



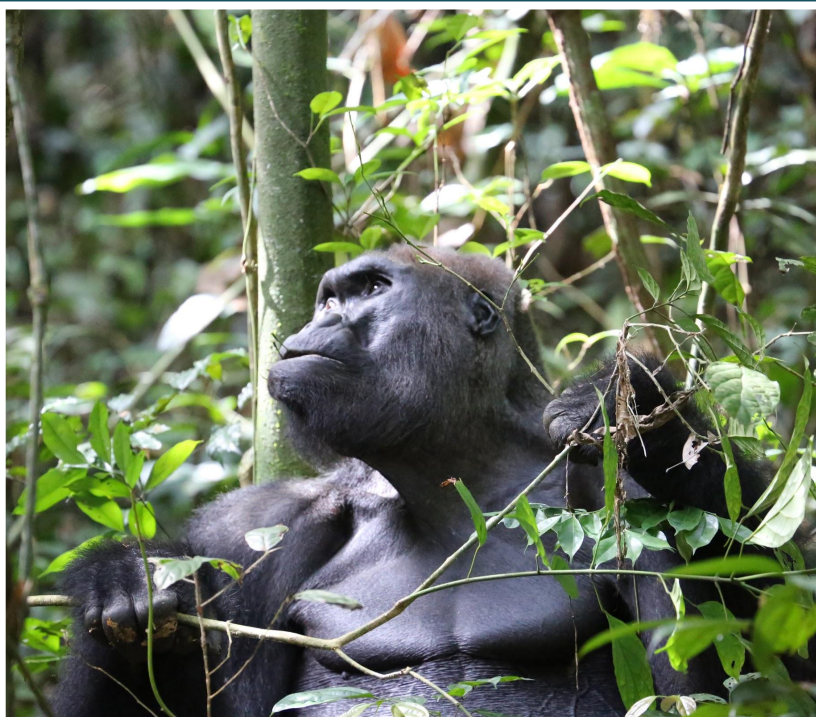
## WCS Recommendations: CITES CoP18

### *Working documents*

18th Meeting of the Conference of the Parties  
17-28 August 2019, Geneva, Switzerland

The Wildlife Conservation Society (WCS) is a global conservation organization that takes a science-based approach to the protection of wildlife and wild places. To learn more about WCS and our work, visit [www.wcs.org](http://www.wcs.org).

Our CoP18 documents will be online at [www.wcs.org/cites](http://www.wcs.org/cites). If you have any questions, comments or concerns, please e-mail Susan Lieberman, WCS Vice President for International Policy, at [slieberman@wcs.org](mailto:slieberman@wcs.org).





## Acronyms List

AC	CITES Animals Committee
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CMS	Convention on Migratory Species of Wild Animals
CoP	CITES Conference of the Parties
ETIS	CITES Elephant Trade Information System
EU	The European Union and its Member States
ICCWC	International Consortium on Combatting Wildlife Crime
IGO	Intergovernmental Organization
IUCN	International Union for Conservation of Nature
MA	CITES Management Authority
MIKE	CITES Monitoring the Illegal Killing of Elephants Program
MoU	Memorandum of Understanding
NDF	CITES non-detriment finding
NIAP	National Ivory Action Plan
NGO	Non-governmental Organization
PC	CITES Plants Committee
PIKE	Proportion of Illegally Killed Elephants (part of the MIKE Program)
SA	CITES Scientific Authority
SC	CITES Standing Committee
UN	United Nations
UNCAC	UN Convention Against Corruption
UNODC	UN Office on Drugs and Crime
UNTOC	UN Convention Against Transnational Organized Crime
WG	Working Group

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## WCS at the 18th meeting of the Conference of the Parties to CITES

The [Wildlife Conservation Society \(WCS\)](#) works to save wildlife and wild places worldwide through science, conservation action, education and inspiring people to value nature. With long-term commitments and conservation programs in dozens of landscapes and seascapes, presence in nearly 60 countries, and experience helping to establish and manage more than 280 protected areas across the globe, WCS applies its biological knowledge, cultural understanding and partnerships to help ensure that wild places and wildlife thrive alongside local communities. Working with local communities and partner governments, that knowledge is applied to address threats to species, habitats and ecosystem services, and issues critical to improving the quality of life of local people whose livelihoods often depend on natural resources.

WCS's 'on-the-ground' presence across much of the globe enables us to address multiple aspects of wildlife exploitation and trade, including wildlife crime, at all points along the trade chain in source, transit and consumer countries. Our field research and related conservation efforts support the design and implementation of science-based conservation and management strategies that not only conserve and protect species, but also enhance sustainability in the exploitation of species while improving benefits to local communities and economies from sustainable use regimes, when relevant and appropriate.

WCS is a strong supporter of CITES, has staff who have attended all meetings of the Conference of the Parties since CoP7 in 1989, and will be represented by many international wildlife and policy experts at the Eighteenth meeting of the Conference of the Parties (CoP18) in Geneva, Switzerland. Our views on the issues before the Parties are based the best available scientific and technical information, and information from our field and country programs around the world. WCS looks forward to working with the Parties leading up to and during CoP18.

WCS hereby submits the following recommendations to the Parties on working documents to be considered by CITES CoP18. We have not included analysis for documents related to issues and species that we do not work on. We also are still analyzing some documents and consulting our field experts, and will have updated recommendations closer to CoP18.





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## Strategic Matters

### 12. Securing better implementation of marine fish species listings in the appendices

WCS disagrees with some of the fundamental premises contained in this document, and urges Parties not to adopt its recommendations. We appreciate that there continue to be proposals to amend the Appendices for commercially exploited aquatic and marine species at CITES meetings of the CoP; we note that there have also been significant and increasing efforts to assist Parties with implementation for these species.

For example, since 2013 there has been an unprecedented global effort to implement shark and ray listings, following the listings of the first commercially exploited species on Appendix II. This includes genetic and visual identification tools, dedicated NDF tools and software, a wide range of workshops, trainings and capacity building activities globally, resulting in policy change that is protecting several species, and promoting sustainable management and trade in others. This work has been documented through the CITES shark and ray portal on the CITES website, along with the AC and SC working groups on the issue, which praised progress in a short timeframe and identified new challenges and solutions to them. Indeed, CITES works for marine species - as evidenced by several active programs of work delivered by the Secretariat, Parties and NGOs.

There are several examples of other marine species for which inclusion in the CITES Appendices has in fact conferred a conservation benefit. Furthermore, challenges with implementation of CITES are not restricted to marine species. We believe that the costly, complicated study recommended in this document will not necessarily benefit the conservation of CITES-listed species, and recommend that instead Parties prioritize action and funding that benefits implementation and capacity building. We also believe that it is the sovereign right of Parties to submit proposals to amend the Appendices, and as such recommend rejection of the text urging Parties not to make any further proposals for new listings of marine species until the proposed study is completed. We do, however, recognize the unique challenges associated with the management of trade in marine species, and WCS will continue to support Parties in the implementation of existing listings, and in the conservation and management of sharks and other commercially exploited marine species.



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## 15. Cooperation with other organizations and multilateral environmental agreements

WCS appreciates this update on ongoing efforts to improve coordination and cooperation between CITES and other biodiversity-related agreements and fora, as well as the other organizations that make up ICCWC. WCS greatly appreciates the openness of the CITES Parties in enabling the provision by NGOs of technical expertise and insight on issues related to wildlife conservation and management, environmental law, etc., and we encourage other members of the Biodiversity Liaison Group to pursue ongoing efforts to open their processes to wide civil society input. We believe this is a powerful way to help ensure that the Conventions and other international agreements achieve their goals.

WCS also welcomes the submission of Doc. 15.6 by Norway on cooperation between CITES and the UNESCO-World Heritage Convention. WCS works in over 30 natural and mixed World Heritage sites across Africa, Asia, the Americas and the Pacific Islands. Our level of engagement varies at each site, but we are undertaking efforts at many of them to combat illegal or unsustainable commercial trade in wildlife; we see firsthand the danger it presents to the sites' Outstanding Universal Value. We believe that greater cooperation between the CITES Secretariat and the World Heritage Centre, including potentially an MoU, would strengthen cooperation at the global, regional and local level. Close collaboration between site-level managers and law enforcement officers, those responsible for enforcement at transshipment ports or key markets, and CITES MAs could strengthen the intelligence upon which to base coordinated, multilateral enforcement efforts. Cooperation could yield significant gains for both CITES and World Heritage. We strongly urge the Parties to adopt the draft Resolution and Decisions in the annexes of Document 15.6.

## 17. Rural communities

WCS fully understands and supports the vital role that rural communities play in conservation around the world and works closely with them to deliver our conservation projects. We fully acknowledge their rights as enshrined by the Universal Declaration of Human Rights and the UN Declaration on the Rights of Indigenous Peoples. We also recognize the opportunities that exist and the need for local people who live with wildlife in intact ecosystems to benefit from the sustainable use of wildlife and wildlife products when this is well managed and not detrimental to the long-term survival of the species in the wild. We also consider the involvement of rural communities to be critical to the successful implementation of CITES decisions.

