



CITES CoP19

TIME TO BE BRAVE

Position paper

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INTRODUCTION

The global community is currently facing major crises affecting the climate, the planet's biodiversity, and human health. These crises have resulted from the increasingly dysfunctional relationship between people and the natural world. They are closely interlinked and cannot be tackled in isolation.

According to the 2019 Global Assessment report on Biodiversity and Ecosystem services, widely recognised as the most comprehensive assessment of its kind, a million species are at risk of extinction, extinction rates are 'accelerating', and nature's decline is described as 'unprecedented'.

Changes in land and sea use, direct exploitation of organisms, climate change, pollution and invasive alien species are identified as the main drivers.¹

As stated in the 2019 Global Assessment, 'transformative changes' are needed to restore and protect nature. However, the current global response is insufficient, and opposition from vested interests can and must be overcome. CITES (The Convention on International Trade in Endangered Species of Wild Fauna and Flora), as the international wildlife trade regulator, has a key role to play in achieving those transformative changes.

Trade in wild animals and parts and products derived from them, both legal and illegal, has grown exponentially. What may once have been small-scale subsistence uses of wildlife have become commercialised on an industrial scale, boosted by an unfettered, globalised communications, trade and travel infrastructure, with dire consequences for wild animals and plants, the ecosystems of which they are a part, and the services they provide.

The fundamental aim of CITES is to ensure that international trade in specimens of wild animals and plants does not threaten the survival of the species. This stated aim hasn't changed since its inception in the 1970s. However, the world has changed dramatically, and the narrow interpretation of this objective is no longer sufficient. For too long CITES has tinkered around the edges, over-relying on outdated procedures and criteria which limit its impact and allow trade in wildlife to expand largely unabated. Halting and reversing nature's decline and, by doing so, mitigating the risks to our climate and our health, requires far bolder action to protect individual animals and entire species against the ravages of trade and trafficking.

In order to ensure CITES is effective and can adequately play its role in addressing the extinction crisis, CITES Parties need to rethink ways in which the implementation of CITES listings and decisions are funded. Lack of access to adequate funds is a significant factor in the proliferation of illegal or unsustainable wildlife trade, especially in developing countries. Parties must ensure that the resources they need to implement CITES effectively are made available. Without rethinking the way CITES implementation is funded, Parties will not be successful in ensuring CITES succeeds in addressing the species extinction crisis. The proposal to launch the development of a CITES implementation fund (document 36.2) submitted for consideration at CoP19 is, therefore, essential.

It's time to be brave. It's time to invest. It's time for CITES to step up. The world will be watching CoP19 in anticipation.

¹ IPBES (2019): Summary for policymakers of the global assessment report on biodiversity and ecosystem services of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services. S. Díaz, et al (eds.). IPBES secretariat, Bonn, Germany. 56 pages. <https://doi.org/10.5281/zenodo.3553579>

Rules of Procedure

Article 18 of the United Nations Charter determines that each Member of the General Assembly shall have one vote. The same rule applies for CITES, with each Party having one vote, as stated in Rule 26: “...each Party shall have one vote, except as provided for in the Convention.” When voting on an amendment to CITES Appendices I and II, Article XV.1(b) states that “Amendments shall be adopted by a two-thirds majority of Parties present and voting. For these purposes ‘Parties present and voting’ means Parties present and casting an affirmative or negative vote.”

CoP19 Doc. 4.1, submitted by the Standing Committee, proposes (*inter alia*) changes to Rule 25.6, which would require, when there are multiple Proposals for the same taxon, that the Proposal with the most, rather than the least, restrictive effect would be voted on first - unless the Chair proposes a different order of voting. The current Rules give voting priority to those proposals that look to facilitate continued trade in listed species. The proposed amendment to the Rules of Procedure reverses this order of voting, thereby reflecting the core aim of CITES to ensure that international trade in specimens of wild animals and plants does not threaten the survival of the species, and sending a clear message that a precautionary approach to listing and trade should be prioritised.

In CoP19 Doc. 4.2, Botswana and Zimbabwe are proposing an amendment to Rule 26. This amendment would result in the CoP assigning a number of votes per Party, proportionate to that Party’s population of the species being voted upon, so that Parties with larger populations would be allocated more votes than Parties with smaller populations. These proposals are both unworkable and in violation of Article XV of the treaty, and would remove the voting rights of transit or consumer countries, while diminishing the influence of range States with small populations in most need of CITES protections to prevent extirpation. Moreover, in many cases the necessary population data are unavailable, and the effect of taxonomic changes could alter the proportions of populations of any one species in each State.

Recommendations:

SUPPORT the proposed amendments to the voting order detailed in CoP19 Doc. 4.1, which are in line with the precautionary principle.

OPPOSE the amendment to Rule 26 in CoP19 Doc. 4.2, as the changes proposed would be impossible to implement, given that population sizes of species under debate are often poorly known or hard to specify, particularly in the case of marine species. Furthermore, the amendment would violate Article XV.1(b) of CITES and does not align with the United Nations Charter.

A bold response to the extinction crisis

CITES regulates trade in more than 38,000 plant and animal species, and the Convention has been key to securing the survival of many threatened species, including elephants and big cats. CITES is widely regarded as one of the most important Multilateral Environmental Agreements, and undoubtedly the natural world would be in a much more precarious state without it. However, in the face of escalating threats to species globally, Born Free is amongst many who increasingly believe that CITES needs to be bolder in its response to the extinction crisis.

The stated objective of the CITES Strategic Vision (2021-2030) is that: “By 2030, all international trade in wild fauna and flora is legal and sustainable, consistent with the long-term conservation of species, and thereby contributing to halting biodiversity loss, to ensuring its sustainable use, and to achieving the 2030 Agenda for Sustainable Development.” Unfortunately CITES is still very far from achieving this vision. Many Endangered and Critically Endangered Species are not protected by CITES or do not receive sufficient protection. In addition, many Parties do not have the tools, resources or expertise to prepare the detailed technical documents required to propose enhanced levels of protection for species.

CoP19 Doc. 83, submitted by The Gambia, Liberia, Niger, Nigeria and Senegal, highlights concerns that many CITES Parties are ill-equipped to closely monitor changes to the level of threat species face. It proposes the establishment of a new database that would highlight the CITES status of all species identified as Critically Endangered, Endangered, or Vulnerable on the IUCN (International Union for Conservation of Nature) Red List so that Parties may assess whether such species are or may be affected by international trade. The document also recommends the adoption of a procedure that would ensure Parties are given technical support and expertise in the development of CITES listing proposals.

Recommendation:

SUPPORT the adoption of the Resolution and Decisions in CoP19 Doc. 83 on identifying species at risk of extinction for CITES Parties.

