

CITES CoP19 Highlights: Friday, 18 November 2022

Committee I voted to list guitarfishes, freshwater stingrays, and Thelenota sea cucumber under CITES Appendix II, while Committee II continued considering elephant-related agenda items as well as compliance procedures related to totoaba.

Committee I

Proposals to amend Appendices I and II: Rhinobatidae spp.: ISRAEL introduced CoP19 Prop.40 to list guitarfishes (Rhinobatidae spp.) in Appendix II, noting that of five families of shark-like rays, four are already listed in CITES, but guitarfishes have been “overlooked” despite being vulnerable to over-exploitation.

SRI LANKA, PERU, BRAZIL, GABON, BANGLADESH, SEYCHELLES, the EU, the UK, PANAMA, and many other parties supported the proposal. JAPAN, INDONESIA, and CHINA were among the parties that opposed it.

FAO said achieving a good conservation outcome from an Appendix II listing was unlikely, as the Expert Panel had concluded that international trade did not appear to be a major driver of guitarfish decline. IUCN and TRAFFIC said these species have been genetically confirmed as occurring in international trade and they meet the criteria for inclusion in Appendix II. ELASMO PROJECT, on behalf of 40 NGOs, supported the listing. OPES OCEANI FOUNDATION opposed it, noting trade data was deficient.

Committee I adopted the proposal, with 101 in favor, 14 opposed, and 13 abstentions.

Thelenota spp.: The EU presented amended CoP19 Prop.42 (Rev.1) to include all three species of Thelenota sea cucumber (*T. ananas*, *T. Anax*, and *T. rubralineata*) in Appendix II. The US, SENEGAL, TANZANIA, PANAMA, AUSTRALIA, GABON, NIGER, and JORDAN supported the amended proposal. JAPAN, CHINA, and INDONESIA opposed it, highlighting that it does not meet criteria for Annex II, and will have negative impacts on the livelihoods of local communities. SOLOMON ISLANDS and VANUATU stressed the need for technical assistance from developed countries and the Secretariat to help strengthen capacities in species identification and stock assessments. JAPAN blocked the proposal from reaching a consensus, and the Chair called for a vote.

Committee I adopted the proposal as amended by proponents with 97 in favor, 17 opposed, and 15 abstentions.

Potamotrygon wallacei and P. leopoldi: BRAZIL introduced CoP19 Prop.39, proposing the inclusion of freshwater stingrays (*P. wallacei* and *P. leopoldi*) in Appendix II. All parties supported the proposal to include freshwater stingrays in Annex II of the CITES.

Committee I agreed by consensus.

Hypancistrus zebra: BRAZIL introduced CoP19 Prop.41 to uplist zebrafish (*Hypancistrus zebra*) from CITES Appendix III to Appendix I, highlighting its “significant” decline in the wild as a result of international illegal trade as a coveted ornamental fish.

ARGENTINA, on behalf of numerous Central and South American parties, and supported by BAHRAIN, ISRAEL, PANAMA, the US, and ERITREA, supported the proposal. INDONESIA, CHINA, and JAPAN opposed it. The EU, supported by the UK, TOGO, SOUTH AFRICA, SWITZERLAND, and CANADA, suggested an amendment to include the species in Appendix II with a zero export quota for specimens from the wild.

FAO, and ORNAMENTAL AQUATIC TRADE on behalf of numerous other pet trade organizations, noted the lack of data on the wild zebrafish population’s size and decline in Brazil, and did not support uplisting the fish.

Committee I voted on the proposal as amended by the EU, with 60 for, 52 against, and 12 abstaining, and failed to achieve the two-thirds majority.

Committee I rejected the original proposal, with 62 in favor, 52 opposed, and 15 abstentions.

Hippopotamus amphibius: BENIN presented CoP19 Prop.1 on transfer of hippopotamus (*H. amphibius*) from Appendix II to Appendix I with a zero export quota annotation.