We, however, urge the CoP to reject both the proposed amendments to Resolution Conf. 4.6 (Rev CoP17) and Resolution Conf. 9.24 (Rev. Cop17) in document CoP18 Doc 17.2 and the proposal to establish a Rural Communities Committee in Doc 17.3. We believe that engagement of rural and local communities, and Indigenous Peoples in wildlife management, and in the implementation of CITES, must be handled at the national and sub-national level, and is not something that is within the remit of the CoP. Furthermore, taking socio-economic considerations into account in CITES listing proposals is contradictory to, and undermines the central objective of CITES which exists to ensure that international trade does not threaten species in the wild; the listing criteria must focus on the biological status of species in the wild.

(continued)



## 17. Rural communities (Continued)

There have been other efforts at prior CoPs to include socioeconomic considerations in the listing criteria, which have been rejected; such considerations in implementation are vital, but should not influence decision-making on whether a species qualifies for inclusion in a specific CITES Appendix. Furthermore, as CITES focuses on international trade, the CoP should not adopt policies that relate directly to local subsistence use or domestic trade by rural communities and Indigenous Peoples. As socio-economic activities depend on stable or increasing wildlife populations, CITES needs to be able to ensure that international trade can be regulated or prevented when necessary to enable wildlife populations to recover. We therefore consider that the involvement of rural communities is best dealt with at a national, sub-national, or local level, and that taking into account socio-economic considerations within decisions on listing proposals would set a dangerous precedent that could undermine the objectives of the Convention.

## 18. CITES and livelihoods

Across the globe, WCS works closely with rural and local communities, and Indigenous Peoples to deliver critical conservation outcomes. We understand the important contribution that well managed and sustainable use of wildlife can make to rural livelihoods. WCS supports Doc 18.1 and the work to share and distribute best practice examples, and is pleased to continue to contribute to this process and share our experiences. We support the recommendation to expand this work on case studies, and the sharing of lessons learned by Parties and NGOs through the designated web portal.

However, for the reasons given in our response to document 17.2 above, we strongly urge Parties to reject the proposal to incorporate livelihood considerations into the listing criteria for inclusion of species in CITES Appendix I and II, as recommended in Document 18.3. Taking socio-economic considerations into account in CITES listing proposals is contradictory to, and undermines the central objective of CITES which exists to ensure that international trade does not threaten species in the wild, and we therefore urge the Parties to reject this proposal.



## 19. Food security and livelihoods

WCS understands the close connection between wildlife management and local food security and works to enhance the livelihoods and food security of local communities and Indigenous Peoples through our global conservation programs. In particular, WCS is a partner in the EU-funded Sustainable Wildlife Management (SWM) program which aims to help African, Caribbean and Pacific (ACP) countries halt unsustainable wildlife hunting, conserve their natural heritage and strengthen people's livelihoods and food security. We agree that wildlife management programs should consider whether offtake is sustainable and mechanisms need to be found to find alternative animal source foods for communities whose food security may be affected, but that this issue is beyond the remit of CITES. We note that despite extensive discussions, the intersessional WG on this issue has failed to reach consensus and we therefore agree with the remark by the Secretariat in document Doc. 19 that, given the divergence of views of Parties and stakeholders, consensus is unlikely, even if the mandate of the WG is extended. We also agree with the Secretariat that this issue is already dealt with adequately under Resolution Conf. 16.6 (Rev. CoP17) on CITES and livelihoods. We therefore recommend the discontinuation of this WG and that Parties reject renewal of Decisions 17.41 to 17.43, and rather focus their attention on CITES implementation and enforcement.

## 20. Demand reduction strategies to combat illegal trade in CITES-listed specimens

WCS welcomes the efforts of Parties to implement and share strategies to reduce demand for illegally traded specimens of CITES-listed species. WCS strongly supports strategic, targeted, evidence-based demand reduction efforts, and particularly those that affect consumer behavior change through legal and regulatory reform as a proven, short-term, and cost-effective means of reducing the threats to species from illegal wildlife trade. Where intelligence and market research reveal that legal domestic markets provide cover for laundering of illegal wildlife products, we strongly encourage Parties to evaluate the impacts of these legal markets and close them as a means to reduce opportunities for laundering of illegal wildlife products and to reduce incentives for illegal trade. In all cases, we encourage Parties to focus on evidence-based, measurable strategies that are culturally sensitive, and specific to the species/commodity in question and the demographics and motivations of the targeted consumers. We believe these considerations should be included in any future CITES guidance on demand reduction, and we look forward to engaging intersessionally following CoP18. We do believe that Parties should continue to take strong action in this regard, through legal and regulatory reform in particular, and not wait for the results of any study that will be completed by CoP19.





## Interpretation and Implementation Matters

### 26. National Laws for Implementation of the Convention

WCS appreciates the submission of this comprehensive document, and the significant work that has been done by the Secretariat on the National Legislation Project. WCS works through our country programs with many of the Parties who are currently in Category 2 and 3 of the CITES National Legislation Project to help strengthen their national legislation for implementation of their CITES obligations, and we will continue to seek funding to enable these efforts to increase. With appropriate resources and where appropriate, we stand ready to support Parties to ensure that domestic legislation meets that standards required by CITES, and to ensure that trade doesn't threaten species in the wild.

WCS supports the recommendations of the Secretariat in the document. We encourage further discussion, between CoP18 and CoP19, on strengthening the National Legislation Project to help ensure that Parties' legislation: 1) enables effective action to combat wildlife trafficking, including effective prosecutorial authority and penalties sufficient to deter wildlife trafficking; 2) effectively implements the Convention for both native and non-native species; 3) effectively covers all CITES-listed species (marine and terrestrial); and 4) further defines the role of MA and SA in the implementing legislation. We urge Parties to provide funds for the Secretariat to undertake an update to the CITES model law (and its translation), as well as to provide further guidance on fisheries legislation that facilitates CITES implementation. We urge these efforts to take place in consultation with NGOs with relevant expertise, including through intersessional WGs where possible.

### 30. Compliance in relation to Malagasy ebonies and palisanders and rosewoods

WCS has a long history of working in Madagascar to protect its unique and highly diverse forests and the wildlife they contain and will prioritize this issue at CoP18. We have been concerned by the ongoing impacts of the illegal but highly lucrative timber trade and the threat this poses to Malagasy forests. WCS thanks the government of Madagascar for their report and appreciates all the work undertaken to tackle the issue. During the last SC meeting (SC70), we raised a number of concerns concerning the draft use plan submitted by Madagascar. As agreed by the SC, completion of some outstanding actions is required to ensure all the conditions are in place for a sale to be considered. In particular, the following actions are high priorities:

- Identifying and bringing all stockpiles under government control; in particular, Madagascar still needs to propose an alternative approach which does not involve compensation payments.
- Appoint an independent observer and put in place a strengthened oversight mechanism.
- An independent trust fund should be set up and in place to receive funding generated by any sales of seized rosewood stocks, before any sale can be approved. The Madagascar Biodiversity Fund provides a good model as to the type of fund that could be established.

As there is still outstanding work to be done, the current trade suspension must remain in place whilst Parties provide assistance to Madagascar to complete these and other outstanding actions. We therefore encourage Parties to support the draft decisions provided in Annex I of Doc 30.2.



## 31. Domestic markets for frequently illegally traded specimens

WCS appreciates this document from the SC, and work undertaken by the Environmental Law Institute and other partners, and the funding provided by the USA, which led to phase one of the study as presented in Doc. SC70 Inf. 15. We believe it is critical to examine the legal and regulatory frameworks of domestic markets for species for which international commercial trade is predominantly illegal, as they continue to present opportunities for the laundering of illegally sourced and/or traded specimens. The significant implications of these markets for implementation of CITES has been addressed in several Resolutions, including Reso. Conf. 10.10 (Rev. CoP17).

Regarding the domestic trade in elephant ivory, we appreciate the analysis provided in this document of some key domestic markets for elephant ivory. As noted by the report, loopholes continue through which illegal ivory continues to be sold commercially. The challenges are growing regarding enforcement of relevant laws on internet-based commerce and social media platforms. WCS supports the proposed addition to Reso. Conf. 10.10 (Rev. CoP17) in Document 31. However, we also draw Parties' attention to CoP18 Document 69.5, submitted by Burkina Faso, Côte d'Ivoire, Ethiopia, Gabon, Kenya, Liberia, Niger, Nigeria and Syria. This document proposes additional amendments to Reso. Conf. 10.10 (Rev. CoP17) to more effectively increase efforts towards implementation and reduce the number of loopholes through which existing legal markets continue to provide cover for illegal ivory trade. Further detail is provided below in our comment on agenda item 69, and we support adoption of the recommendations in Doc. 69.5.

