regulated trade in white rhino horn collected from natural death; recovered from poached Swazi rhino; and harvested in a non-lethal way. He explained that legal trade revenue would be dedicated to support conservation and community needs.

The EU, ISRAEL, the US, INDIA and SSN opposed the proposal. KENYA also opposed, challenging many points made and expressing concern that legal trade will stimulate a demand that cannot be met by the small rhino population in Swaziland. INDONESIA, with NEPAL, BHUTAN and INDIA, opposed. The DEMOCRATIC REPUBLIC OF CONGO, JAPAN, SOUTH AFRICA, ZIMBABWE, NAMIBIA and PRIVATE RHINO OWNERS ASSOCIATION expressed support.

Swaziland, noting 90% of range States have supported the proposal, requested the proposal go to a secret ballot vote. In a secret ballot, the proposal was rejected.

**African elephant:** Namibia and Zimbabwe presented CoP17 Prop.14 and CoP17 Prop.15 to delete the annotation to the listing of their elephant populations in Appendix II. Namibia favored controlling trade of all specimen derivatives including ivory via a Trust Fund to support rural and conservation programs.

INTEGRATED RURAL DEVELOPMENT and CAMPFIRE ASSOCIATION underscored that countries that have successfully managed their elephants should not become victims of other countries' natural resource management failure. ZIMBABWE, supported by ZAMBIA, MOZAMBIQUE, TANZANIA, CHINA and SOUTH AFRICA, said that ivory trade could benefit rural communities. JAPAN, supported by NAMIBIA and ZIMBABWE, proposed to keep annotations to specify that trade in raw ivory is limited to registered government stocks and that proceeds are used exclusively for conservation and development programmes for local communities.

Calling for a clear signal on closing trade and suppressing the demand for ivory, the US, supported by ISRAEL, RWANDA, INDIA, the EU and other Parties, opposed both proposals. NIGERIA explained that local communities can benefit from natural resources other than ivory.

In a secret vote, neither proposal 14 or 15 obtained a two-thirds majority.

Benin introduced CoP17 Prop.16 to uplist all elephant species to Appendix I.

GABON, dressed in uniform to honor the lives lost in elephant protection efforts, clarified that trade in ivory benefits States rather than local communities. Noting that elephant populations are not restricted to political borders, CHAD, supported by CÔTE D'IVOIRE, opposed having species listings in different Appendices. KENYA and other Parties supported the proposal, arguing that an uplisting would signal to the world that elephants deserve the highest protection available under international law.

BOTSWANA, as a range State, "unreservedly and voluntarily" relinquished the Appendix II listing of its elephant populations and supported uplisting to Appendix I. CHINA, BRAZIL, SOUTH AFRICA, NAMIBIA, the EU and other Parties opposed the proposal, noting that the populations of elephants in Botswana, Namibia, South Africa or Zimbabwe do not meet the biological criteria in Resolution Conf. 9.24 (Rev. CoP16), Annex I for inclusion in Appendix I.

The proposal was opposed by a two-thirds majority.

**Ashe's bush and Kenya's horned vipers:** The Committee adopted: CoP17 Props.34-35.

**Nubian flapshell turtle:** The Committee adopted CoP17 Prop.36.

**Tomato frog, False tomato frog and Antsouhy tomato frogs, Green burrowing frogs and Titicaca frog:** The Committee adopted CoP17 Props.37-40.

**Hong Kong warty newt:** The Committee adopted CoP17 Prop.41.

**Silky sharks:** Bahamas introduced CoP17 Prop.42 to include Silky shark (*Carcharhinus falciformis*) in Appendix II. The Maldives, co-proponent, explained that this proposal will compliment CMS listings and RFMOs measures, and contribute to sustainable fisheries.

MEXICO, supported by the DOMINICAN REPUBLIC, CHILE and other Parties, supported the listing. Opposing the proposal, JAPAN, supported by ICELAND, INDONESIA, QATAR and NICARAGUA, argued that fishing measures should be addressed within RFMOs rather than in CITES.

FAO noted its expert panel report suggested Silky shark populations did not meet biological criteria for Appendix II listing.