The role of CITES in pandemic prevention

The Covid-19 pandemic, with its likely origins in wild animals, has brought home the devastating consequences of emerging zoonoses for human health and wellbeing and the global economy. The trade in and trafficking of wild animals is an important potential risk factor for the emergence and transmission of zoonotic pathogens. Wild animals are collected, farmed, transported, exported and traded in huge numbers, often enduring appalling conditions. Crowding, stress and injury among such animals provide the perfect environment for pathogens to spread and mutate, and their close proximity to people when they are traded and sold creates the opportunity for animal to human transmission. CITES, as the international wildlife trade regulator, clearly has a role to play in mitigating future risk, alongside other international bodies concerned with human and animal health, trade, food and transport, and relevant national authorities.

The recommendations emerging from the 74th meeting of the Standing Committee in March 2022, articulated in **CoP19 Doc. 23.1**, which followed the work of the intersessional Standing Committee Working Group on the role of CITES in reducing risk of future zoonotic disease emergence associated with international wildlife trade, are to be broadly welcomed. However, during the discussions at SC74 concerns were expressed by several Parties about the need for urgency, given the potential consequences of future emerging zoonoses. Draft decisions 19.HH and 19.II in Doc. 23.1, which consider the 'longer term' need for the development of a Resolution advancing a One Health approach, would defer the development of such a Resolution to CoP20, which we believe lacks the urgency the situation clearly requires.

We therefore urge Parties to support the adoption of the draft Resolution and associated Decisions proposed in **CoP19 Doc. 23.2** by Côte d'Ivoire, Gabon, The Gambia, Liberia, Niger, Nigeria and Senegal. The Resolution would recommend that Parties adopt a One Health approach when implementing the Convention, particularly Articles III, IV, V and VII in respect of live animals in trade, and in regulating captive breeding and transport of live specimens, and that they develop associated One Health CITES Action Plans. It would also task the Secretariat, in collaboration with the Committees, to assist in the creation of a CITES One Health Expert Panel and dedicated webpage to provide expert advice and share experience in order to guide Parties and support the creation and implementation of One Health CITES Action Plans and associated risk assessments. The document recognises the expertise of CITES Parties in the international trade in wild fauna and flora, and the importance of implementing a One Health approach to wildlife trade.

The adoption of the draft Resolution and associated Decisions provides an opportunity for CITES authorities to initiate measures, as a matter of urgency, to mitigate the risk of future pandemics resulting from zoonotic pathogen emergence and disease transmission from wildlife trade. There is ample knowledge, and a growing evidence base already in the public sphere, which underpins the need for a Resolution to be adopted at CoP19, which can be subsequently amended as necessary, based on new information and outputs from relevant sources. Given the increasing historical frequency of zoonotic spillovers, and the prediction that they will only increase further in future, waiting for a further three years in order to agree to adopt measures already recognised as necessary seems unjustifiable and incongruous with the hardships suffered by Parties over the past two years.

Despite a pre-existing relationship with World Organisation for Animal health (WOAH), developing a bilateral joint program of work, as Document 23.1 proposes, will take considerable time, whereas the process being proposed in Document 23.2 promotes actions that come directly out of CoP19, including a programme of implementation, guidance and support.

Recommendations:

SUPPORT the adoption of the draft Resolution and associated Decisions in CoP19 Doc. 23.2 on One Health and CITES.

OPPOSE draft Decisions 19.HH and 19.II in CoP19 Doc. 23.1, and merge the remaining Decisions with the draft Decisions in CoP19 Doc. 23.2.

Representation and engagement

There are a number of documents relating to participation in CITES and livelihoods issues on the CoP19 agenda:

- **CoP19 Doc. 13** on Engagement of Indigenous Peoples and Local Communities (IPLCs) proposes the continuation of ongoing work to develop guidance that Parties may use in consulting with IPLCs and how to effectively engage these groups in CITES processes;
- **CoP19 Doc. 14** on Livelihoods proposes the continuation of work aimed at establishing how the sustainable use of CITES-listed species contributes to the livelihoods of IPLCs, and to species conservation;
- **CoP19 Doc. 15** on Participatory mechanisms for rural communities in CITES proposes the establishment of a Rural Communities Advisory Subcommittee to provide advice to the CITES CoP and Secretariat on wildlife trade issues, in order to assess the potential social and economic impact of CITES decisions on rural communities and promote community-based programmes. The Subcommittee would have the ability to draft Resolutions and Decisions for consideration by the Conference of the Parties; and
- **CoP19 Doc. 87.1** on Proposed amendments to Resolution Conf. 9.24 (Rev. CoP17) proposes that, in order to qualify for listing in Appendix I or II, species must meet livelihood and food security criteria in addition to conservation and wildlife trade considerations, and that international trade should be the primary driver for population decline.

Indigenous peoples and local communities are clearly vital constituencies, whose views should be fully taken into account at international forums such as CITES, particularly where their livelihoods might be affected. However, community groups already have the right to participate in CITES processes as Observers, in the same way that any civil society representatives can, and there are dangers in elevating the status of any one group of observers over others. It's also not clear who would represent indigenous and local community groups on the sub-committee proposed in **CoP19 Doc. 15**, what its mandate would be, how it would be funded, and how geographic balance would be achieved.

Governments can and should take into account the impacts of CITES processes on livelihoods during national stakeholder engagement on implementation, as is already mandated in Resolution Conf. 16.6 on CITES and Livelihoods. Issues regarding Indigenous Peoples and Local Communities, their livelihoods, and wildlife-associated value chains, should arguably be referred to the Convention on Biological Diversity which has a specific remit relating to the sustainable use of the components of biological diversity and the equitable sharing of benefits arising from the utilisation of genetic resources.

The incorporation of socioeconomic factors into CITES listing decisions or other decision-making processes, as proposed in **CoP19 Doc. 87.1**, could seriously undermine the Convention's core remit to ensure that international trade in specimens of wild animals and plants does not threaten the survival of the species.

Recommendations:

BROADLY SUPPORT the proposals in CoP19 Doc. 13 to extend the Working Group's mandate.

OPPOSE the proposals in CoP19 Doc. 14 on Livelihoods.

OPPOSE the proposals in CoP19 Doc. 15 on participatory mechanisms for rural communities in CITES.

OPPOSE the proposals in CoP19 Doc. 87.1 on amendments to Resolution Conf. 9.24 (Rev. CoP17).

Tackling wildlife crime

Transnational organised criminal activities have no boundaries and can operate unimpeded by national and international restrictions. It is the responsibility of government authorities, intergovernmental organisations and civil society to act cohesively and proportionately in order to counter a phenomenon which is weakening the rule of law, promoting corruption, contributing to economic and political destabilisation, and degrading species and ecosystems the world over. The growth in access to the internet and platforms which facilitate communication and trade has complicated enforcement and increased the burden on enforcement authorities seeking to address wildlife crime.

In recent years there has been increasing recognition of the role CITES can play in countering transnational wildlife trafficking. While the competence and mandate of CITES itself lies in regulating legal trade, CITES Authorities are integral to countering cross border illegal wildlife trade, and many have directly relevant cross-cutting responsibilities. Additionally, the International Consortium on Combating Wildlife Crime (ICCCWC), of which CITES is part, brings to bear vital resources from partners such as INTERPOL and the UN Office on Drugs and Crime (UNODC). Resolution Conf. 11.17 on National reports has been amended to allow for the submission of illegal trade data by Parties, for research and analysis and collation into a report made available to Parties.