ZAMBIA, ESWATINI, SOUTH AFRICA, ZIMBABWE, and MOZAMBIQUE opposed the proposal, arguing that it was not based on scientific data. The EU proposed to amend the annotation by setting a quota for proponent countries, which was supported by various parties.

ESWATINI noted that the hippo population differs across range states in Africa, and suggested that a sensible approach would be a split listing. ISRAEL rejected the proposal, calling it impractical.

Committee I Chair called for a vote on the proposal as amended by the EU, which failed to pass. He then called for a vote on the original proposal.

Committee I rejected it with 56 votes for and 56 votes against.

Loxodonta africana: ZIMBABWE introduced CoP19 Prop.4 to amend the annotation for the Appendix II listing of elephant populations (*L. africana*) in Botswana, Namibia, South Africa, and Zimbabwe. BENIN, LIBERIA, BURKINA FASO, PANAMA, KENYA, the EU, GABON, the UK, and ETHIOPIA opposed the proposal on the grounds that it would reopen international trade in ivory. DEMOCRATIC REPUBLIC OF THE CONGO, ESWATINI, ZAMBIA, TANZANIA, NAMIBIA, BOTSWANA, and LESOTHO supported the proposal, highlighting the relative stability of Southern African elephant populations.

IUCN stressed the endangered status of the African savannah elephant.

Committee I rejected the proposal, with 15 in favor, 83 opposed, and 17 abstentions.

L. africana: BURKINA FASO introduced CoP19 Prop.5 to include all populations of African elephants (*L. africana*) in Appendix I through the transfer from Appendix II to Appendix I of the populations of Botswana, Namibia, South Africa, and Zimbabwe. BENIN, TOGO, KENYA, NIGER, SENEGAL, PANAMA, NIGERIA, and BURUNDI supported the proposal, calling for the single listing of all African elephants in Appendix I. CONGO, BOTSWANA, the EU, TANZANIA, ESWATINI, ZIMBABWE, JAPAN, RWANDA, ZAMBIA, NAMIBIA, INDONESIA, ERITREA, UGANDA, and MALAWI opposed the proposal.

The US highlighted Committee II discussions exploring the establishment of a fund accessible to range states upon the non-commercial disposal of their ivory stockpiles.

Committee I rejected the proposal, with 44 in favor, 59 opposed, and 13 abstentions.

Committee II

Elephants (*Elephantidae spp.*): Trade in live African elephants: International trade in live African elephant specimens: Proposed revision to Resolution Conf. 10.10 (Rev. CoP18) on trade in elephant specimens and clarifying the framework: Proposal of the EU: Discussions resumed on CoP19 Doc.66.4.1 and CoP19 Doc.66.4.2. BURKINA FASO, supported by SENEGAL, TOGO, MALI, GUINEA BISSAU, UGANDA, NIGER, COTE D'IVOIRE, ETHIOPIA, and GUINEA, proposed an intersessional working group to discuss the matter. They further proposed a moratorium on live elephant trade until a consensus is reached, which was opposed by BOTSWANA and MALI.

Committee II voted down a bridging proposal by the Chair whereby the SC would establish an intersessional working group, and consider calling a dialogue meeting for African range states.

By a vote, Committee II agreed to establish a dialogue meeting of African range states, including by inviting relevant expert groups and interested parties. It further approved by vote a separate proposal to limit live elephant trade to *in situ* conservation within historical and natural habitats.

Ivory stockpiles: Ivory stockpiles: Implementation of Resolution Conf.10.10 (Rev.CoP18) on Trade in elephant specimens: BURKINA FASO introduced CoP19 Doc.66.2.1. SOUTH AFRICA, NAMIBIA, and BOTSWANA did not support the proposed updated declaration on ivory stocks and model inventory form. COTE D'IVOIRE, BENIN, ISRAEL, ZIMBABWE, the US, and others supported GABON's amendment updating the declaration of ivory stocks and model inventory form. CHINA, BOTSWANA, TANZANIA, and DEMOCRATIC REPUBLIC OF THE CONGO opposed it. The matter was put to a vote. Committee II rejected the amendment, with 34 in favor, 54 against, and 13 abstaining.