In a secret ballot, the proposal obtained a majority by two-thirds.

**Thresher sharks:** The EU with Sri Lanka introduced CoP17 Prop.43 to include three species, including Thresher sharks (*Alopias* spp.), in Appendix II, noting a call for a twelve-month delay to allow for implementation and distribution of identification tools to inform and train customs officials. Co-proponents Panama and Senegal stressed that the listing would ensure improved traceability and monitoring.

The PHILIPPINES, joined by INDIA, CHILE, VENEZUELA, PERU, COLOMBIA, SSN and other observers, expressed support. ICELAND, JAPAN and FAO opposed the listing based on results from the FAO expert panel study indicating a lack of reliable scientific evidence demonstrating a decline in populations.

In a secret ballot vote, the proposal obtained a two-thirds majority.

**Devil rays:** Fiji introduced CoP17 Prop.44 to include Devil Rays (*Mobula* spp.) in Appendix II, allowing for a six-month delay in implementation. He drew attention to studies suggesting lower devil ray populations than previously estimated (CoP17 Inf.75 and CoP17 Inf.76).

NEW ZEALAND, ECUADOR and others supported the proposal. CANADA stressed the importance of accompanying the listing proposal with domestic fishing enforcement measures. JAPAN, supported by ICELAND and MYANMAR, noted it was premature to list all *Mobula* populations in Appendix II.

LAO PEOPLE'S DEMOCRATIC REPUBLIC, KUWAIT and INDONESIA opposed the proposal.

In a secret vote, the proposal obtained a two-thirds majority.

**Ocellate river stingray:** Bolivia withdrew CoP17 Prop.45.

**Banggai cardinalfish:** The EU introduced CoP17 Prop.46 to include Banggai cardinalfish (*Pterapogon kauderni*) in Appendix II, drawing attention to declining populations since a proposal at CoP14 was withdrawn. The EU added a willingness to provide an annotation to delay the listing for eighteen months. The EU introduced five draft decisions on management measures. Indonesia supported the draft decisions. The EU withdrew CoP17 Prop.46 and Committee I adopted the new draft decisions.

**Clarion angelfish:** On CoP17 Prop.47, JAPAN, supported by VIET NAM, expressed concern that it did not meet criteria to be on Appendix II.

In a vote, the proposal obtained a two-thirds majority.

**Nautilus:** In a vote, CoP17 Prop.48 obtained a two-thirds majority.

**Painted Snails:** The Committee adopted CoP17 Prop.49.

## COMMITTEE II

**IDENTIFICATION OF SPECIMENS IN TRADE: Timber identification:** UNODC introduced CoP17 Doc.48.1.

The EU suggested amending one of the draft decisions to reflect work from existing initiatives.

The Committee agreed to the document.

**TORTOISES AND FRESHWATER TURTLES:** The US introduced draft decisions on tortoises and freshwater turtles (CoP17 Com.II.15), including on seeking funding to support the work of the CITES Tortoises and Freshwater Turtles Task Force, which the Committee agreed to.

**REVIEW OF RESOLUTIONS AND DECISIONS:** The Committee adopted CoP17 Com.II.20.

**COOPERATION WITH ORGANIZATIONS AND MULTILATERAL ENVIRONMENTAL AGREEMENTS: Cooperation with other biodiversity-related conventions:** The Secretariat introduced draft decisions (CoP17 Com.II.21), which the Committee agreed to.

**LIVELIHOODS AND FOOD SECURITY:** Antigua and Barbuda introduced CoP17 Com.II.22, which the Committee adopted with minor amendments.

**COMPLIANCE AND ENFORCEMENT:** South Africa introduced CoP17 Com.II.25.

ARGENTINA, supported by PERU, BOLIVIA and MEXICO, opposed draft decision 17.C, which requests that vicuña range States compile information on the conservation of and illegal trade in vicuña and on their efforts to combat it. The same Parties requested to delete 17.D c) for it refers to 17.C. The US agreed to withdraw 17.C and 17.D c).

The Committee accepted the document with minor textual amendments from the Chair and the US and the removal of 17.C and 17.D.c).