CoP19 Doc. 34 proposes that Parties approve a tentative budget of approximately US\$236,000 to 'maintain the CITES Illegal Trade Database for the storage, management and dissemination of illegal trade data' provided by Parties. However, evidence is scant that such work is providing a return on the investment of limited funds or that outputs are actively used to aid decision-making and counter wildlife trafficking. As for the data being gathered, information relating to prosecutions conducted against offenders (such as penalties imposed) is vital to analyse and understand the criminal justice response by Parties and should be required rather than 'desirable' as currently stipulated in the standard format for the annual illegal trade report.

Since the submission of such reports (unlike the [legal] annual trade reports) is not compulsory and therefore not subject to compliance procedures, response rates are undoubtedly lower than they would otherwise be, which also impedes the quality of analysis being undertaken. As the document notes, 81 Parties submitted reports for 2019 and 83 for 2020, representing well below half the Parties to CITES.

CoP19 Doc. 37 relates to wildlife crime facilitated by the internet and proposes to strengthen Resolution Conf. 11.3 (Rev. CoP18) on Compliance and enforcement, in order to help address this ever-growing problem. With respect to the Decisions being proposed for adoption and deletion, all the information gathered by the Secretariat under Decision 18.83 (a-e) could be instrumental in formulating appropriate recommendations by the Standing Committee, not only best practices established by Parties. We also note that the Secretariat does not have specific expertise relating to wildlife crime linked to the internet, and that its recommendations to the Standing Committee would therefore benefit from the input of other ICCWC partners such as UNODC and INTERPOL.

Recommendations:

PROPOSE an additional Decision in CoP19 Doc. 34 which directs SC to consider ways to assess the usefulness of the annual illegal trade report process to countering illegal wildlife trade, and additional ways to improve report submission rate and quality, including making the submission of reports compulsory. Also **PROPOSE** that the standard format for the CITES illegal trade report is amended so that parameters related to law enforcement outcomes are not 'desirable' but required like all other parameters.

SUPPORT the proposed amendments to Resolution Conf. 11.3 (Rev. CoP18) in CoP19 Doc. 37, and draft Decisions 19.AA-CC with two amendments to Decision 19.AA:

(1) substitute '*best practices put in place by Parties to address wildlife crime linked to the Internet*' with '*information gathered by the Secretariat with respect to Decision 28.83 (a-e)*';

(2) amend to read: '*...based on the findings of the study, and in consultation with other ICCWC partners, prepare recommendations for consideration by the Standing Committee*'.

Enforcement in West and Central Africa

The UNODC West and Central Africa Threat Assessment Report (CoP18 Doc. 34, Annex 4) identified several serious challenges relating to CITES implementation in West and Central Africa, including a lack of adequate legislation, low capacity to carry out enforcement activities and high levels of illegal trade. Decision 18.88 – 18.93 directed Parties in the region to implement the recommendations from CoP18 Doc. 34 Annex 4, including (*inter alia*) engaging in activities to enhance regional and cross-border cooperation.

Since CoP18, West Africa has taken several steps towards implementation of these Decisions, including the development of a West Africa Strategy on Combating Wildlife Crime (WASCWC). This strategy has been validated by West African Environment Ministers and is awaiting adoption by the Council of Ministers of the Economic Community of West African States (ECOWAS). A West Africa Network to Combat Wildlife Crime (WAN) will be an implementing mechanism of the WASCWC.

CoP19 Doc. 36.2 reports that many ECOWAS Member States are already in the process of implementing the WASCWC nationally, through the development of National Wildlife Crime Strategies (NWCS) and Wildlife Law Enforcement Task Forces (WLETF). The document also reports on several capacity-building initiatives including training of enforcement officials, judges and prosecutors. CoP19 Doc. 36.2 highlights concerns that, despite these efforts, ongoing high levels of wildlife crime continue to take place across the region. The Proponents note that “...given the massive scale of the crisis, and as recognized in CoP18 Doc. 34, the West African region does not have the capacity or resources to fully implement these Decisions, and the implementation of CITES remains a challenge”.

CoP19 Doc. 36.2 proposes several measures to bolster CITES’ response to this wildlife crime crisis, including: i) the establishment of a CITES Enforcement Fund, to be piloted in West Africa and focused on illegal trade in African Rosewood (*Pterocarpus erinaceus*), and ii) the establishment of a West Africa Timber Response Working Group, to support the region in identifying tree species at risk from illegal and unsustainable trade.

At SC74, Nigeria, Benin and Niger expressed concerns about ensuring a response to wildlife crime in which source, transit and consumer countries can collaborate and communicate effectively (SC74 Doc. 35.3). **CoP19 Doc. 36.1**, submitted by the Standing Committee, recommends the establishment of a Working Group on the development and adoption of procedures that will promote enhanced collaboration between source, transit and consumer countries. It further proposes the establishment of a Working Group to provide expert guidance and support to the West Africa Network on Combating Wildlife Crime (WAN).

Recommendation:

SUPPORT the adoption of Decisions in CoP19 Doc. 36.1 and CoP19 Doc. 36.2 on wildlife crime enforcement support in West and Central Africa.

Protecting live wild animals in trade

Several key aspects of live trade in CITES-listed species have been tabled for discussion at CoP19:

- **Agenda item 48** invites Parties to approve best practice guidance documents that have been drafted to assist Parties in determining whether proposed recipients of Appendix II-listed live African elephants and southern white rhinos are suitably equipped to house and care for them, and how to determine whether such trade would promote *in situ* conservation. However, these guidelines were not agreed by consensus in working group discussions, and in the case of elephants do not reflect the view of the IUCN SSC (Species Survival Commission) African Elephant Specialist Group or the majority of African elephant range States that the only appropriate destination for a live wild-caught African elephant is an *in situ* conservation programme within the species natural or historic range in Africa. Captive facilities should only be considered 'suitably equipped' to receive southern white rhinos if they are part of a recognised conservation programme that supports *in situ* conservation.
- As enforcement capacity increases in regions such as West Africa, there needs to be an associated increase in capacity to handle confiscated animals and plants (both living and dead). Resolution Conf. 17.8 on Disposal of illegally traded and confiscated specimens of CITES-listed species recommends the establishment of national action plans to guide the disposal of confiscated species. **Agenda item 50** reports that the CITES Secretariat has developed a dedicated webpage with resources and information on live animal confiscations and how they should be managed. It also provides revised Decisions that invite Parties and stakeholders to submit information and resources to the Secretariat on this issue so the Standing Committee can make future recommendations.
- **Agenda item 52** follows on from the recent updating of the CITES Guidance on non-air transport of live specimens and provides draft Decisions directing the Animals and Plants Committees to convene a workshop to share best practices relating to live animal transport. In addition, it directs the Secretariat to work with the International Air Transport Association (IATA) to make relevant sections of the IATA Live Animal Regulations and IATA Perishable Cargo Regulations available to CITES authorities free of charge. It also provides draft amendments to Resolution Conf. 10.21 (Rev. CoP16) on Transport of live specimens, encouraging Parties to apply IATA rules and CITES guidance to both the domestic and international portions of CITES transports. All Parties must take measures to provide the best possible welfare for the millions of live CITES-listed animals that are transported around the world every year. The scale of the trade is vast - between 2009 and 2018, 90 million live CITES animals were traded internationally. Human health and well-being is also a central consideration, with CITES clearly having a role to play in reducing the risk of zoonotic disease transmission during international transport of live CITES species. Robust and consistent use of appropriate rules, guidelines and conditions for transport of live specimens is essential for CITES implementation, and to improve the welfare of animals in trade thereby reducing the risk of pathogen propagation and transmission between animals and people.
- **Agenda item 54** suggests amendments to Resolution Conf. 17.7 (Rev. CoP18) that details the process by which CITES examines the validity of claims that listed species in trade are captive bred. This is a relatively new process, but it's important because CITES rules allow for commercial trade in Appendix I species bred in captivity, so it's vital that Parties can have high levels of confidence in any such claims. **Agenda item 55** is related to this, and is aimed at strengthening the process by which captive breeding operations for Appendix I species are registered, and identifying which species or products they should be allowed to trade.