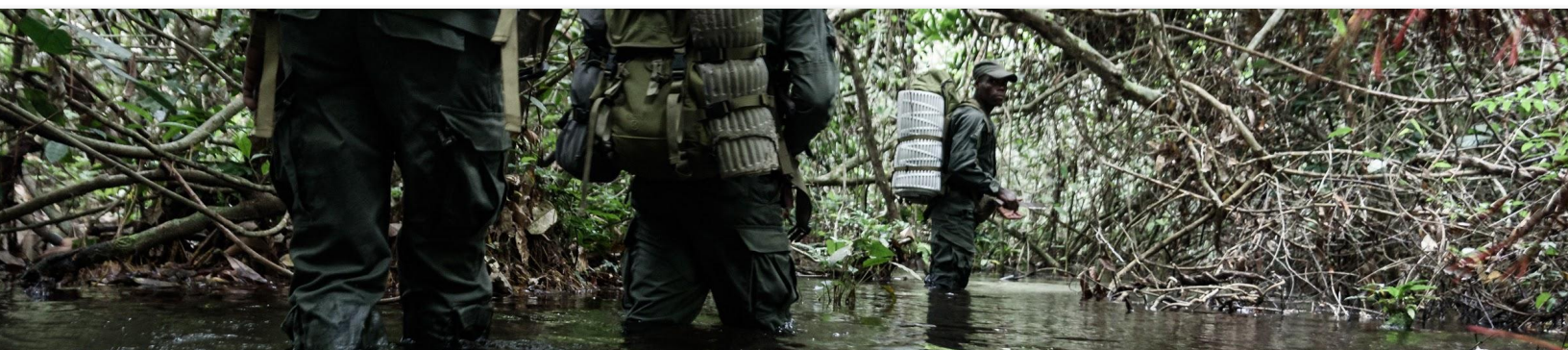
Regarding the second phase of this study, WCS agrees with some of the priority taxa identified by the Secretariat, and that the list should include additional species of birds, tortoises and freshwater turtles. We strongly urge the second phase of the study to address the following taxa: all rhinoceroses; all pangolins; all big cat species, including tigers, cheetahs, leopards, jaguars and lions (jaguars and lions being the subject of documents at this CoP documenting increased illegal trade); bird species such as the helmeted hornbill, African grey parrot and potentially others on Appendix I such as the scarlet macaw; all great ape species; and tortoise and freshwater turtle species. We also believe that other potential candidates for such a study may be discussed during CoP18, such as the saiga antelope. We understand that completing a survey for so many different taxa will require significant investment, and we urge Parties to provide resources in order to inform discussions of domestic trade in these species at future meetings. With these recommendations on taxa to be covered, we recommend adoption of the draft decisions.



## 32. Enforcement matters

WCS appreciates the summary in the document of all the efforts undertaken by the Parties, the Secretariat, ICCWC partners, IGOs, and NGOs, to combat trafficking in wildlife. However, poaching and trafficking in wildlife continue, linked to organized crime, and fed by corruption and weak governance; far more work still needs to be done. WCS encourages renewed and strengthened action across the entire illegal wildlife trafficking chain, including protection, monitoring, science, and management on the ground to stop poaching, engagement with local communities, scaled up anti-trafficking, prosecutorial and anti-corruption efforts, and enhanced, science-based and sophisticated efforts to change consumer behavior.

We note that corruption at all levels facilitates wildlife crime, and undermines the rule of law, good governance, and sustainable development. We welcome this needed attention to the scourge of corruption, and the willingness of Parties to take action to address and counter it. We welcome the news that UNODC and other ICCWC partners have developed *An Integrity Guide for Wildlife Management Agencies*, and we look forward to its launch at CoP18. We support the integration by States of their obligations under CITES, including those under Res. Conf. 17.6, with their obligations under both UNCAC and UNTOC. We urge those CITES Parties that are not Parties to UNCAC to consider ratifying that treaty and implement domestic measures to combat corruption. We support targeted implementation support from these guidelines through ICCWC partners, and welcome the draft Decision 18.BB, but stress that anti-corruption efforts require long-term commitments and singular trainings will not suffice.



WCS also appreciates the increased awareness of the links between wildlife trafficking and money laundering and other financial crimes. We encourage the enactment of national legislation that makes wildlife crime serious and organized according to UNTOC, ensuring that financial and other penalties are sufficient and comparable to other forms of transnational crime, conducting parallel financial investigations alongside wildlife trafficking investigations, ensuring that domestic legislation and procedures allow the use of alternative offences to pursue wildlife crimes, and enabling wildlife crime to be considered a predicate offence for money laundering so that anti-money laundering tools can be used. We appreciate the contributions of the UNODC wildlife crime and anti-money-laundering training program, and particularly future efforts to bring together participants along the illegal trade chain. WCS is a member of the United for Wildlife Illegal Wildlife Trade Financial Task Force, which was launched at the London Conference on Illegal Wildlife Trade in 2018.

WCS generally supports the recommendations of the Secretariat in the document. We do not however recommend the deletion of Decision 17.85 paragraph a, as it has not yet been fully implemented (in terms of facilitation of the international movement of samples for forensic or enforcement purposes).

## 33. Combatting wildlife cybercrime

WCS has experience in monitoring online sales of wildlife products in several key markets, as well as translating this into actionable intelligence that government partners have used for arrests and prosecutions that can contribute to the disrupting and dismantling of wildlife criminal networks. WCS is aware of ongoing efforts to buy and/or sell illegal wildlife products on major social media sites such as Facebook and WeChat, as well as other online platforms. It is over these public sites, rather than the Darknet, that most sales of illegally traded wildlife occur. Parties should continue to engage with social media platforms, to tackle illegal wildlife trade on the Internet, and to ensure that any illegal trade through these platforms is addressed. However, we also encourage Parties to act on their own to conduct intelligence gathering and criminal investigations to ensure that those trading in these products are prosecuted to the full extent of the law.

WCS was pleased to join the SC intersessional WG on wildlife cybercrime; we appreciate the excellent chairing of the group by Kenya and the active participation of Parties and other organizations. We are supportive of the outcomes presented in Documents 33.1 and 33.2, and we recommend the adoption of the proposed amendments to Reso. Conf. 11.3 (Rev. CoP17) in Doc. 33.2. We believe that this will focus efforts on the issue and provide a foundation for further engagement with private companies and enforcement authorities in key jurisdictions. While we acknowledge that this will not single-handedly solve the issues related to internet-enabled wildlife crime, we believe that this will remind Parties of their obligations to enforce existing laws that cover online trade, and to use approaches that effectively address networks engaging in illegal trade.

We are appreciative of the engagement of INTERPOL and the support provided to Parties through the Global Complex for Innovation in Singapore. We look forward to the publication of the INTERPOL *Guidelines on how to combat wildlife crime linked to the Internet*, but we note that Parties may wish to review these before encouraging Parties to make full use of them in the proposed decision in paragraph 10 of Doc. 33.1.



### 35. Disposal of confiscated specimens

WCS appreciates the intersessional leadership on this issue by Switzerland and Israel, as well as the contributions from members of the intersessional WG on the issue. The WG was in agreement that this is a critical and challenging issue for Parties in implementing CITES, but that the incredible complexity of these issues made it challenging to achieve consensus.

On the outstanding issues within the WG's mandate, as identified in Document 35:

- WCS recommends the use of the term “Management of confiscated specimens” rather than “Disposal,” as it properly captures a wide array of options and best practices.
- WCS concurs that a list of rescue centers/facilities for seized/confiscated specimens would be too complicated and resource-intensive to be maintained by the Secretariat, and raises confidentiality and security issues. It should be the obligation of each Party to determine which national facilities are best suited to care for live specimens, pursuant to Article VIII paragraphs 4 and 5 of the Convention and considering the context. We support the SC's recommendation and the draft decision.
- WCS believes that zoological parks and botanical gardens can and do serve as good repositories of illegally traded and confiscated or seized specimens, and we strongly encourage Parties to ensure that these facilities are accredited and uphold strict standards of care and trade controls. We also strongly encourage all Parties to document the destination of all seized specimens to ensure that they do not end up back in trade circulation.

WCS would be pleased to join any future intersessional work on the issues identified in this document.

### 37. Working conditions of wildlife rangers and their implications for the implementation of CITES

WCS appreciates the submission of this document by Nepal, and the attention to this issue by Parties. WCS works with rangers, eco-guards and other dedicated wildlife law enforcement officials in Africa, Asia, and the Americas. As demonstrated in a [recent study led by WCS and published in Oryx](#), wildlife rangers in eastern DRC face a plethora of very immediate threats and yet are not always provided for with respect to general wellbeing, job security and career development. Although this study took place in DRC, these issues recur across the globe (in both developed and developing countries).





