POSITION PAPER

CIC – INTERNATIONAL COUNCIL FOR GAME AND WILDLIFE CONSERVATION

for CoP 17 of the Convention on International Trade In Endangered Species of Wild Fauna and Flora (CITES)

Johannesburg, 24 September – 5 October 2016
1. Majority for changing the Rules of Procedure

The Secretariat, Botswana and South Africa propose to change the majority for this purpose from a simple to a two-thirds majority.

**Opinion:** Rules of procedures should be supported by as many Parties as possible so that they are representative of the will of a large proportion of Parties.

**Support. ✓**

2. Secret ballots

The current rules provide that secret ballots are often used on controversial issues, such as on elephants, whales, commercial fish, etc. secret ballots shall not normally be used, but they can be requested and if seconded by ten Parties it is agreed.

**Opinion:** Secret ballots can work both ways: On the one hand, representatives are able to vote without their vote being public, which should protect them from outside pressure, but on the other hand they can because of such pressure vote against the position of their own country, or if they have agreed with e.g. an NGO to vote against a proposal, they can nevertheless vote in favour. Representatives can make a declaration about their vote so as to make it public, but nobody can check whether they speak the truth. This situation is improper. Another argument to make secret ballots more difficult to be agreed is the lack of transparency they cause.

**Support. ✓**
Namibia, Tanzania, Zambia and Zimbabwe propose the establishment of this new Committee, which would for example address the social consequences of CITES decisions.

**Opinion:** The intentions behind this proposal are fine. The proposal itself is for a rather heavy committee with similar membership and procedures as the other permanent committees (Standing, Animals and Plants Committees). The annual costs, to be borne by the General Trust Fund, are estimated at $120,000, $50,000 of which would go to travel of participants. This will be a difficult hurdle to take by the majority of Parties not wishing the CITES budget to increase.

The CIC attaches great importance to the involvement of rural communities in decisions about wildlife management and therefore recommends SUPPORT for the proposal.

**Agenda item 13**

Establishment of a rural communities committee
16. The Standing Committee proposes a series of Decisions \textit{inter alia} on promoting the livelihoods toolkit to carry out rapid assessment of the impact of CITES listing decisions, activities to mitigate negative consequences, Parties to make funding available and incorporate CITES-livelihoods related issues in their socio-economic and development plans, Secretariat to seek external funding for workshops, exchange lessons learnt, update its website page on livelihoods and to cooperate with relevant international organizations to facilitate capacity building to implement the Convention as an important part of enabling livelihoods.

17. Antigua and Barbuda, Côte d’Ivoire and Namibia propose a Resolution on the issue which reaffirms Article 25 of the Universal Declaration of Human Rights stating the right of all persons to an adequate standard of living including food, endorses the strategic objectives established by FAO, taking these into account when making CITES decisions. It should be noted that the EU is against this.

Support. 

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Agenda item 18
Demand reduction

The US proposes a Resolution urging Parties with a significant market for illegal wildlife products, to develop demand reducing strategies, carry out research, develop campaigns, create greater awareness strengthen deterents, involve stakeholders, workshops, etc.

Opinion: As fighting illegal trade is a major target for CIC, it should propose that sustainable hunting organizations be mentioned in the list of stakeholders to be involved in campaigns.

Support. ✔

Agenda item 20
Empowering the next generation: CITES and youth engagement

Directly before the meeting, South Africa will convene 34 extraordinary young leaders from around the world and chosen from a pool of 1,000 candidates, for the Youth Forum on People and Wildlife. There will also be the start of a process to establish a Youth and Conservation Program as a legacy program associated with the hosting of CoP 17. Its primary aims will be to ensure youth involvement, formal integration into conservation programs and biodiversity economy. South Africa and the US urge the CoP to consider the report and the recommendations of the Forum.

Opinion: see how CIC could be involved, i.e. through its Young Opinion working group.

Support. ✔
Agenda item 21
Review of Resolutions and Decisions

There is only one subject of direct interest in this item: The deletion of two decisions from the last CoP concerning quotas for leopard hunting trophies. The recommendations therein mainly concerned reporting by Parties on the required tagging of skins. No problems were reported and therefore the Decisions should be withdrawn.