In addition to these technical discussions, CoP19 will be asked to consider 21 proposals to introduce or increase regulation of trade for some 239 species of reptiles and amphibians. Most of these species are traded live to supply the demand in exotic pet markets around the world.

Protecting the welfare of live animals in trade, as well as being ethically important, is key to reducing the pressure on wild populations, and mitigating the risk of pathogen emergence, propagation and transmission to other animals and potentially to people.

Recommendations:

OPPOSE the adoption of guidance documents in CoP19 Doc. 48. Decisions 18.152-18.156 should be renewed to permit ongoing discussions of the guidance.

SUPPORT the recommendations in CoP19 Doc. 50. In addition, a Decision should be adopted directing the Animals and Plants Committees to conduct a further review of Resolution Conf. 17.8, and Parties should be further encouraged to develop action plans for live animal confiscations.

SUPPORT the recommendations in CoP19 Doc. 52 on transport of live animals, with additional Decisions to provide Parties and stakeholders with opportunities to input into regular reviews and revisions of non-air transport guidelines, and establish a Transport Working Group with a mandate to review guidelines, develop amendments, clarify responsibility for compliance, and review implementation as required by RC 10.21. Parties should be encouraged to amend national legislation to make adherence with transport guidelines through all stages of transport of live specimens (from capture/collection to end user) a legal requirement.

SUPPORT the recommendations in CoP19 Doc. 54. Consideration should also be given to new and emerging information on the status of and threats to species (especially for species that may be adversely affected by relatively low trade volumes) and their breeding biology (to determine the likelihood that captive breeding facilities could produce the reported number of specimens in trade).

SUPPORT the recommendations in CoP19 Doc. 55, which will strengthen the registration process and establish oversight procedures to ensure the operation of registered facilities is consistent with their original application and the terms of the Convention.

SUPPORT the listing or uplisting proposals for reptiles and amphibians that propose CITES protections for 239 species.

Improve protection for commercially exploited aquatic species

In **CoP19 Doc. 87.2**, Senegal is proposing an amendment to Resolution Conf. 9.24 (Rev. CoP17), and specifically the footnote on Application of decline for commercially exploited aquatic species. Senegal proposes an addition to the footnote that recognises the need to account for the different biology of certain marine species, including slow growth rates and low fecundity, which require a more precautionary approach.

Recommendation:

SUPPORT the amendment to RC9.24 in CoP19 Doc. 87.2, which will ensure that decisions made by CITES are based on scientific knowledge. The amendment highlights the need for a more precautionary approach for some marine species, taking into consideration their different biology.

TAXON-SPECIFIC ISSUES

ELEPHANTS



In 2021, the IUCN SSC African Elephant Specialist Group recognised two distinct species of African elephants - savanna elephants (*Loxodonta africana*) and forest elephants (*Loxodonta cyclotis*), based on genetic evidence. Savanna elephants were reclassified as Endangered on the IUCN Red List with a reported 60% decline in the continental population between 1940 and 2015. Forest elephants were reclassified as Critically Endangered with a reported 86% decline in the continental population between 1922 and 2015. These declines are primarily attributed to poaching for ivory and ongoing habitat fragmentation and loss.

In support of the ban on international commercial trade in ivory introduced in 1989 by virtue of the listing of African elephants on CITES Appendix I, and pursuant to Resolution conf. 10.10 (Rev. CoP18), several Parties including China, the EU, Hong Kong SAR, Singapore, UK and USA have recently closed or further regulated their domestic ivory markets.

Nevertheless, although data produced by the Monitoring of Illegal Killing of Elephants programme (MIKE) show some recent reduction in elephant poaching, the MIKE analysis reported by the CITES Secretariat at SC74 confirmed that poaching levels remain alarmingly high in West, Central and Southern African regions. In particular, forensic examination of shipments of seized ivory between 2002 and 2019 showed an increase in poaching in southern Africa, pointing to a newly-emerging poaching hotspot in the KAZA Transfrontier Conservation Area.

Moreover, the Elephant Trade Information System (ETIS) data confirms that illegal ivory networks remain active, with continued ivory processing in southern Africa supplying worked ivory products for international markets.

It is vital that remaining trade loopholes are closed, in order to further protect all elephant populations from the impacts of trade.

CITES does not yet recognise the reclassification of Africa's elephants into two distinct species and treats them as a single species. However, African elephants are currently split listed on the CITES appendices, resulting from the downlisting to Appendix II of the populations of Zimbabwe, Botswana and Namibia in 1997, and South Africa in 2000, to allow for 'one off' exports of ivory stockpiles subject to approval by the Conference of the Parties, and ongoing trade in live elephants and other elephant products. The Appendix II populations are subject to annotations which aim to further regulate trade in live animals and other products.

The split listing, alongside reservations taken out by some Parties, particularly following CoP18 (the validity of which is disputed), has resulted in differing interpretations of the rules concerning trade in African elephants, particularly in relation to the controversial export of wild-caught live animals, some 216 of which have been exported to zoos from southern African countries over approximately the past decade. Many of these animals have subsequently died or are being held in poor captive conditions. At its 74th meeting earlier this year, the Standing Committee invited Parties to propose a clear legal framework for trade in live African elephants.

Moreover, there are efforts by some Parties to reduce trade restrictions relating to African elephants, which could undermine what has been achieved to date on ivory trade at a time when we need to consolidate and build upon those achievements. There is political pressure for CoP19 to agree on a common legal framework to provide the basis for coordinated action and unified protection for African elephants across the continent.