Committee II agreed to the document without the amendment.

Establishing a fund accessible to range states upon noncommercial disposal of ivory stockpiles: KENYA introduced CoP19 Doc.66.2.2. GABON supported the document, noting that countries should receive compensation for conserving wildlife. The US and SWITZERLAND supported establishing a fund for elephant range states, but opposed the Secretariat's recommendation that the SC be directed to consider various issues and options relating to sustainable financing for conservation in the upcoming intersessional period. The UK and the EU opposed KENYA's proposal but supported the Secretariat's recommendation.

Committee II invited KENYA to form a small group and prepare an in-session document with revised decisions.

Interpretation and implementation matters: General compliance and enforcement: National laws for implementation of the Convention: The Secretariat introduced CoP19 Doc.28., noting that 19 parties with legislation in Category 2 or 3 are designated by the SC as requiring its attention as a priority. She also highlighted that a formal warning was sent to Azerbaijan, Belarus, Bosnia and Herzegovina, Kyrgyzstan, Lebanon, Maldives, Montenegro, Sierra Leone, and Zambia, requesting them to take immediate steps to ensure progress be made before CoP19 and to report such progress to the Secretariat by 1 September 2022. She noted only Azerbaijan and Lebanon replied. Several parties welcomed the document and its draft decisions.

Committee II agreed to the document with amendments.

Compliance matters: Implementation of Article XIII and Resolution Conf. 14.3 (Rev.CoP18) on *CITES compliance procedures*: The Secretariat introduced CoP19 Doc.29.1, highlighting several pending compliance matters.

Committee II noted the document.

Totoaba macdonaldi: Committee II considered two documents simultaneously. The Secretariat's report on implementation (CoP19 Doc.29.2.1) summarizes its recent mission to Mexico, and makes recommendations on implementation for totoaba (*Totoaba macdonaldi*) conservation, while noting significant areas for improvement. The US' updated draft decisions for CoP19 (CoP19 Doc.29.2.2) propose more severe recommendations on enforcement and surveillance of illegal totoaba trade.

NEW ZEALAND, UK, JAPAN, EU, SENEGAL, and BENIN supported the US proposal. CHINA stressed that eliminating trade must not only rely on international cooperation, but also support for the country of origin in implementation. MEXICO stressed that her country was making strong efforts towards implementation, and invited China and the US to collaborate with her country to write the terms of reference for a working group on draft decisions regarding international totoaba trade.

Views diverged as to whether to set up a working group or have the US' proposed amendments to the Secretariat document considered via an in-session document, with MEXICO and CHINA strongly aligned toward the former.

Committee II agreed to have the US submit its proposal to the Secretariat and the Chair consult on a way forward.

In the Corridors

When actress, activist, and video exercise legend Jane Fonda invoked a "fire drill" mentality to responding to environmental crises, she likely wasn't thinking literally. Yet participants lost an hour on Friday as a gas leak in Committee I saw the room evacuated until delegates' safety could be guaranteed. "It reminds me of being in school," said one waiting for the go-ahead outdoors, "except the 'fire' is already everywhere."

Delays—as anyone watching the biodiversity crisis unfold knows—cause irreparable damage. It was a truly somber moment to hear—more than one delegate from Committee II admit that "time has almost run out for the vaquita," the endangered porpoise whose population in the Gulf of California is down to barely 10 specimens. "For that species to go extinct would mark the first time an Appendix II species was eradicated under CITES' watch," another delegate offered bleakly.

The coming week will require profound compromise between parties to ensure that the incentives for profit are outweighed by the need to protect the web of nature. "Take a weekend to look at this incredible part of the world," one observer urged delegates. "And then try to tell me we shouldn't give everything to protect it."