## 39. Guidance for making legal acquisition findings

WCS welcomes this document submitted by the SC, and this important initiative. A great deal of attention has been focused in past years on the role of the SA and non-detriment findings; after more than 40 years since CITES entered into force, it is highly appropriate that the Parties are now focusing on the issue of verification of legal acquisition. This is connected to the ever-increasing attention of the CITES Parties to combating illegal wildlife trade, which we appreciate.

WCS was pleased to have been able to attend and actively participate in the international workshop in June 2018 on this issue organized by the Secretariat, and hosted and generously funded by the EU. We strongly support the development of guidance, practical tools, and information to assist CITES MAs in fulfilling their obligations under the Convention to verify the legal acquisition of specimens of CITES-listed species prior to the issuance of relevant permits and certificates.

We note that although most Parties have legislation prohibiting acquisition of CITES-listed specimens in contravention of national laws, and prohibiting export of any CITES-listed specimens taken in contravention of any national law, from our experience guidance to Parties on fulfilment of this pivotal requirement of the treaty is important, and welcome. We therefore support the draft resolution and guidance in the document; we agree with the Secretariat's comments and support the suggested draft decisions and resolution. However, we urge Parties to see this Document and issue in the context of Document 40 submitted by the USA; the issue of due diligence was raised in the aforementioned June 2018 workshop, but does not appear in Doc. 39. We also have some helpful suggestions that would improve the suggested draft resolution and decisions, which we would be pleased to share if a WG is established on this issue at CoP18.

It should be clarified that in the case of countries that operate under a federal system (e.g., Argentina, Australia, Canada, Germany, Mexico, the USA, and others), the MA should also determine that the specimen was not taken from the wild in violation of any state, provincial, or territorial law or regulation; that is particularly the case where the state, province, or territory has legal authority for the management of its wildlife and has its own laws and regulations pertaining to the use of wildlife. We also believe it should be clarified that when considering legal acquisition, Parties should also consider relevant international obligations under treaties to which they are Party.

## 40. Due diligence by CITES Parties and the obligations of importing countries

WCS welcomes this document submitted by the US, which supplements and goes hand-to-hand with Doc. 39 on legal acquisition findings, submitted by the SC. Importing countries have important responsibilities in terms of enforcing the provisions of the Convention and need to exercise due diligence when presented with a CITES permit or certificate. The document critically addresses this issue and provides clear and detailed guidance to importing Parties for verifying the validity of CITES documents accompanying shipments of CITES-listed specimens. We note that effective cooperation between CITES Authorities of different Parties is crucial on matters relating to the validity of CITES documents, especially in cases of wildlife trade suspected to be fraudulent.

We therefore strongly support this document and urge Parties to adopt the proposed revisions to Resolution Conf. 11.3 (Rev. CoP17) on compliance and enforcement related to obligations of importing Parties and due diligence, as contained in Annex 1 of the document.



## 43. Specimens produced from synthetic or cultured DNA

WCS was pleased to participate in the intersessional WG on this issue; we are also a member of the IUCN Task Force on synthetic biology and biodiversity conservation. WCS thanks the AC, PC, SC, and Secretariat for continuing to address the issue. WCS is concerned, however, that the recommendations in Doc. 43 do not include anything about how CITES Parties should regulate any specimens produced by biotechnology. Biotechnology is evolving extremely rapidly. It can already produce certain products genetically identical to wildlife products in international commercial trade. The need for regulation of these through their being marked in some way to be ‘readily recognizable’ is a concern, since it could render enforcement of illegal trade in wild-sourced products, such as rhino horns, difficult or impossible, especially when the illegal trade is currently run by corrupt syndicates. To ensure that trade in these products is not detrimental to species in the wild, it is essential that all such products come fully under the jurisdiction of CITES. The definitions of “specimen” in the Convention and “readily recognizable” in Resolution Conf. 9.6 (Rev. CoP16) are sufficient to support regulation of these products under CITES, without three more years of discussion and analysis of the technology and processes; CITES regulates products and specimens, not processes. WCS therefore strongly urges that CoP18 clarify that specimens produced through biotechnology are fully covered by the Convention: if a specimen cannot be easily distinguished from one from the actual animal or plant, it must be regulated as a CITES specimen. A clarification in Reso. Conf. 9.6 (Rev. CoP16) may be necessary to reinforce this. WCS looks forward to continuing to work with the CITES Parties on this issue.

## 44. Definition of the term ‘appropriate and acceptable destinations’

### Document 44.1

We support this document, and appreciate the work of the Secretariat, Chair of the Intersessional WG on this issue, and the hard work of all members of the WG. WCS has engaged on the issue both directly, and through the Association of Zoos and Aquariums and World Association of Zoos and Aquariums; we are a member of both organizations. We recommend Parties adopt the proposed outline of the non-binding guidance for determining whether recipients of living specimens of CITES-listed species are suitably equipped to house and care for them as presented in Annex 1, as a tool to aid Parties in making these determinations. We also recommend the adoption of the draft Decisions proposed by the AC in Annex 2 of the document directing the Secretariat, Parties and the AC to compile resources and best practice findings on the determination of ‘appropriate and acceptable’ destinations. We stand ready to continue to assist Parties on this issue, building on our more than 120 years of extensive experience with *ex situ* wildlife, and the contributions of many zoos and aquaria around the world to the conservation of CITES-listed species in the wild.

(continued)

#### **44. Definition of the term ‘appropriate and acceptable destinations’ (Continued)**

##### **Document 44.2**

We appreciate the rationale behind this document from Burkina Faso, Jordan, Lebanon, Liberia, Niger, Nigeria, Sudan, and Syria, but recommend that the Parties not adopt its recommendations. The document recommends that the only facilities that are 'appropriate and acceptable' for trade in live African elephants (on Appendix I or II) are African range States. By accepting this proposed statement, it then accepts a definition of 'appropriate and acceptable' on the basis of geography alone and not on suitability of a facility being equipped to care for elephants. There are many instances where a facility is equipped to house and care for elephants both within and outside their range, as well as cases where they are not. By accepting the proposed conditions as presented in this document it would make the conditions of trade in Appendix II elephant populations more restrictive than those populations on Appendix I, which is illogical. WCS recognizes that there are cases when it is in the best interest and welfare of individual elephants or the conservation of the species in the wild, that individuals be taken outside of their range state and suitably housed and cared for at a captive facility. We recommend that decisions on this matter be taken on a case-by-case basis, building on the implementation of the recommended Decisions in Document 44.1. WCS offers our expertise in developing further guidance on determining a facility's suitability for the care and housing of elephants, and also suggests that any Party considering exporting or importing elephants to captive facilities, consult the World Association of Zoos and Aquariums, the European Association of Zoos and Aquariums, and/or the Association of Zoos and Aquariums (depending on the location of the facility), to assess the suitability and accreditation of the proposed facility.





## 45. Non-detriment findings

The undertaking of science-based NDFs is critical for the successful implementation of CITES. WCS appreciates the work of the AC and PC to identify opportunities for strengthening the existing guidance. We support the draft decisions, and encourage Parties to provide sufficient resources for their full implementation. WCS has experience designing and implementing guidance on NDFs, and working with Parties, as well as perspectives on possible gaps, and would be pleased to contribute to intersessional work on this matter (including attendance at relevant expert workshops).

## 49. Implications of transferring a species to Appendix I

WCS was highly concerned by elements of Document 57 on Pangolins, that was submitted by the Secretariat to the 69<sup>th</sup> meeting of the SC (SC69) in 2017. The interpretation by the Secretariat within that document was that stocks of pangolin scales that were legally obtained when the species was listed on Appendix II, could still be traded commercially, even though the species had been transferred to Appendix I in CoP17 in 2016. This erroneous interpretation ran counter to all previous interpretations of the treaty for other species, which was that only specimens obtained from the wild before the species was listed on any CITES Appendix could be traded – which in the case of pangolins would be pre-1975 specimens rather than pre-CoP17 specimens. As this legal interpretation has implications for other species, and the Secretariat's new legal interpretation was challenged by many Parties at SC69, the Parties requested clarity to be provided through a CoP decision to be adopted during CoP18.

WCS is pleased that the Secretariat has refined its interpretation in document CoP18 Doc 49.1, and has provided a detailed, well thought out legal analysis. We agree that the amendments to Resolution Conf. 12.3 (Rev. CoP17) and Conf. 13.6 (Rev. CoP16) proposed by the Secretariat in Annexes 2 and 3 of document 49.1, provide the clarity requested by the SC on this issue and will ensure the issue is fully resolved. We therefore urge the Parties to adopt these two amendments, to ensure that all discussion on this important issue can finally be concluded.

WCS also welcomes document Doc 49.2 submitted by Côte d'Ivoire, Nigeria and Senegal and agrees with the analysis within this document. We fully agree with the recommendation provided in paragraph 20 of this document which proposes a new paragraph 4 to be added to Resolution 13.6 (Rev CoP16), but consider that this legal clarity is already provided in the amendments proposed by the Secretariat in Document 49.1, which renders this additional recommendation mooted by the Secretariat's document, and therefore unnecessary.