With regard to Asian elephants, successive IUCN Red List assessments have confirmed their Endangered status. With their total population numbering approximately one tenth of that of African elephants and pressing threats from habitat loss and fragmentation, and conflict with humans, the species cannot sustain the added pressures they also face from rampant illegal trade in live animals and other specimens, such as skin.

The current version of Decision 18.226 is directed to all Parties implicated in Asian elephant trade, recognising that since trade is not confined to countries in the species' natural range, all implicated Parties should be required to take the actions described. The provisions in draft Decisions 19.AA and 19.BB in Annex 3 of **CoP19 Doc. 66.1** should also be applicable to all implicated Parties. Two of the five Parties which responded to the Secretariat's Notification with regard to implementation of Decision 18.266 were non-range States, demonstrating that the Decision is perceived as relevant to all Parties. The rationale that limiting the application of the Decision to just range States would improve the reporting response by range States is not justified and would likely prove ineffective.

On the development of a registration system for captive Asian elephants, Decision 19.AA subparagraph b) should require the Secretariat to collaborate with other key stakeholders, such as wildlife forensics organisations which have experience working with animal identification and registration systems, and, given the key interface which the IUCN Asian Elephant Specialist Group has with range country governments, it should also be part of such discussions from the outset. This would also go a considerable way to improving the likelihood of compliance with the system once it's developed.

Regarding the registration system itself, effective, robust measures based on best practice should be developed, rather than 'minimum requirements' as is currently drafted. This is critical to avoid the rubber stamping or cursory approval of techniques which are fundamentally flawed in some way and/or susceptible to abuse. India, the range State with the largest population of Asian elephants, is in the process of instituting a registration system with DNA identification at its core and, as has already been highlighted by the CoP17 review of illegal trade in live Asian elephants, this is a secure, reliable and affordable system, and is relatively straightforward to implement.

Recommendations:

SUPPORT Proposal 5 to bring all elephant populations back onto Appendix I and eliminate the current split listing with all its associated legal anomalies. This would simplify enforcement and potentially reduce associated costs. The proposal is consistent with the position of the African Elephant Coalition, constituting the majority of African elephant range States.

OPPOSE Proposal 4 submitted by Zimbabwe, to amend Annotation 2 pertaining to the populations of Botswana, Namibia, South Africa and Zimbabwe to allow Zimbabwe to trade in leather goods for commercial purposes, and delete paragraphs relating to ivory trade. Opening up any international commercial trade would undermine efforts to close or regulate domestic markets, demand reduction campaigns and enforcement efforts, and could provide a cover for continued illegal trade placing all elephant populations at increased risk.

SUPPORT the adoption of the draft Decisions and amendments to Resolution Conf. 10.10 (Rev. CoP18) and Resolution Conf. 11.17 (Rev. CoP18) proposed in CoP19 Doc. 21, in order to strengthen and streamline reporting to the Elephant Trade Information System (ETIS).

SUPPORT the adoption of draft Decisions proposed in CoP19 Doc. 22, that, *inter alia*, direct the Secretariat to address the financial and operational sustainability of the Monitoring of Illegal Killing of Elephants (MIKE) programme.

Broadly SUPPORT the recommendations in CoP19 Doc. 66.1 relating to implementation of Resolution Conf. 10.10 (Rev. CoP18) on Trade in elephant specimens. However, discussions on stocks and stockpiles of elephant ivory should be deferred to agenda item 66.2; discussions on closure of domestic ivory markets should be deferred to agenda item 66.3; and discussions on National Ivory Action Plans should be deferred to agenda item 66.7. On trade in Asian elephants, all implicated Parties should be required to take the actions described in Decisions 18.266 and 19.AA a) and to report against them; and Decision 19.AA b) should require consultation with other key stakeholders, such as those with a history of engaging in registering/marketing/tracing systems and the IUCN Asian Elephant Specialist Group. In addition, effective, robust measures based on best practice should be developed (rather than 'minimum requirements') so as to avoid the approval of flawed techniques susceptible to abuse.

SUPPORT the recommendations in CoP19 Doc. 66.2.1 and 66.2.2 in relation to ivory stockpiles. CITES Parties are amassing sizable stockpiles, the maintenance of which is expensive and logistically challenging, posing risks of theft and laundering. The revisions proposed to Resolution Conf. 10.10 (Rev. CoP18) in CoP19 Doc. 66.2.1 will help ensure improved compliance and provide information to help determine whether stocks are well secured. The fund proposed in CoP19 Doc. 66.2.2. could offer greater resources than renewed ivory sales, on a more predictable and permanent basis, while avoiding any return to international trade.

SUPPORT the recommendations in CoP19 Doc. 66.3 relating to the closure of domestic ivory markets. These markets risk perpetuating transnational wildlife crime by incentivising illegal trade. Domestic markets in non-range States should be prioritised for closure, and active domestic markets in range States should be closely monitored to assess their contributions to poaching or illegal trade.

SUPPORT the adoption of the changes proposed in CoP19 Doc. 66.4.1 to Resolution Conf. 10.10 (Rev. CoP18), which would restrict the export of live wild-caught African elephants to 'in situ conservation programmes or secure areas in the wild, within the species' natural and historical range in Africa', reflecting the IUCN SSC African Elephant Specialist Group's position and that of most African elephant range States.

Give consideration to the proposals aimed at clarifying the effects of reservations to annotations, the procedure applicable to changes to Resolutions referred to in annotations, and the consequences for implementation articulated in CoP19 Doc. 66.4.2, noting that any Working Group established to consider these issues should be inclusive and that Parties should seek to make progress on these issues at CoP19.

OPPOSE the proposal in CoP19 Doc. 66.4.2 to extend discussion on the rules relating to the trade in live wild-caught elephants beyond CoP19, which would delay resolution of this contentious and longstanding issue at least until the next CoP in 2025, and which could result in significant numbers of additional elephants being taken from the wild and exported to *ex situ* locations.

In respect of CoP19 Doc. 66.5 which contains the Report on Monitoring of Illegal Killing of Elephants (MIKE), Parties should note that the report does not cover the potential impacts of the COVID pandemic on data collection and is largely based on observational data. Parties should therefore adopt a highly precautionary approach to the use of CopP19 Doc. 66.5 to inform decision-making.

In respect of CoP19 Doc. 66.6 which contains the Report of the Elephant Trade Information System (ETIS), the Secretariat should be encouraged to include an analysis of ivory seizures connected to Parties with legal domestic ivory markets in future ETIS reports, in order to inform future policy relating to such markets.

SUPPORT the need to review the National Ivory Action Plan (NIAP) process, as recommended in CoP19 Doc. 66.7. The process has never been systematically evaluated and all NIAPs are out of date. Ongoing concerns include poor compliance rates, failure to promote equity amongst NIAP Parties, increasing use of oral updates, and failure to integrate new reporting tools.