Support. ✓

Agenda items 26–34
Enforcement matters

The issues to be discussed concern a wide array of enforcement matters, such as:

26. South Africa proposes a Resolution on strengthening international cooperation on enforcement measures to address international illegal wildlife trade, information sharing on seizures, designated forensic laboratories, methods to conceal illegal specimens, improved legislation and enforcement, higher penalties, joint operations and annually providing an earlier adopted illegal trade report.

Support. ✓

30. Several West and Central African countries propose a number of Decisions on enforcement support in West and Central Africa: independent consultants to study the situation and many more tasks for the Secretariat. They do not provide the required information on required funding which is probably very high. The proposal does not seem to make much chance of getting adopted; it would create expectations in the countries concerned that, because of a lack of funding, would remain unfulfilled.

Reject. ✗
EU and Senegal propose a Resolution on Corruption facilitating violations of the Convention.

Support.

Agenda item 28
Corruption

Agenda items 39.1 and 39.2
Hunting trophies

Proposal: In the EU proposal in Annex I to this paper:

Delete the third and fourth preambular paragraphs;

In the operational part: delete paragraph 1; in paragraph 2, delete ‘or II’ (making the conditions that follow only apply to Appendix I); delete paragraphs 3 and 5 (importing countries have no say in the management of wildlife in third countries).

Delete the proposal to amend the Resolution on personal effects which unnecessarily takes the personal effects exemption for Appendix II trophies away, thereby requiring import and export permits for Appendix II trophies.

In Annex 2 to this paper, Decision 17.x3 a): delete ‘importing and’ to make this mainly a task for exporting countries and expert opinion (which may be available in importing countries, which are now mentioned before exporting countries!).

There should be a Decision proposal directed at the Standing Committee concerning possible proposals to the COP, which is an important omission.

Opinion: CIC and likeminded organizations should convincingly lobby in particular developing countries so that they make the above counterproposals at the meeting, probably first in a working group of Committee II, in which CIC, other hunting organizations and like-minded organizations should participate together with an important number of, particularly, African countries.

SUPPORT the draft Resolution prepared by South Africa, see Annex 3, by merging its content with the remains of the EU proposal.
A number of African countries (Angola, Burkina Faso, CAR, Chad, Côte d’Ivoire, Ethiopia, Gabon, Kenya, Niger and Senegal) propose a Resolution recommending that all countries (Parties and non-Parties) and in particular those where there is a legal domestic market for ivory to close these markets.

**Opinion:** This would make illegal what was legally acquired, including museum specimens, trophies, musical instruments, etc.

Reject.
Agenda item 68
Rhinoceroses

The Secretariat provides a long report on the implementation of Decisions of CoP16, which have been implemented and two are being included in the Resolution on rhino’s. It reported that the Standing Committee had agreed that no change in the definition of rhino horn in Resolution 12.3 (Rev. CoP16) was necessary.

There is an extensive proposal for additional provisions to Resolution Conf. 9.14 (Rev. CoP15), including:
- ensure that national level measures are in place for the management of imported rhinoceros horn trophies, including addressing the issue of alteration and transfer of such trophies, to ensure that rhinoceros horns acquired as legal hunting trophies remain in lawful possession;
- range States to be vigilant in their law-enforcement efforts, including the prevention of illegal hunting, the early detection of potential offenders and the application of appropriate penalties to act as effective deterrents.

Support.

Agenda item 82
Review of the Appendices – Lion

Namibia and Kenya were to finalize their review of the conservation status of the lion by CoP16, but until now have not been able to deliver a final report. There is a proposal from the Animals Committee for a CoP Decision to give them time to complete the report before CoP 18 in three years time.

Opinion: This should have as a consequence that the proposal to transfer the lion from Appendix II to Appendix I cannot be discussed.

Support.
Agenda item 84.1, 84.2 and 84.3

Decision-making mechanism for a process of trade in ivory

84.1 Standing Committee proposal. This mechanism was proposed to be developed in 2007, supposed to provide clear provisions on how the CoP must decide on proposals to allow commercial trade in ivory, e.g. in one off auctions. A working group could not agree on a proposal from a consultant. At the last Standing Committee meeting, several countries proposed to suspend further discussion and for the SC to recommend that the mandate for development of the mechanism not be extended. The Standing Committee now puts this matter to the CoP for a decision.

Opinion: A mechanism is impossible to get agreed given the widespread objections to attempts so far. It is also not really necessary as decisions have been taken twice in the past to allow ivory auctions; this could be repeated. It has no consequences for trophies.