## 51. Stocks and stockpiles

WCS appreciates the submission of this document by the SC as well as the chairing of the intersessional WG by Israel. WCS was pleased to join this WG and participated actively. We concur with the findings of the WG report submitted to SC70 that there are several critical and outstanding issues to be addressed. Given the importance of managing stocks and stockpiles, including aligning any new guidance with existing CITES provisions, we welcome the recommendation of the SC to continue work on this topic through a revision of existing Decision 17.170. We look forward to joining any further discussions of this issue through CoP19.



## 56. Simplified procedures for permits and certificates

The SC established an intersessional WG on simplified procedures for permits and certificates, to expedite trade in samples of CITES-listed species (or samples suspected to contain CITES-listed species) for forensic, enforcement, diagnostic, or other health and disease purposes. WCS was pleased to have been able to participate in the WG. We agree that Parties can use simplified procedures now, but due to some confusion, not all Parties understand how they can expedite issuance of permits for such samples. We are aware of situations where samples taken for diagnostic purposes in the case of disease outbreaks have not been able to obtain permits in a timely fashion, putting wildlife (and sometimes humans and livestock) at risk. We also recognize that permits may need to be expedited as well for samples for forensic or enforcement purposes, or biological samples taken in the marine environment beyond national jurisdiction, for scientific purposes.

WCS therefore supports and urges Parties to adopt the recommended amendments in the document, to Resolution Conf. 12.3 (Rev. CoP17) on permits and certificates, and Resolution Conf. 11.15 (Rev. CoP12) on non-commercial loan, donation, or exchange of specimens. We believe these expedited processes should explicitly apply only to trade for strictly non-commercial purposes. We also note that the greatest urgency is for the movement of samples for diagnostic and other health-related purposes, particularly in the case of disease outbreaks. These proposed amendments do not introduce any exemption to the need for CITES permits and certificates, but rather propose a system to expedite their issuance, to further forensic research, enforcement and prosecution, and responses to wildlife disease outbreaks. We also believe that as Parties implement these provisions in coming years, some of the typical sample sizes outlined in the annexes to the document may need to be revised, based on experience. We appreciate and support the recommendations of the Secretariat in the document; however, we do not see the recommended specific training workshops to be a funding priority, and would rather see that folded into general capacity building.



## Species-Specific Matters

### 60. Illegal trade in cheetahs (*Acinonyx jubatus*)

WCS thanks the Secretariat and Zoological Society of London (ZSL) for preparation of the CITES cheetah trade resource kit, and the USA for funding to support the work. WCS works actively through the [WCS-ZSL Range Wide Conservation Program on Cheetah and African Wild Dogs](#) on the conservation of cheetahs across their range. WCS was pleased to participate on the intersessional WG chaired by Kuwait.

We particularly welcome the efforts by Parties to tighten legal frameworks that facilitate the illegal trade in live cheetahs, such as new legislation in the United Arab Emirates, and to increase law enforcement efforts against illegal activities. As part of this, coordination both within country and between countries along the trade chain (including through platforms established by ICCWC Partners such as the closed coordination group) will be useful, and we encourage range, transit, and importing Parties of illegally obtained cheetahs to share intelligence and to collaborate to bring criminals to justice, and to close down the channels that allow consumers to purchase illegal cheetahs.

We note with concern that very few seizures or other evidence of illegal trade were noted in the responses to questionnaires from Parties who have cited problems with domestic demand for illegal cheetah trade in the past. We also note that some key range States did not respond. We note that general awareness raising is often not a cost-effective intervention in the short term, even if long term efforts to raise awareness of the implications of illegal trade in cheetahs is welcome. WCS stands ready to support Parties and other partners in their efforts to conserve cheetahs and prevent illegal trade. Notably, WCS would support any move to take into consideration information available from other sources beyond official records of confiscations and which could shed light on the true scale and key locations of the illegal trade in cheetah. We note that social media and other online platforms facilitate the illegal trade in cheetahs, and further enforcement cooperation as outlined under the cybercrime agenda item are relevant for combating the illegal trade in cheetahs. WCS urges social media companies to engage with CITES in combating illegal trade in cheetah, particularly in adopting strict policies against the use of social media platforms to promote illegal trade and in developing tools to identify and remove posts seeking to sell cheetahs on line.

WCS also strongly supports the efforts of the joint CITES-CMS African Carnivores Initiative to collaborate on implementation of decisions taken within both CITES and CMS on cheetahs, lions, leopards and wild dogs. We believe that concerted actions on these species will benefit the conservation of these species in the wild and we strongly encourage additional support for this Initiative. We also encourage greater collaboration between range States and the two Conventions.



## 62. Draft decisions on the conservation of amphibians (*Amphibia*)

WCS thanks Costa Rica for its recommended decisions in COP18 Doc 62 Annex 1, and supports and urges adoption of those recommendations. We also propose that they be extended to include consideration of the potential risks of disease to wild amphibian populations, from international trade in live amphibians. This is a particular concern for fungal diseases, especially *Batrachochytrium dendrobatidis* (Bd) which has been known for more than 20 years to cause widespread declines and extinctions of frogs and salamanders in different parts of the world, and *B. salamandrivorans* (Bsal) which causes widespread mortality in some salamander populations. Traded specimens which are accidentally or deliberately released to the wild are known to have been responsible for certain outbreaks of Bd. Of particular concern is the potential spread of Bsal to Central and North America which are the world's centres of salamander diversity. WCS recommends that Draft Decision 18.XX be amended to add an additional clause that "Parties trading in amphibians are directed to... c) Take steps to ensure that any all traded amphibians are free from Bd and Bsal, and are not destined for a country whose wild amphibian populations might be especially vulnerable to such diseases."



## 68. Sharks and rays (*Elasmobranchii* spp.)

*Note: Document 68.2 (Report of the Secretariat) was not available at time of publication.*

WCS appreciates the ongoing attention of the AC and SC to the implementation of the CITES listings of species of sharks and rays, and the activities reported in Documents 68.1 and 68.2 We congratulate many of the Parties, FAO, and the Secretariat for the tremendous work they have done thus far to implement those shark and ray listings adopted at CoP16 and CoP17; we encourage further collaborative efforts, including work to close legislative gaps for these species, and efforts to link CITES implementation with fisheries conservation and management measures. We also appreciate the significant progress made by the Secretariat, Parties, IGOs, and NGOs, in providing guidelines and capacity building to help ensure that CITES is effectively implemented for those sharks and rays on the CITES Appendices.



## 69. Elephants (*Elephantidae* spp.)

WCS appreciates these documents, as well as the efforts of the Secretariat, Parties, IGOs, and NGOs to compile the data that underlies them for review by the CoP. While the high levels of elephant poaching and illegal trade in ivory continue to receive significant global attention and funding, there is nevertheless a pressing need for this collective effort to be maintained and – critically – for a more coordinated and effective effort throughout the trade chain.

### MIKE and the Illegal Killing of Elephants

We note that it is positive that the data presented in the MIKE report (Doc. 69.2) show that poaching, as recorded in regional and sub-regional PIKE scores, while still high, is dropping at the continental level and in key sub-regions such as East Africa. We commend many countries in these regions for increasing their vigilance and imposing stiffer penalties to deter future illegal killing and trade. Some of these Parties have been part of the NIAP process, which we believe has been successful in stimulating political will and action in several countries. However, predictably from a criminological perspective, this has pushed the criminal trafficking networks to now turn to countries in southern Africa such as Mozambique, where there has been an increase in ivory trafficked through its ports from elephants poached elsewhere along with ongoing theft from stockpiles. Elephants continue to be poached at alarming rates in Central Africa; we additionally note the recent seizure in Uganda included ivory which had been trafficked from the Democratic Republic of the Congo. We also note that the sub-regional PIKE score for Southern Africa increased in 2017, despite the challenges in assessing PIKE data during drought events, which is relevant for some proposals related to African elephants submitted to this CoP. Finally, we appreciate Parties who have supported the MIKE Program, including the EU and Japan. We believe the renewed effort on MIKE in Asia will be valuable.

### Elephant Ivory Stockpile Management

WCS welcomes the progress that has been made in reviewing the Stop Ivory stockpile management system, including the assessment of its application in Mozambique. We note with concern that the slow pace of the official evaluation of Stop Ivory's system against any other guidance has prevented this CoP from considering holistic guidance on stockpile management, and therefore pushes any CoP-approved guidance for Parties on this critical issue to CoP19 in 2021. This is unacceptable, particularly when so many reports from Parties, observers and other stakeholders suggest that inadequate stockpile management contributes to the illegal trade in ivory. At least one country that is currently included in Category A under the ETIS report to CoP18 (Document 69.3) has been implicated through seizures that were traced to official government stockpiles. The Secretariat noted the theft from government stockpiles in SC70 Document 49.1.