RHINOCEROSSES



While the poaching crisis facing the world's rhinos somewhat lessened in severity during the Covid-19 pandemic, there are signs that this respite is now over. Between 2018 and 2021, there were 2,707 rhino poaching incidents across Africa, the vast majority of which took place in South Africa. Southern white rhinos have been facing annual population declines of 3.1% since 2017, with an estimated continental population of 15,942 in 2021. While greater one-horned and Javan rhinos are faring considerably better, the Sumatran rhino has seen a drop in population of 13% per year since 2017, and experts estimate that between 34 and 47 remain, bringing the species ever closer to extinction. Despite the ongoing failure of Asian range States to provide information on poaching incidents, it is clear that illegal activity continues to play a prominent and deeply concerning role in the downward spiral of rhino populations in parts of the region. In the face of continuing threats, these species cannot sustain such ongoing losses, and it is critical that decisions made regarding international trade do not risk further imperilling their future.

CoP19 Proposal 3 from Eswatini to remove the existing annotation of its Appendix II listing would clear the way for any live animals, as well as parts, products and derivatives of its total estimated 98 white rhinos, to be exported commercially. Also proposed is the sale of 330kg of horn stocks in addition to ongoing sales of another 20kg per year. Such a proposal risks encouraging horn consumption, undermining trade bans and demand reduction programs, and complicating enforcement. Any legal trade would facilitate laundering of illegally acquired horn, placing all rhino populations at increased risk from incentivised poaching.

CoP19 Proposal 2 from Botswana and Namibia, to downlist Namibia's population from Appendix I to Appendix II with an annotation allowing trade in live animals for '*in situ* conservation' and in hunting trophies, is equally concerning. Namibia's rhino population clearly continues to qualify for listing on Appendix I, as per the criteria in Resolution Conf. 9.24 (Rev. CoP17). The wild population is 'small' (n=1,237), it has a high vulnerability to extrinsic factors (poaching and illegal trade), and the country's rhino populations have restricted and fragmented areas of distribution, comprising 85 small populations averaging approximately 11 animals on private properties, and three populations in state-run protected areas.

In addition, the proposal provides no details to indicate how revenue from privately-owned rhino sales would be guaranteed to support rhino conservation, as claimed.

CoP19 Doc. 75 proposes a number of pertinent amendments to Resolution Conf. 9.14 (Rev. CoP17) and Decisions. However, the country-specific Decisions (19.CC-EE), are currently not linked to a time-bound reporting mechanism which would mandate the 77th and 78th Standing Committee meetings to consider reports from Parties and make further recommendations.

The countries assigned to Decisions 19.CC-EE appear to be those occupying the top seven places of Table 7 of the IUCN/TRAFFIC report in Annex 4. This seems somewhat arbitrary, and the omission of Namibia from Decision 19.DD is notable, given that according to the report the second highest number of recent illegal killing incidences in Africa took place in Namibia, with 40 rhinos poached in both 2020 and 2021. According to other sources, poaching in 2022 had already reached 48 rhinos by the end of September. It is also worth noting that little information was provided by Namibia on the outcome of the arrests and prosecutions it reported on. This is important in the context of the IUCN/TRAFFIC report to CoP18, which stated that “case backlogs due to trial postponements while awaiting forensic reports appears to be an issue”. It remains unclear whether this issue has been resolved and to what extent, but the current IUCN/TRAFFIC report notes concern over Namibia’s “apparent low conviction rates”. Given all the above, it seems not only logical but prudent that Namibia is also included in Decision 19.DD.

Decision 19.AA would also benefit from the means for Parties to report on the use of forensic DNA analysis to combat trafficking.

Finally, the situation in Botswana merits further consideration due to the perilous situation its remaining rhinos are undoubtedly facing. Since CoP18, Botswana’s white rhino population has plunged by 46% and more than half of its black rhinos have been killed, leaving an estimated 242 white and 23 black rhinos surviving in the country. These are likely overestimates since besides failing to provide any information on any law enforcement outputs to the IUCN Specialist Group for its current report, Botswana also remains silent on its latest population figures and on its 2021 poaching data.

While we are pleased to see draft Decision 19.CC directing Botswana and South Africa to review the measures they are taking to address rhino poaching and illegal trade, we strongly recommend that CoP19 adopt an additional decision directing Botswana to improve information sharing and strengthen law enforcement collaboration with neighbouring countries linked to rhino poaching in Botswana and to the trafficking of horns out of the country.

Considering the number of amendments necessary, Parties should suggest the establishment of an in-session Working Group at CoP19 to create the opportunity for an adequate review of all the material available, to improve the draft Decisions and to propose additional ones, as deemed necessary.

Recommendations:

OPPOSE Proposal 2 from Botswana and Namibia.

OPPOSE Proposal 3 from Eswatini.

SUPPORT the amendments to Resolution Conf. 9.14 (Rev. CoP17) found in Annex 2 of CoP19 Doc. 75, and the renewal of Decision 18.116.

SUPPORT the draft Decisions in Annex 3 and establish an in-session Working Group at CoP19 to consider the following additions and amendments:

- **Add a new subparagraph d) to Decision 19.AA that reads: “provide information to the Secretariat demonstrating how rhino horn forensic DNA analysis has been utilized to contribute to the successful prosecution of domestic and international rhino horn trafficking cases, and any challenges experienced by Parties in this regard, in advance of SC77”;**
- **Add a Decision directed to Botswana: “Botswana is encouraged to improve information sharing and strengthen law enforcement collaboration with neighbouring countries linked to rhino poaching in Botswana and to the trafficking of horns out of the country”;**
- **Add a Decision which allows for Parties named in Decisions 19.CC-EE (and the new Decision directed at Botswana) to report on implementation of these Decisions in time for consideration by SC77 and SC78;**
- **Add Namibia to Decision 19.DD;**
- **Amend 19.GG (new HH) so that it reads: “The Standing Committee shall consider the report of the Secretariat in accordance with Decision 19.FF and reports by Parties in respect of 19.AA, 19.CC-EE (and the new Decision directed at Botswana) and make recommendations to the Parties and the 20th meeting of the Conference of the Parties as appropriate”.**

BIG CATS



CoP19 Doc. 67 provides redrafted Terms of Reference and *Modus Operandi* for the Big Cats Task Force, containing critical improvements over the original draft, and should be supported.

The Task Force's findings and recommendations will have relevance to all Parties in trade chains, and for this reason, in Decision 19.BB, the 77th Standing Committee meeting should make recommendations to "source transit and destination countries" (4.c of *Modus Operandi*), not solely to range States (and the Secretariat).

Incidents involving the illegal capture of and trade in cheetah cubs have continued since CoP18, and trafficking continues to be a major conservation threat to cheetahs across their range, most markedly for the Horn of Africa subspecies. **CoP19 Doc. 59**, submitted by Ethiopia, proposes Decisions which direct the Standing Committee to embark on a process leading to recommendations to address cheetah trafficking in source, transit and destination countries. Given the critical role played by demand countries, measures which address legislative, regulatory and enforcement gaps preventing the closure of domestic markets for cheetah are particularly important.