Abstain.

84.2 Benin, Burkina Faso, CAR, Chad, Ethiopia, Kenya, Niger and Senegal propose to not extend the mandate and to rather focus on measures to reduce poaching rates.

Opinion: The two issues are remotely related: developing a trading mechanism might give people wrong ideas, so let’s not do that.

Opinion: Just another attempt to kill ivory trade for now and ever, which is not appropriate.

Reject.

84.3 Namibia, South Africa and Zimbabwe propose a positive decision about the mechanism, but if it is not approved the proponents would consider the current annotation as though it has not been written. A bit cryptic.

Abstain.
Opinion: The panel to give advice on the proposals concerned is difficult to form, expensive and its opinion hardly followed.

Support the abolition of the Resolution and support dealing with the subject under Resolution conf. 9.24.

Agenda item 86
Review of Resolution Conf. 10.9 on consideration of proposals to downlist elephant from Appendix I to II
LISTING PROPOSALS

1 – Canada – Delete *Bison bison athabascae* (wood bison) from Appendix II
IUCN and EU support.

Support. 🟢

2 – EU and Georgia – List *Capra caucasica* in Appendix II with a zero quota for commercial and hunting trophy exports
The proposal is based on political motives; it admits that there is no significant trade; it does not meet Appendix II listing criteria. IUCN supports this view.

Reject. ❌

4 – Chad, Côte d’Ivoire, Gabon, Guinea, Mali, Mauritania, Niger, Nigeria and Togo – Transfer all populations of African lion to Appendix I
In view of the proposal under item 82 above, this proposal should be decided as not on the table until CoP 18. IUCN and EU are of the opinion that Appendix I criteria are not met.

Reject. ❌
LISTING PROPOSALS

5 – Canada – Transfer of *Puma concolor coryi* and *Puma concolor cougar* from Appendix I to Appendix II
The Animals Committee, IUCN and EU agree to this.

Support. ✓

7 – Swaziland – permit trade in white rhino horn from natural deaths or recovered from poached Swazi rhino as well as future harvested of a limited number of animals
This is a no-go for a large majority of Parties. IUCN and EU are against.

Reject. ❌

6 – South Africa – transfer of the Cape mountain zebra from Appendix I to Appendix II
The Animals Committee, IUCN and EU agree to this.

Support. ✓
LISTING PROPOSALS

14 and 15 – Namibia and Zimbabwe – Elephant - Unqualified Appendix II listing by deleting the current restrictive annotation
Namibia made a separate proposal to be decided apart from the Zimbabwe one. 
**Opinion:** It is clear that the majority of NGO’s, including WWF, the EU and the US are in favour of the withdrawal of all elephant related proposals. Reason: they will dominate discussions and not give enough time for other important issues.

Support withdrawal. ✓

16 – the so-called elephant coalition of African countries – transfer populations of Botswana, Namibia, South Africa and Zimbabwe from Appendix II to Appendix I
**Opinion:** Too crazy for words and needs to be withdrawn as gesture for other elephant-related proposals being withdrawn.

Insist on withdrawal or Reject. ❌

17 – Canada – transfer of *Falco peregrinus* from Appendix I to Appendix II
The Animals Committee agrees to this, IUCN wants some special measures: e.g. no harvest for commercial trade.

Support. ✓
DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Trade in hunting trophies of species listed in Appendix I or II

RECOGNIZING that well-managed and sustainable trophy hunting is consistent with and contributes to species conservation, as it provides both livelihood opportunities for rural communities and incentives for habitat conservation, and generates benefits which can be invested for conservation purposes;

RECALLING that Resolution Conf. 16.6 on CITES and livelihoods recognizes that poor rural communities may attach economic, social, cultural and ceremonial importance to some CITES-listed species, and RECOGNIZING the resources that trophy hunting provides to certain local communities;

RECOGNIZING further that a number of conditions or criteria need to be met to guarantee that trophy hunting is sustainably managed, does not undermine the conservation of the target species and provide benefits to local communities;

AWARE of the challenges that Parties face when making scientifically-based non detriment findings and establishing sustainable quotas for hunting trophies, and that the sharing of guiding principles and experience for making such decisions would improve implementation of Articles III and IV of the Convention;