As such, WCS strongly supports the conclusions and recommendations of Document 69.4 on ivory stockpiles, submitted by Burkina Faso, Chad, Côte d'Ivoire, Gabon, Jordan, Kenya, Liberia, Niger, Nigeria, Sudan and Syria, that would establish an in-session WG at CoP18 to finalize the practical guidance for the management of ivory stockpiles and set a timeline for dissemination by the Secretariat. Furthermore, we support the adoption by CoP18 of the draft decisions contained in Document 69.4, which would assist CITES in following up on key government and private stockpiles in key source, transit and consumer States to ensure that they are not contributing to illegal trade. We recognize the enforcement challenges faced by Parties with large, and growing, ivory stockpiles and strongly support the Stop Ivory system's principles of putting ivory beyond economic use.

(continued)

## 69. Elephants (*Elephantidae spp.*) (Continued)

### Domestic Ivory Markets

Closure of domestic ivory markets in consumer countries is a vital enforcement tool to end the laundering of illegal ivory through legal markets. WCS appreciates the Notification issued by the Secretariat following up on this aspect of Reso. Conf. 10.10 (Rev. CoP17), and the efforts of some Parties to provide updates on their efforts to close their domestic ivory markets. WCS congratulates those Parties that have taken active, positive steps since CoP17 to close or further close their domestic ivory markets in accordance with Res. Conf. 10.10 (Rev.), including in particular China (and Hong Kong SAR), the UK, France, and the US, as well as those such as the EU, Singapore and others that are currently consulting with stakeholders and the public on the issue. We urge Parties to err on the side of caution, and to recognize that *any* domestic trade in ivory provides opportunities for laundering of illegal ivory and therefore contribute to the poaching of elephants and the trafficking in their ivory.



Regarding the domestic trade in elephant ivory, we appreciate the detailed analysis provided of some key domestic markets for elephant ivory in SC70 Inf. 15. As noted by the report, there is uneven capacity for, and thus success in, implementing this legislation and there are loopholes through which illegal ivory continues to be sold commercially. Furthermore, the challenges of enforcing these laws on internet-based commerce and social media platforms are still very much present. WCS strongly supports the proposed addition to Reso. Conf. 10.10 (Rev. CoP17) in Document 31; however, we take this opportunity to draw attention to document 69.5, which was submitted by Burkina Faso, Côte d'Ivoire, Ethiopia, Gabon, Kenya, Liberia, Niger, Nigeria and Syria. This document proposes additional amendments to Reso. Conf. 10.10 (Rev. CoP17) that would establish clearer, simpler responsibilities for Parties, including the mandate for all Parties to close their domestic ivory markets. The amendments would also effectively increase efforts towards implementation through specific reporting obligations and follow-up under the SC. We urge Parties to support these proposed amendments.

(continued)



## 69. Elephants (*Elephantidae spp.*) (Continued)

### Illegal Trade in Ivory: ETIS and the NIAP Process

WCS supports the NIAP process as a very useful initiative to address the ivory trade issues that threaten African and Asian elephants in the wild. WCS has helped or is now helping a number of Parties develop and/or implement their NIAPs and is committed to continuing to do so in the future. We commend Parties for the development and implementation of NIAPs. However, we remain concerned about some aspects of the NIAP process, including the decision-making process of the Secretariat and SC regarding which Parties identified by ETIS are included in the NIAP process, as well as whether or not external experts have been consulted in the evaluation of progress reports. We are also concerned that some Parties either have made limited progress if any, or have not even reported as required, and yet some Parties previously categorized by ETIS as Category A (significantly impacted by illegal trade) have been allowed to leave the process.

We acknowledge the progress made by Parties, and the thoughtful discussion of the NIAP process at SC70 and look forward to those at SC71. We generally support the proposed revisions to Reso. Conf. 10.10 (Rev. CoP17); however, we urge Parties to consider the following further changes to the NIAP process, through additional amendments:

- require, or more strongly encourage, the Secretariat to consult and engage independent external experts in reviewing the NIAPs and NIAP progress;
- clarify the criteria for entering and leaving the NIAP process (to ensure the process is objective and non-political, and that all countries are treated fairly and equitably, both when entering and leaving the process); and
- ensure that as regards NIAP development, implementation, and assessment, particular focus is placed on outcomes, and reductions in poaching and ivory trafficking.

WCS also supports the calls for regular and timely reporting of ivory seizure data to ETIS, elephant poaching rate data to MIKE, and stockpile inventory data to the Secretariat, and furthermore believes that repeated failure to report should be seen as a compliance matter. Related to this, we also urge the NIAP process to treat Parties equitably, and rely on ETIS data and other research or expert opinion to address those countries that have said that their domestic markets do not contribute to poaching or trafficking, but where seizure and other illegal trade data suggest otherwise. We urge this process to rely to the extent possible on objective data and measurable successes in reducing poaching and illegal trade.





## 71. Asian big cats (*Felidae* spp.)

*Note: Document 71.1 (Report of the Secretariat) was not available at time of publication.*

WCS works to conserve all species of Asian big cats across the following range States: Afghanistan, Bangladesh, Cambodia, China, India, Indonesia, Lao PDR, Malaysia, Myanmar, Pakistan, Russian Federation, and Thailand. We work to conserve multiple populations across the species' range, with long-term species-specific research and monitoring, and broad programs to reduce threats ranging from habitat protection and anti-poaching to working with local communities to reduce human-wildlife conflict. We also have programs outside of core sites to address illegal trade in big cats and their parts, including extensive work with relevant government agencies on intelligence-led law enforcement.

WCS notes with concern the lack of progress made in the implementation of some existing Decisions on Asian big cats, including in particular Decision 14.69 from CoP14 and 17.229 from CoP17. We strongly urge relevant Parties to acknowledge that the 66 facilities identified in SC70 Doc. 51 are worthy of further scrutiny by CITES, and urge these Parties to either provide additional information or invite technical missions led by the CITES Secretariat, in consultation with independent experts, to provide clarification of the purpose and management of these facilities. We urge Parties to view this as a compliance assistance process, and note that many of these facilities may not be breeding cats on a commercial scale for their parts and derivatives. However, scrutiny of these facilities is warranted in accordance with existing Decisions adopted by the CoP.

At the time of writing, the Secretariat's document is not yet available. In the absence of their inputs, we strongly urge the adoption of the recommendations contained in India's document -- Document 71.2 -- which would increase the specificity and accountability for existing decisions related to Asian big cats. WCS is concerned that the lack of progress from Parties with captive breeding operations suggests an unwillingness to meet obligations specified by the CoP, and believes that establishing and implementing time-bound Decisions will help CITES to ensure that progress is made on these issues for the benefit of Asian big cat species in the wild. Furthermore, WCS welcomes the majority of the recommendations included in the report produced for SC70 (SC70 Doc. 51 Annex 4), and we welcome the draft decisions that would encourage greater action in response to these recommendations.

It is critical that the conservation of, and trade in, Asian big cats be seen as inextricably linked to broader issues related to big cat trade for commercial consumption. WCS notes that other documents to be discussed by the CoP address the threat posed by illegal trade in African lions and jaguars, which has, in some cases, been linked to the commercial trade and consumption of certain Asian big cat products. As such, we urge collective, global action to address the trade in big cats parts and derivatives, and the captive breeding for these parts and derivatives, in order to ensure that these iconic species continue to exist in the wild.



## 73. Great apes (*Hominidae* spp.)

WCS appreciates the efforts of the Secretariat, GRASP, the IUCN Primate Specialist Group, and members of the Animals Committee and other experts, to put together comprehensive status report on great apes and a set of recommendations. WCS scientists have been pleased to contribute to, and review, the findings and recommendations of the report, and we appreciate the efforts of the CITES Secretariat to translate the recommendations of this report into revisions of Resolution Conf. 13.4 (Rev. CoP16) on *Conservation of and trade in great apes*.

WCS is pleased to see that the IUCN Primate Specialist Group was consulted during the drafting of potential amendments, and that many of our recommendations have been reflected in the proposed revisions to Reso. Conf. 13.4 (Rev. CoP16). This includes special attention to the issue of consumption of great ape species as bushmeat or wild meat. Finally, although it lies outside of the mandate of this work and of the resolution under review, WCS believes that Parties must recognize that small apes (gibbons and siamangs) share similar habitats as some species of great apes, and face similar threats.