Although cheetahs have been identified as a big cat species of priority concern for the Big Cats Task Force, a clear process, function and timeline for the Task Force remains unclear, and its discussions are likely to be dominated by higher profile big cat species. The proposed Decisions in Document 59 are therefore vital to ensure the species is given appropriate consideration.

Mindful of the premature deletion of all cheetah Decisions at CoP18, as well as the ongoing lack of implementation of recommendations from SC66 and SC70, we urge Parties to support the adoption of the draft Decisions in the document, noting the long history of attempts by range States and other Parties to promote concrete actions to address cheetah trafficking within CITES.

CoP19 Doc. 68 relates to Asian big cats. Parties should note the widespread and long-standing lack of implementation of Decision 14.69 regarding the commercial breeding and trade of tigers, and of many components of Resolution Conf. 12.5 (Rev. CoP18) on Conservation of and Trade in Tigers and other Appendix I Asian Big Cats. The most recent review highlighting this lack of implementation is found in Annex 4 of CoP18 Doc. 71.1.

In addition, and notwithstanding Covid-19, we note with disappointment that the missions to Thailand, Laos, China, Vietnam, South Africa, USA and the Czech Republic (countries identified as having Asian big cats in captive facilities which may be of concern, mandated by Decision 18.108), are unlikely to take place before CoP19.

While we support Recommendations 28.a-c, we strongly oppose the deletion of key Decisions as recommended in 28.e, specifically Decisions 18.100, 18.101 and 18.105. While aspects of these Decisions are contained in Resolution Conf. 12.5 (Rev. CoP18), as they stand, they activate findings from the most recent review of implementation of the Resolution and represent an attempt to address implementation gaps. These Decisions carry a specific function and purpose which CoP18 determined should be a focus of activity, thus supporting improved compliance with the Resolution. Until it can be determined that these Decisions have been fully implemented, deletion is premature.

We further note that at its 74th meeting, the Standing Committee recommended that these Decisions should be renewed at CoP19 (see SC74 Sum. 6 (Rev. 1)).

As to the suggestion that the Big Cat Task Force will generate outputs to address some of the overarching issues addressed by these Decisions, this is also premature. Although Asian big cats are species of priority concern for the Task Force, its clear process, function and timeline remain unresolved.

The lack of implementation of Resolution Conf. 12.5 (Rev. CoP18) has been highlighted by two successive comprehensive reviews and is a pressing need for all species of Asian big cats. Leopards, for example, have disappeared from 85% of their Asian range and continue to decline. Since 2000, more than 6,675 leopards (skins, carcasses, taxidermy specimens and live animals) have been seized.

Decision 18.101 is of specific relevance to particular locations which are notorious for illegal activities including Asian big cat trade, and for impunity from the rule of law. Since CoP18, illegal activity connected to these areas has increased in many respects; we note the particular case of Lao PDR in this regard. In the case of Decision 18.105, its purpose is to address a much-ignored trade issue, and we note long-standing concerns regarding the origin of leopard bone used by China's pharmaceutical industry. It follows that Decision 18.107 should also be retained and amended accordingly.

In the case of Decisions 18.108 (b) and 18.109, we suggest retaining mention of specific Standing Committee meetings to which the Secretariat should report on the missions, to help retain focus on activity long overdue, so that, in both cases, the deletion proposed in Annex 2 of Document 68 is replaced with '....at its 77th and 78th meetings...'.

Finally, Parties should give consideration to the establishment of an in-session Working Group at CoP19 which would explore options to improve reporting against Resolution implementation by Parties, and propose time-bound, country-specific recommendations based on findings from the last implementation review, and on reporting by the Secretariat at SC75 regarding its preparations to conduct missions to countries of concern. This requires a change in the draft working programme so that CoP19 Doc. 68 can be discussed earlier in the agenda and thus allow time for Working Group deliberations.

CoP19 Doc. 72 on African lions reports on the implementation of Decisions 18.244-18.250. No external funding was secured to undertake the comparative study of population trends and conservation and management practices (Decision 18.244 para. b)). Annex 1 of the document provides draft Decisions updating and supplementing Decisions 18.244, 18.246, 18.247, 18.249 and 18.250, and includes a new draft Decision directing the Standing Committee to review reports and make recommendations on related issues.

The Document also proposes deletion of Decisions 18.246 and 18.247.

Regarding the research and analysis mandated by Decision 18.246 (a), Born Free understands that a report has been commissioned and completed. This report is of potentially great relevance to all the big cat documents and certain non-species-specific matters under discussion at CoP19, so we call on Parties to request that it be made public as an Information Document as soon as possible. Until such time as this report has been considered, Parties cannot assess whether Decision 18.246 (a) has been implemented and whether the recommendation for its deletion is premature. Similarly, since the Animals Committee has not been able to review the report, as per Decision 18.247 (b), this subparagraph of the Decision should be retained until the mandated review can be completed.

In the case of Dec 18.246 (b), should this be deleted, this would curtail work aimed at assessing whether the trade in lion specimens reported under purpose code "H" follows the guidance in Resolution Conf. 12.3 (Rev. CoP18) on Permits and certificates, and should therefore be retained.

CoP19 Agenda Item 73 on jaguars contains two documents. **CoP19 Doc. 73.1** provides draft Decisions that, *inter alia*, direct the Secretariat to cooperate with the Convention on the Conservation of Migratory Species of Wild Animals (CMS) and the Coordination Committee for the 2030 Jaguar Conservation Roadmap for the Americas to convene a meeting of jaguar range States and report to Standing Committee so it can make further recommendations. **CoP19 Doc. 73.2** provides amendments to the draft Decisions in CoP19 Doc. 73.1 that would direct the Standing Committee to establish an intersessional Working Group on jaguars to work with the Secretariat on its related assigned tasks and to assess whether a specific draft resolution on jaguars would be appropriate and provide recommendations. Parties should support the adoption of these recommendations.

CoP19 Doc. 51 on quotas for leopard hunting trophies recommends the reduction of Ethiopia's quota from 500 to 20, and the removal of the quotas for Kenya and Malawi. While we welcome these changes, a number of Parties are currently allocated annual quotas permitting them to export a total of more than 2,000 trophies and skins annually. Quota numbers are being established or inherited/rolled over based on non-existent or unreliable data and/or inaccurate methodologies, and there is considerable uncertainty around the status of many leopard populations. Recent scientific studies document the damage to leopard populations through selective removal of leopards by trophy hunters. In addition, Decision 18.169c, which mandates the Secretariat to develop guidance to assist Parties in determining non-detriment findings for trade in leopard trophies, has not been fulfilled. We therefore urge Parties to seek a moratorium on all leopard hunting quotas while these issues are fully addressed.

Recommendations:

SUPPORT the recommendations in CoP19 Doc. 59 (Illegal Trade in Cheetahs).

SUPPORT the recommendation in CoP19 Doc. 67 (Big Cats Task Force) with one amendment to 19.BB as follows: "a) consider at its 77th meeting the report submitted by the Secretariat, as per Decision 19.AA, and make recommendations to the Secretariat and source, transit and destination countries as appropriate."

