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

Joint sessions of the 26th meeting of the Animals Committee and 20th meeting of the Plants Committee
Dublin (Ireland), 22-24 March 2012

EVALUATION OF THE REVIEW OF SIGNIFICANT TRADE
(agenda item 7)

Membership (as decided by the Committee)

Chairs: Carolina Caceres, North American Representative on the Animals Committee, Noel McGough, Nomenclature specialist on the Plants Committee

Members: Asia (Fauna), Africa (Flora), Europe (Alt. Fauna)

Parties: Australia, Belgium, Canada, China, France, Indonesia, Ireland, Mexico, Netherlands, South Africa, Tanzania, Thailand, United Kingdom and United States of America

IGOs and NGOs: EU, IUCN, UNEP-WCMC, TRAFFIC, Pet Industry Joint Advisory Council, Humane Society International, WWF, Natural Resources Defence Council and Species Survival Network

Mandate

On the basis discussions in plenary and document AC26/PC20 Doc. 7, the working group shall:

1. examine the case studies presented in Annex 3 to document AC26/PC20 Doc. 7 and provide comments orally for the plenary;

2. determine the agenda and any instructions for the meeting of the advisory working group for the evaluation of the Review of Significant Trade to be held in June 2012;

3. prepare a roadmap for the preparation of the final report on the evaluation of the Review of Significant Trade for presentation at the 17th meeting of the Conference of the Parties; and

4. confirm the final membership of the advisory working group.

Recommendations

1. The Animals and Plants Committee are invited to provide the advisory working group for the evaluation of the Review of Significant Trade with the observations made by the Dublin working group (Annex) for their discussion at the meeting to be held in June 2012.

2. The Animals and Plants Committee are invited to adopt the following as a proposed agenda for the meeting of the advisory group and roadmap for the preparation of the final report:
Draft Agenda

a) Introductions
b) Overview of Resolution Conf. 12.8 (Rev. CoP 13), Review of Significant Trade in specimens of Appendix-II species, including its objections and process followed
c) Presentation on the Results of the Case Studies
d) Assessment of the Significant Trade Process
   i) Selection
   ii) Correspondence and Communications
   iii) Categorization
   iv) Recommendations
   v) Implementation of Recommendations
   vi) Non-article IV issues
   vii) Other
e) Impact of the Review of Significant Trade
f) Conclusions and Next Steps

Roadmap

<table>
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<tr>
<th>Today – June 2012</th>
<th>Opportunity for Parties and interested organizations to provide their feedback to the advisory working group co-chairs</th>
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<tr>
<td>June 2012</td>
<td>Meeting of the Advisory Working Group, Vilm, Germany</td>
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<tr>
<td>July 2012</td>
<td>Oral report on progress to the Standing Committee</td>
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<tr>
<td>June – October 2012</td>
<td>Develop report for CoP 16, reporting on current progress, initial conclusions and next steps</td>
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<tr>
<td>April 2013 – July 2014</td>
<td>Advisory Working Group works intersessionally to follow-up on direction confirmed by the CoP</td>
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<td>April 2013 – July 2014</td>
<td>Opportunity for Parties and interested organizations to provide their feedback to the advisory working group co-chairs</td>
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<td>July 2014</td>
<td>Submit draft recommendations to Animals Committee and Plants Committee (may include changes to resolution as identified)</td>
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<tr>
<td>2014 Standing Committee Meeting</td>
<td>Report on progress to Standing Committee</td>
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<tr>
<td>2014 – 2015</td>
<td>Intersessional work to further elaborate draft recommendations following direction provided by AC/PC/SC</td>
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<tr>
<td>2014 – 2015</td>
<td>Opportunity for Parties and interested organizations to provide their feedback to the advisory working group co-chairs</td>
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<td>2015 Meetings of the Animals &amp; Plants Committees</td>
<td>Final draft report and recommendations presented to the Animals and Plants Committee</td>
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<tr>
<td>2015 Standing Committee Meeting</td>
<td>Final draft report and recommendations presented to the Standing Committee</td>
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<tr>
<td>2015 – 2016</td>
<td>Final report and recommendations completed based on AC/PC/SC direction and recommendations submitted to CoP 17</td>
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<td>2016</td>
<td>CoP 17</td>
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3. It was noted that the final membership of the advisory working group may change in that the currently identified representatives may no longer be available. The Co-Chairs of the advisory working group will work with the Secretariat and the Chairs of the Animals and Plants Committee to confirm the final participants in the advisory working group as soon as possible.
It was noted that, whereas the case studies were presented on a species by species basis, most of the issues arising were cross-cutting in nature.