## 75. Pangolins (*Manis* spp.)

WCS appreciates the continued attention of the SC and relevant experts to the issue of illegal trade in pangolins, all eight pangolin species of which are on Appendix I. WCS notes with appreciation the intersessional work undertaken by partners, for example the U.S. Agency for International Development's *Wildlife Asia* project and their guidance for identifying pangolin products in trade. However, WCS notes with concern significant seizures of illegal pangolin scales reported in CoP18 Doc. 75 and recent news reports, including recent large-scale seizures of pangolin scales in Viet Nam, Thailand, and China and Hong Kong SAR. Many of these shipments either originated in or passed through Nigeria or Cameroon, and the shift from meat to scales in Cameroon, at least, took place in 2013. This suggests that there are significant enforcement issues associated with this trade route. Also in the last year, all the seizures in poacher camps in the largest protected area in the DRC included bags of pangolin scales, and there is evidence from the same site that the elephant poachers have shifted their interest from ivory to pangolin scales. The vast quantities of pangolin scales being intercepted in illegal trade, coupled with the species' rarity and the frequency of such seizures, suggests that organized criminal trade in pangolin products is continuing to increase pressure on these Appendix I species. We note with concern that the issues related to the conservation of this species must be tackled along the trade chain, from source site to consumer markets.

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## 75. Pangolins (*Manis spp.*) (Continued)

We therefore urge the CoP to adopt strong, time-bound decisions on illegal international trade as well as domestic trade in pangolins. These decisions should help Parties to identify recurrent issues with *in situ* conservation and enforcement of laws to prevent illegal trade. We urge the CoP to adopt a Decision that would require range States and consumer States to report to the Standing Committee on their legal and regulatory controls of domestic markets for pangolin specimens, and results related to the enforcement of these laws, by SC73. We welcome the addition of a reporting requirement to the existing Decision directed to range States (on *in situ* conservation plans), but we urge that these be submitted in advance of the 32nd meeting of the AC, for further review by SC74 and CoP19. Parties should not be punished for effective enforcement efforts that lead to seizures, but efforts must rely on intelligence and collaborative law enforcement approaches to ensure that existing trade routes for illegal pangolin products are no longer open to criminal networks.

Furthermore, we welcome future intersessional work to be conducted on domestic markets for species where international trade is predominantly illegal (see agenda item 31), which should include all eight pangolin species. We believe that demand reduction efforts are valiant, but the international community and Parties must also ensure that regulatory loopholes facilitating commercial trade in consumer countries are closed to prevent the opportunities for laundering of illegally obtained pangolin products.





## 76. African lion (*Panthera leo*)

*Note: Document 76.1 (Report of the Secretariat) was not available at time of publication.*

WCS appreciates Document 76.2, submitted by Nigeria and Togo, which raises some very important issues relevant to the conservation of the African lion. We also believe there are some very useful elements in the draft resolution in Annex 1 of this document. We disagree with the Secretariat that the draft resolution should be rejected. Rather, we look forward to working with range States and other Parties on this issue at CoP18, to find common ground and move forward on a specific resolution on *Panthera leo*.

WCS works with government partners on the conservation of lions and their habitats in at least seven countries across Africa, including Nigeria (Yankari Game Reserve), Cameroon (Bouba Njida), the Democratic Republic of the Congo (Kabobo-Luama and Virunga-Hoyo), Mozambique (Niassa National Reserve), Tanzania (Ruaha-Katavi, Tarangire National Park), Uganda (Murchison Falls National Park, Queen Elizabeth National Park, Kidepo Valley National Park), and South Sudan (Bandingalo, Boma and Southern National Parks, Sudd). WCS is concerned about the threats to African lions, including habitat loss and degradation, reduction of wild prey, human-wildlife conflict, illegal killing, unsustainable or unregulated hunting, and disease, and the consequent declines in populations across the continent.

We recognize that trophy hunting of lions in some countries provides economic incentives to maintain natural wild areas, when managed equitably, sustainably, and with rigorously-enforced quotas based on sound scientific monitoring of populations. However, we are concerned that any trade in lion bones for commercial purposes, even if from captive-bred stocks, facilitates laundering of wild-sourced bones into markets. This is especially a concern given the challenges for enforcement authorities of distinguishing between the bones of different big cat species, so the prevalence of large numbers of lion bones in the market can also potentially provide a cover for sales of tiger bones.

We have concerns regarding the annotation to the CITES Appendix II listing of *Panthera leo*, adopted at CoP17, that allows for an annual export quota for trade in bones, bone pieces, bone products, claws, skeletons, skulls and teeth for commercial purposes, derived from captive breeding operations in South Africa. We agree with Nigeria and Togo that the 2018 increase in that quota from 800 to 1,500 skeletons is a serious concern. We urge Parties to take a precautionary approach by determining that the zero annual quota for any exports be applied to all specimens of bones, bone pieces, bone products, claws, skeletons, skulls and teeth and traded for commercial purposes, whatever the source of the parts (wild or captive-bred). We also encourage adoption of a resolution on *Panthera leo* at CoP18, building on the recommendations in this document.



## 77. Jaguar (*Panthera onca*)

WCS appreciates the submission of COP18 Docs 77.1 and 77.2 by Costa Rica and Mexico, and Peru, respectively. WCS works with governments and other partners on the conservation of jaguars and their habitats in nine countries (Guatemala, Honduras, Nicaragua, Colombia, Ecuador, Peru, Bolivia, Paraguay and Brazil). WCS is very concerned about the emerging threat of national and international trade in jaguar parts, and that trafficking of such parts between jaguar range countries and Asia appears to be increasing. We welcome the documents addressing the issue, and the recommendations therein for resources to be allocated to a detailed study of the issue, to raise awareness of the issue, and to increase enforcement in jaguar range countries and along trade chains. We urge the proponents to work to merge the two documents to produce a single set of recommendations that can be adopted at COP18; if that is not possible, we hope that time can be made available at CoP18 for the range States of the jaguar to meet and merge the recommendations in these important documents.

## 79. Songbird trade and conservation management (Passeriformes)

WCS is highly concerned by the serious decline in songbirds and the threats posed by international trade in these species. We appreciate the submission of this comprehensive document by Sri Lanka and the USA. WCS agrees with the recommendations for action by the AC and SC in paragraph 21 of Doc. 79 and we strongly encourage all Parties to give their full support to this effort.

## 81. African grey parrots (*Psittacus erithacus*)

WCS greatly appreciates the decision of CoP17 to transfer the African grey parrot to Appendix I. We note that challenges remain concerning conservation of the species in the wild, and efforts to stem the illegal trade in the species from some countries. Since CoP17, the WCS Congo Program, working closely with WCS Bronx Zoo staff, has worked to rehabilitate and release back into the wild hundreds of African grey parrots that were confiscated by government authorities. We note that any such returns to the wild must be carefully managed, and must be fully in accordance with the IUCN Guidelines for Reintroductions and Other Conservation Translocations, and all relevant international guidelines and standards. Reintroducing African grey parrots to sites where they have been extirpated, or otherwise “re-populating” (as per this document) is a very sensitive matter (in terms of the health of wild populations, and many other factors). We believe it is premature to adopt the proposed new paragraph f) in the Document, that states that range States should address “the identification of suitable habitat in range States for re-population of *Psittacus erithacus* where appropriate and feasible”; we consider it a much higher priority to prevent poaching of the species in the wild.

Furthermore, we recognize that CoP17 felt it appropriate to adopt Decision 17.258 and be more flexible in approving captive breeding facilities with this species, pursuant to Resolution Conf. 12.10 (Rev. CoP15). We believe however that it has been ample time since CoP17, and there are now 51 facilities on the Secretariat’s [“Register of operations that breed Appendix-I animal species for commercial purposes”](#) for *Psittacus erithacus* (49 of which are in South Africa). We therefore believe that the proposal of South Africa to extend Decision 17.258 is not warranted, and we recommend that CoP18 repeal that Decision.

## 83. Rhinoceroses (*Rhinocerotidae* spp.)

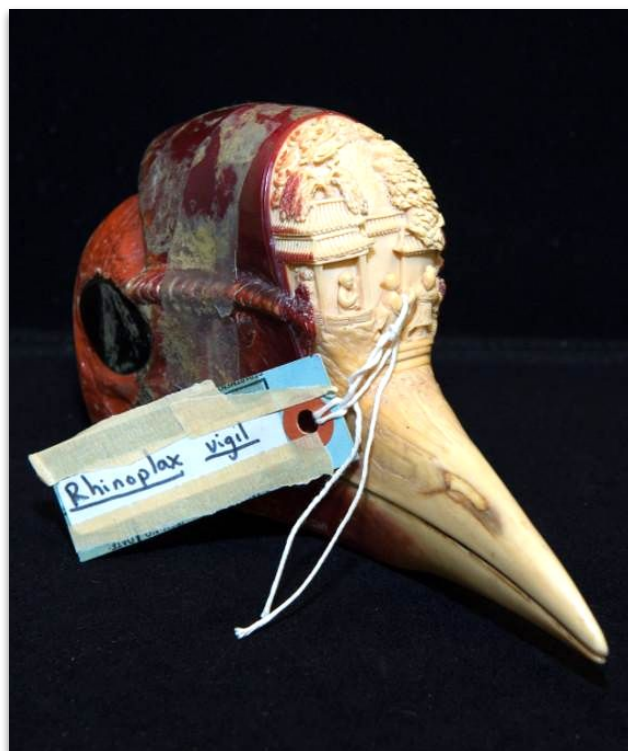
*Note: Document 83.1 (Report of the Standing Committee and Secretariat) was not available at time of publication.*

WCS welcomes the document submitted by Kenya. WCS agrees that Parties should take all necessary legislative, regulatory and enforcement measures to close all existing domestic markets for trade in rhinoceros parts and derivatives, and that Parties should consider the destruction of stockpiles of rhinoceros horns as a management option, in order to offset the risks and costs of securing such stockpiles. We therefore urge Parties to adopt the draft amendments to Resolution Conf. 9.14 (Rev. CoP17) and the draft decisions in Annexes 1 and 2 to Doc. 83.2.