SUPPORT the amendments to Resolution Conf. 12.5 (Rev. CoP18), and the retention of Decision 14.69 and the adoption draft Decision 19.AA in CoP19 Doc. 68 (Asian big cats).

SUPPORT the amended Decisions in Annex 2 of CoP19 Doc. 68 with one amendment so that Decision 18.108 (Rev.CoP19) reads: "b) report to the Standing Committee at its 77th and 78th meetings on implementation of Decision 18.108, paragraph a), and progress with regard to the missions concerned and formulate recommendations for consideration by the Standing Committee."

OPPOSE deletion of Decisions 18.100, 18.101 and 18.105 (CoP19 Doc. 68, Recommendation 28.e).

SUPPORT the adoption of draft decisions in CoP19 Doc. 73.1 (jaguars), with the amendments proposed in CoP19 Doc. 73.2.

OPPOSE the deletion of Decision 18.246 (a,b) and Decision 18.247 (b) in CoP19 Doc. 72 (African lions). PROPOSE an amendment to 19.BB(b) so it reads: "b) review the information reported by the Secretariat under Decisions 19.AA and 18.246 (a) and submit recommendations to the Secretariat, the Standing Committee and African lion range States, as appropriate".

OPPOSE the adoption of the recommendations in CoP19 Doc. 51 (quotas for leopard hunting trophies), and instead seek a moratorium on all leopard hunting quotas pending a review of recent scientific evidence and the fulfilment of Decision 18.169c. Resolution Conf. 10.14 (Rev. CoP16) should be amended to provide for regular reviews of hunting quotas by the Animals Committee to align with Resolution Conf. 9.21 (Rev. CoP18).

PANGOLINS

Sadly, not enough has been done since the last CoP to nudge pangolins off the podium of ‘most trafficked mammal’. Last year alone, at least 23.5 tonnes of pangolins and their parts were trafficked globally. A December 2021 report from the IUCN revealed that there are precious few cases where the status of pangolin populations is known, but all indications suggest that pangolin populations in most range countries are declining. It also identified global trade hotspots and significant gaps in the criminal justice response, such as poor enforcement of existing legislation and the strong likelihood of impounded pangolin specimens re-entering the illegal market.

If we are to ensure pangolins are protected from trade, much more needs to be done across their range and, critically, in countries where ongoing demand is stimulating their poaching and trafficking.

In order to address such needs, **CoP19 Doc. 71.2** proposes multiple amendments to Resolution Conf. 17.10 on Conservation of and trade in pangolins. A critical addition replicates the provision in Resolution Conf. 10.10 (Rev. CoP18) on Trade in elephant specimens which recommends that Parties “take all necessary legislative, regulatory and enforcement measures to close their domestic markets for commercial trade”. Any gaps in our understanding regarding market demand for pangolin parts and products should not preclude decisive action at CoP19. The revised text also seeks to address more fully the management of and accountability for pangolin stockpiles.

Born Free strongly believes that these two issues in particular are key to addressing the threat that all pangolins face from poaching and trafficking and urges Parties to resist any attempt to weaken these two draft provisions in particular.

Document 71.2 also presents the draft Decisions agreed to at SC74, with some additional proposed text aimed at further strengthening language. Critical here is a process which would lead to Standing Committee developing time-bound and measurable recommendations for range, transit, and consumer countries to address the illegal trade in pangolins in a targeted and concerted way.

Born Free recognises that the recommendations in CoP19 Doc. 71.2 cover and improve upon those made in **CoP19 Doc. 71.1** and therefore recommends that both documents are taken into consideration together during discussion of the agenda item.

Recommendation:

SUPPORT the draft amendments to Resolution Conf. 17.10 in Annex 1 and the draft Decisions in Annex 2 of Document 71.2.



WEST AFRICAN VULTURES

Vultures are among the most threatened bird species in West Africa. The six species of Old World migratory vultures found in the region are all either Critically Endangered or Endangered and are facing a high risk of extinction in the wild.

Dramatic declines in vulture populations in West Africa are of significant concern for both environmental and human health. Vultures provide critical ecosystem services by cleaning up animal carcasses and other waste, and their loss has significant implications for disease spread to both domestic and wild animals and humans.

CoP19 Doc. 58 includes Decisions directing West African vulture range States to take several actions, including collaboration on the conservation of West African vultures and exchange of scientific knowledge and expertise.

Recommendation:

SUPPORT the Decisions in CoP19 Doc. 58. However, it should be emphasised that these Decisions will place a heavy burden on West African countries in terms of implementation, and therefore it will be important for donors and other organisations to provide West African range States with expertise, resources and capacity building to ensure full compliance with the Decisions.



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HIPPOPOTAMUSES



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Ten African range States jointly propose uplisting the common hippopotamus (*Hippopotamus amphibius*) from Appendix II to Appendix I. The total hippopotamus population, estimated to be 115,000-130,000, is fragmented and has suffered a marked decline of more than 30% over the last three generations with further declines predicted. Population trends are decreasing or unknown in 25 of the 38 range States. Population data are out of date in many cases - population estimates for Tanzania, one of the major exporters of hippo products, are 20 years old - and current populations may be overestimated. In addition, the 2016 IUCN Red List assessment notes concern about the conservation status of hippos in nine of the 15 countries of origin of hippo specimens in legal international trade and that population trends are decreasing in Zambia, Mozambique, Namibia, Cameroon, and Ethiopia.

Illegal and unregulated hunting for meat and ivory represent a primary threat to the species according to the IUCN Red List assessment, and trade is significant with body parts from an estimated 14,000 hippos entering trade in the last decade. Hippo ivory is used for carving and is popular among consumers as it is generally cheaper and more easily attainable than elephant ivory and is not currently subject to international trade bans.

There is strong evidence of the co-mingling of legal and illegal hippo ivory in trade, suggesting that the legal international trade in hippo parts and products is having a detrimental impact on hippos by providing an avenue by which illegally acquired specimens from poached hippos can be marketed.

Given the marked population declines, the very low reproduction rate, the significant legal and illegal trade in the species as well as the conservation problems occurring in exporting countries, we strongly urge Parties to support this proposal.

Recommendation:

SUPPORT Proposal 1 to list the common hippopotamus on Appendix I.

As leading wildlife charities, Born Free Foundation and Born Free USA oppose the exploitation of wild animals in captivity and campaign to keep them where they belong – in the wild.

We promote Compassionate Conservation to enhance the survival of threatened species in the wild and protect natural habitats while respecting the needs and safeguarding the welfare of individual animals.

We seek to have a positive impact on animals in the wild and protect their ecosystems in perpetuity, for their own intrinsic value and for the critical roles they play within the natural world.



Born Free Foundation and Born Free USA are members of the Species Survival Network (SSN). Scan this QR code to view SSN's assessment of the proposals and working documents for CITES CoP19.



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