There was much discussion of the utility of conducting more country reviews, which might offer a means of addressing systemic capacity issues. Some discussion took place on the only country review to have been carried out to date; namely Madagascar. It was noted that no funds had been available to evaluate this review in parallel with the case studies considered by TRAFFIC. However, there was agreement that, if funds were made available in time, an evaluation of the Madagascar country review would be an invaluable aid to the discussions of the advisory working group meeting in June.

With regard to the remark in TRAFFIC’s report that many of the most important issues that emerged in the case studies were not directly related to implementation of Article IV, the need for a more holistic approach was noted. At present, the only scope to deal with issues not relating to Article IV is for the Committees to bring these to the attention of the Secretariat. The Secretariat informed the group that, when it was made aware of such issues, the information was normally passed on to the relevant desk officer in the Secretariat. Depending on the seriousness of the issue raised, the Secretariat would decide subsequently whether or not to refer the matter to the Standing Committee. The working group felt that a more formalised process for dealing with such issues should be considered. It was also suggested that the advisory working group look at the case of bigleaf mahogany, where parallel processes are running in both the Plants and Standing Committees addressing Article IV issues and legal issues respectively.

The group also discussed the merits of the present system for informing the Standing Committee whether or not recommendations from the Plants or Animals Committees have been met. At present, this is decided upon by the Committee chairs, in consultation with the Secretariat. However the Chairs might not have been directly involved in formulating these recommendations at an earlier stage and so my not be in the best position to decide whether or not they had been complied with.

Cases where the same species was entered into review more than once were considered. This could be due to a range of factors, such as range States resuming high levels of trade once scrutiny had eased, shifts in trade to other range States, flaws in the recommendations provided by the Committees or simply poor communication and understanding. The question of range States establishing zero quotas in response to the review was discussed at some length. There was concern that sometimes this happened because the range States saw this as an easier route than trying to implement complex recommendations. There was also concern that such zero quotas could be lifted once the species/country exited from the review. The Committees were responding to this problem by effectively requiring the relevant range States to seek Committee approval for resumption of trade. However, the wisdom of having an ever-accumulating list of such species/countries was questioned.

Poor communication – and associated poor understanding on the part of range States in receipt of correspondence – emerged as major issues. It was noted that some countries that were subject to trade suspensions as a result of failure to respond to correspondence might not necessarily have more serious underlying problems relating to implementation of Article IV. It was recommended that the initial letter from the Secretariat be made more explanatory – e.g. by including a questionnaire. It was also recommended that range States be encouraged to see the process as an opportunity to draw attention to problems of capacity and to seek assistance in remedying these. It was also noted that better communication with range States in the initial stages might help to eliminate more countries, thus making the later stages more efficient.

The database which would allow structured review of past cases was universally welcomed. The Secretariat indicated that they intended to include correspondence from range States in the database, albeit with restricted access. In this regard, the working group noted the recommendation of the Animals Committee that in future range States be asked to specify if they did not want their correspondence to be made public, with a presumption that otherwise it would be.

The working group discussed means to make the process more efficient by resourcing it better in the initial stages. It was noted that the initial analysis provided to the Committees to aid in the selection process is carried
out voluntarily by UNEP-WCMC; core funds are only sufficient to cover the cost of providing the raw trade data in phase 1 and the more detailed evaluations later. UNEP-WCMC indicated that, with more resources, they could make the initial selection process more efficient by developing automated ways of filtering out artefacts that were the result of improved reporting, or cases where, despite a rising trend of overall trade volumes, some range States were exporting few or no specimens. It was also pointed out that, although the process appears very drawn out, the timespans for the later in-depth reviews are, in fact, very tight. This lends weight to the need to eliminate non-problem cases at the earliest opportunity.

More generally, the slowness of the process remains an issue. It was noted that this is determined by the frequency of physical meetings of the Committees and that it could be speeded up considerably without any need to amend Resolution Conf. 12.8 (Rev. CoP13) if the Committees were prepared to do more work intersessionally.

The need for improved guidance on the process was noted. There is a module devoted to it in the Virtual College. However, further means to provide expanded guidance could be considered.