RECALLING that Resolution Conf. 16.7 on Non-detriment findings set out a number of guiding principles that Scientific Authorities should take into account in considering whether trade would be detrimental to the survival of a species;

RECALLING that Resolution Conf. 10.10 (Rev. CoP16) on trade in elephant specimens, Resolution Conf. 10.14 (Rev. CoP16) on quotas for leopard hunting trophies and skins for personal use, Resolution Conf. 10.15 (Rev. CoP14) on the establishment of quotas for markhor hunting trophies and Resolution Conf. 13.5 (Rev. CoP14) on the establishment of export quotas for black rhinoceros hunting trophies set out specific conditions applying to international trade in trophies of those Appendix I species;

RECALLING that the Appendix I listing of cheetahs (*Acinonyx jubatus*) is accompanied by an annotation regarding annual export quotas for live specimens and hunting trophies;

RECALLING that Resolution Conf. 2.11 (Rev.) on trade in hunting trophies of species listed in Appendix I recommends that hunting trophies of Appendix I species shall be accompanied by import and export permits, and that this Resolution sets out provisions according to which Parties should carry out scientific examination before issuing permits;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

1. AGREES that the export of hunting trophies of species listed in Appendix I or II should be conditional upon issuance of an export permit in accordance with Articles III or IV of the Convention.

2. URGES exporting countries to only issue export permits for hunting trophies of species listed in Appendix I or II when the following conditions are met:

   a) a Management Authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that country for the protection of fauna;
b) Sound biological data have been, and continue to be, collected from the source population(s);

c) A Scientific Authority of the State of export has advised that harvest levels are sustainable, taking account of all mortality sources affecting the wild population of the species, including mortality due to illegal killing;

d) Adaptive management is in place for the species concerned, and may include measures such as establishment of hunting or export quotas, restrictions on trophy size or animal age or sex, and monitoring of harvest levels to inform future management, in particular for species of Appendix I;

e) Trophy hunting activities relating to the species concerned are managed in cooperation with and provide benefits to local communities, where relevant.

3. RECOMMENDS that trophy hunting activities relating to species listed in Appendix I should produce tangible conservation benefits for the species concerned.

4. RECOMMENDS Parties trading in hunting trophies to apply the Guidelines for the preparation and submission of CITES annual reports in order to assess adherence to quotas and compliance with the provisions of the Convention.

5. RECOMMENDS that importing countries maintain a close dialogue with exporting countries as necessary to ensure the effective implementation of the Convention regarding hunting trophies, in particular in cases where importing countries adopt stricter domestic measures.
Annex 2

PROPOSED DECISIONS REGARDING THE REVIEW OF EXPORT QUOTAS SET BY THE COP FOR LEOPARD HUNTING TROPHIES AND HUNTING TROPHIES OF OTHER APPENDIX I SPECIES

Directed to the Animals Committee

17.x1 The Animals Committee shall review, by their 30th meeting and in collaboration with relevant range States, the quotas established under Resolution Conf. 10.14 (Rev. CoP16) and:

a) consider whether these quotas are still set at levels which are considered to be non-detrimental to the survival of the species in the wild;

b) review any new information available on population status, levels of mortality or on other means of assessing the sustainability of quotas;

c) determine whether any quotas currently adopted by the CoP should, as a result, be reassessed;

d) report their recommendations to the 70th meeting of the Standing Committee, in particular regarding the possible need for amendments to Resolution Conf. 10.14 (Rev. CoP16), as well as to Resolution Conf. 9.21 (Rev. CoP13) and other resolutions that relate to the establishment or implementation of quotas in place for Appendix I species, as well as the possible need to establish a regular review by the Animals Committee of these quotas.

Directed to range States

17.x2 Parties which have quotas established under Resolution Conf. 10.14 (Rev. CoP16) are invited to contribute to the review by the Animals Committee as referred to under Decision 17.x1, and to share with the Animals Committee any information they have on the status of leopard populations in their country and on the monitoring of levels of harvest and other attributes of hunted animals.

Directed to the Standing Committee

17.x3 The Standing Committee should consider the recommendations of the Animals Committee made in accordance with Decision 17.x1, and make its own recommendations, as appropriate, for consideration at the 18th meeting of the Conference of the Parties.