**TRACEABILITY:** Mexico introduced the draft decisions relating to traceability (CoP17 Com.II.29).

Several parties suggested minor amendments.

The Committee adopted the draft decisions with amendments.

**INTERNATIONAL TRADE IN LIVE APPENDIX-II ANIMALS TO APPROPRIATE AND ACCEPTABLE DESTINATIONS:** The US introduced CoP17 Com.II.30. on the definition of "appropriate and acceptable destinations."

SOUTH AFRICA supported the document. CANADA suggested replacing "recommends" with "encourages" in reference to the permit condition.

The Committee adopted the document with amendments.

**ASIAN BIG CATS:** The EU introduced CoP17 Com.II.31, highlighting draft decisions on Asian big cats.

The Committee agreed to the draft decisions.

**STURGEONS AND PADDLEFISH:** Japan introduced proposed amendments to Resolution Conf.12.7 (Rev.CoP16) and proposed decisions (CoP17 Com.II.32).

The EU proposed that Annex 1 on CITES guidelines for a universal labelling system for the trade in and identification of caviar is not reviewed as a whole. The RUSSIAN FEDERATION noted objections to the table in Annex 3, offering an overview on stocks shared by range States and the respective species.

In an effort to resolve the impasse on the issue of "country of origin", the Committee Chair, supported by the US, RUSSIAN FEDERATION and IRAN, suggested amending draft Decision 17.DD by adding "taking into account the draft definition considered by the SC Working Group on the Conservation of Sturgeons and Paddlefish." The EU offered a small counter amendment to the effect that instead of "considered by the Working Group", it would read "proposed by the majority of the Working Group." In a spirit of compromise, the US accepted those changes and withdrew the decisions they put forward.

The Committee adopted the document with the amendments put forward.

**FINANCING AND BUDGETING OF THE SECRETARIAT AND OF MEETINGS OF THE COP: Draft decisions of the CoP on Financing and the costed programme of work for the Secretariat for the triennium 2017-2019 and draft decisions of the CoP on access to GEF funding:**

Botswana introduced the documents (CoP17 Com.II.34 and Com. II.33), noting that an additional draft decision related to capacity building activities was not reflected in the posted documents. The first contains a revised draft resolution on the financing and costed programme of work for the Secretariat for the triennium 2017-2019, presenting, *inter alia*, a core budget increase of 0.24% and two additional posts, one Junior Programme Officer at P-2 level and one Programme Assistant at General Service level. The second presents a draft decision directing the Secretariat to, *inter alia*, convey CITES priorities to the GEF to take into account when developing the biodiversity strategy in GEF-7.

The US noted that the budget lines related to captive breeding and ranching were removed from the core budget, and said he intended to seek ways to support that work. The EU accepted the proposed budget resolution but expressed support for a more ambitious core budget to support the increasing demands Parties make on the Secretariat.

The Committee accepted the documents.

**IDENTIFICATION OF ORIGIN OF CETACEANS BRED OR KEPT IN CAPTIVITY:** Ukraine introduced the draft decisions on *Tursiops truncatus ponticus* (CoP17 Com.II.35), noting they were reached by consensus.

The Chair and the US suggested minor textual amendments.

The Committee accepted the draft decisions with amendments.

## IN THE CORRIDORS

Committee I seemed determined to avoid a second late night on Monday, draining water coolers and displaying an almost athletic endurance as they tackled contentious proposals on elephants, rhino and sharks. Television networks, reporters and NGOs packed the room to witness the outcomes of contentious votes. Given the implications of CITES for trade, legal and otherwise, one delegate said he suspected members of lucrative international crime networks were present as well. "I feel like an elephant surrounded by poachers!" exclaimed one proponent for particularly controversial amendments to allow the legal trade of a currently CITES-listed species. Electronic complications in the voting system caused several delays, with some Parties requesting that all votes should be recounted, and even suggesting paper ballots. Despite these challenges, Chair Gaynor expertly navigated the shark-infested agenda with graciousness and aplomb, adopting proposals on sharks and rays along the way.