PROPOSED DECISION REGARDING GUIDANCE FOR ACHIEVING NON-DETRIMENT FINDINGS FOR THE EXPORT OF AFRICAN LION HUNTING TROPHIES

17.x3 The Animals Committee shall:

a) develop, by their 29th meeting, in collaboration with relevant importing and exporting countries and expert opinion, species-specific guidance for the harvest and export of hunting trophies of African lion (Panthera leo);

b) report their conclusions to the 69th meeting of the Standing Committee, in particular regarding the possible need for any amendments to Resolution Conf. 17.x to include any species-specific guidance.
Annex 3
CoP17 Doc. 39.

SOUTH AFRICAN PROPOSAL FOR A DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Trade in hunting trophies of species listed in Appendix II

CONSIDERING the need for uniform interpretation of the Convention with regard to hunting trophies and the guidance provided in Resolution Conf. 2.11 (Rev.) with regards to Trade in hunting trophies of species list in Appendix I;

RECOGNISING that trade in specimens of species included in Appendix II is regulated in terms of Article IV of the Convention;

ACKNOWLEDGING that peoples and States are and should be the best protectors of their own wild fauna and flora;

RECOGNISING that the sustainable use of wildlife, including hunting, can be consistent with and contribute to conservation, provide socio-economic benefits and provide incentives for people to conserve wildlife;

ACKNOWLEDGING that where economic value can be attached to wildlife and a controlled management system is implemented, favourable conditions can be created for investment in the conservation and the sustainable use of the resource, thus reducing the risks to wildlife from alternative forms of land use;

FURTHER ACKNOWLEDGING the guidance provided in Resolution Conf. 13.2 (Rev. CoP14) relating to the Sustainable use of biodiversity: Addis Ababa Principles and Guidelines;

RECOGNISING that international trade is an engine for inclusive economic growth and poverty reduction, and contributes to the promotion of sustainable development;

ACKNOWLEDGING that hunting is regulated in terms of national legislation and the Management Authority of the State of export must confirm that it is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora as required in terms of section 2 (b) of Article IV;

FURTHER ACKNOWLEDGING that well managed hunting, as a form of wildlife use may assist in furthering conservation objectives by creating revenue and economic incentives for the management and conservation of the target species and its habitat, as well as supporting local livelihoods; and

RECOGNISING that the conservation status of species differs across its range and this will be reflected in the non-detriment findings of the respective Scientific Authorities as required in terms of Article IV.

THE CONFERENCE OF PARTIES TO THE CONVENTION

RECOMMENDS that:

a) trade in hunting trophies of animals of species listed in Appendix II be permitted only in accordance with Article IV and the relevant exemptions in Article VII as agreed in Resolution Conf. 13.7 (Rev. CoP16) on Control of trade in personal and household effects;
b) in order to ensure the sustainability of international trade in Appendix-II species and in recognition that States are and should be the best protectors of their own wild fauna and flora, the Scientific Authority of the importing country accept the finding of the Scientific Authority of the exporting country that the exportation of the hunting trophy is not detrimental to the survival of the species, unless there are scientific data to indicate otherwise.

c) the Scientific Authority of the exporting country takes into account the concepts and non-binding guiding principles contained in Resolution Conf. 16.7 on Non-detriment findings in determining whether the export of the hunting trophy would be detrimental to the survival of the species; monitors the effects of hunting and where necessary recommends key regulatory interventions to ensure that hunting remains sustainable.

d) in reviewing trade in hunting trophies, the Management Authorities should be satisfied that the said specimen conforms to the definition of hunting trophy as contained in Resolution Conf. 12.3 (Rev. CoP16) on Permits and Certificates, and means: A whole animal, or a readily recognizable part or derivative of an animal, specified on any accompanying CITES permit or certificate, that:

i) is raw, processed or manufactured;

ii) was legally obtained by the hunter through hunting for the hunter’s personal use; and

iii) is being imported, exported or re-exported by or on behalf of the hunter, as part of the transfer from its country of origin, ultimately to the hunter’s State of usual residence.

e) Parties consider the contribution of hunting to conservation and socio-economic beneficia- tion and its role in providing incentives for people to conserve wildlife, when considering stricter domestic measures and making decisions relating to the import of hunting trophies.

f) Parties to make every reasonable effort to consult range States of the species concerned prior to the adoption of stricter measures, as recommended in Resolution Conf. 6.7 on Interpretation of Article XIV, paragraph 1, of the Convention.