## 84. Helmeted hornbill (*Rhinoplax vigil*)

WCS appreciates the attention of the Parties to the crisis facing the Helmeted hornbill (*Rhinoplax vigil*), due to poaching and trafficking in its casques, including the adoption of Resolution Conf. 17.11 and Decisions 17.264-17.266 at CoP17, and discussion of the issue at SC70. We also appreciate that range States and consumer States have taken actions to combat the trafficking in this species; however, far more needs to be done if this Appendix I, IUCN Critically Endangered species is to survive. The draft decisions in Annex 1 of CoP18 Doc. 84 are a step in the right direction, but must be expanded upon.

WCS was pleased to have attended a successful workshop on the Helmeted hornbill, which was held in Malaysia 19-20 February 2019. The workshop was convened by the Sarawak Forestry Corporation with additional technical and financial support from WCS, Wildlife Reserves Singapore, IUCN Asian Species Action Partnership, IUCN Hornbill Specialist Group and the Helmeted Hornbill Working Group. The workshop included range and consumer States, IUCN, and NGOs. The workshop noted several gaps in both Reso. Conf. 17.11 and the draft decisions in CoP18 Doc. 84; WCS believes that some of the range States for the species will recommend edits to both the resolution and draft decisions at CoP18. WCS strongly supports the consensus recommendations of the aforementioned workshop, and looks forward to working with range, transit, and destination States, and all Parties, at CoP18 to facilitate adoption of strong actions to strengthen current legislative, enforcement, and prosecutorial efforts to disrupt the criminal networks driving this species to the brink of extinction.





## 86. Saiga antelope (*Saiga* spp.)

WCS appreciates the attention of the Parties to the conservation of the Saiga antelope. WCS works on Saiga in the field, and supports the implementation of the CMS-CITES Joint Work Programme 2016-2020, which includes the Saiga. The Saiga antelope has experienced marked population declines throughout its range, which includes areas of Mongolia, Kazakhstan, Uzbekistan, Turkmenistan and the Russian Federation. Formerly widespread and numbering well over 1 million individuals as recently as the 1970s, the species repeatedly experienced drastic declines in the late 20th century, reaching an all-time low of ca. 50,000 animals in the early 2000s. CMS reported that the global population was estimated in 2015 to a minimum of 100,000 individuals. Although numbers in Kazakhstan have rebounded to an estimated 344,400 in 2019, the species is highly susceptible to mass mortality events, such as diseases that killed at least 200,000 animals in the course of three weeks in 2015 and 80% of the Mongolian population in 2017, and is currently on the IUCN Red List as Critically Endangered, pending a possible re-assessment in 2020. Mass mortality events caused by disease and climatic conditions are projected to increase in the future.

WCS congratulates Mongolia and the USA for the submission of a proposal to transfer the Saiga from Appendix II to I; we discuss that proposal separately. Urgent action must be taken to ensure that the Appendices appropriately reflect the status of the species in the wild, and that Decisions of the CoP also appropriately ensure meaningful action. WCS congratulates range States on efforts they have made to enhance the conservation of the species in the wild, to stem the poaching of Saiga and illegal trade in their parts and derivatives, as well as to combat other threats to the species. However, WCS is concerned that poaching and illegal trade continue, in spite of the fact that every range State has adopted a moratorium on hunting of the species. We are concerned that stockpiles of Saiga horns in some consumer States are fueling both consumption and continuing illegal trade, and much more needs to be done on stockpile management.

CoP17 adopted Decisions 17.267-17.264, directed at range, transit, and consumer Parties, the Secretariat, and the SC. We support some of the recommendations of the SC in Doc. 86; however, we are concerned that the draft decisions propose a significant reduction in what is asked of Parties. The document proposes elimination of the text of Decisions 17.268-17.270, directed to “important consumer and trading countries of saiga parts and derivatives”, including encouraging them to carefully manage trade and consumption, promote use of alternatives, ensure stockpile management, and promote cross-border enforcement collaboration. It is unwise to eliminate those requirements.

WCS recommends that the CoP retain the text of those Decisions, in addition to transferring the species to Appendix I. We do not see that now is the time to reduce attention to the plight of this Critically Endangered species.

## 87. Conservation of the Titicaca water frog (*Telmatobius culeus*)

WCS appreciates the submission of this document by Peru. The Titicaca water frog, found only in Peru and Bolivia (Lake Titicaca and adjacent bodies of water), was listed on CITES Appendix I at CoP17, and is Critically Endangered on the IUCN Red List of Threatened Species. In spite of binational efforts aimed at conserving the biodiversity of Lake Titicaca, the illegal trafficking of frog specimens and the habitat contamination continues to threaten the survival of this culturally important species. WCS supports the draft resolution in Annex 1 of Doc. 87, and recommends its adoption by the Parties.



## 88. Tortoises and freshwater turtles (*Testudines* spp.)

We appreciate this document, and the attention of the Parties to the ongoing conservation crisis facing tortoises and freshwater turtle species. Five turtle and tortoise species are proposed for transfer to Appendix I at this CoP, largely due to illegal trade. We strongly support these proposals, but also strongly urge Parties to enhance their activities to combat the illegal and unsustainable trade in these species, to prevent further species from qualifying for inclusion in Appendix I.

WCS works with our government and other partners in multiple countries to conserve tortoises and freshwater turtles. Our staff in Africa, Asia, and the Americas have all seen significant increases in trafficking in these species, particularly for the pet trade and collectors' markets. As we noted at CoP17, as well at meetings of the AC and SC, WCS is also particularly concerned about ongoing and rampant illegal trade in *Astrochelys yniphora* (Ploughshare tortoise), a Madagascar endemic CITES Appendix I and IUCN Critically Endangered species, which has driven this species to the brink of extinction in the wild. We urge Madagascar, other Parties, member organizations of ICCWC, and the Secretariat to take urgent action in relation to the trafficking in this species. We support the concerns raised by the Secretariat in this document, and urge the Parties to adopt the recommended draft Decisions 18.AA and 18.BB regarding the Ploughshare tortoise.

We look forward to continuing our collaboration with Parties, the Secretariat, and others, on the conservation of these species and on enforcement efforts to combat the illegal trade. There is growing evidence of the involvement of well-organized criminal networks in turtle and tortoise trafficking, including of collectors, traders, exporters and importers, and we urge the Parties to implement strong measures to deter and disrupt these networks. We appreciate the opportunity to have joined the April 2017 meeting of the CITES Tortoises and Freshwater Turtles Task Force, highlighted in this document, and we believe that the Task Force can be useful in providing a regular opportunity to share learning and provide guidance to Parties. In support of this goal, we urge Parties to make use of other tools that are available for international cooperation, such as the WCO Closed User Group.

WCS commends the work of the IUCN Species Survival Commission Tortoise and Freshwater Turtle Specialist Group for their pro bono work with the Secretariat to deliver the products requested by Decisions adopted at CoP17 and subsequent Task Force recommendations. This includes draft guidance on how to photograph specimens for identification and the ongoing preparation of a list of rescue facilities for confiscated living specimens. We strongly support the newly created contact group to assist with identification of tortoise and freshwater turtle species, and WCS is pleased that our experts are part of this contact group.

WCS supports the proposed amendments to Resolution Conf. 11.9 (Rev. CoP13) in this document, in order to reflect the recommendations of the Task Force and further stimulate actions to enhance the conservation of these species. We do however believe that many of the proposed amendments are directed at implementation of the Convention for Appendix II-listed species; we also encourage greater vigilance and enforcement collaboration in the implementation of the Convention for Appendix I-listed tortoises and freshwater turtles.

## 91. Conservation of vicuña (*Vicugna vicugna*) and trade in its fibre and products

WCS appreciates the submission of this document by Argentina, which was produced in collaboration with the Convention for the Conservation and Management of Vicuña. We are concerned about reports of illegal trade in vicuña wool and garments made from vicuña wool, and agree with Argentina that there should be greater synergy between CITES and the Convention for the Conservation and Management of Vicuña, to help combat illegal trade in vicuña products. Such illegal trade undermines the conservation of the species, as well as the livelihoods and well-being of the Andean indigenous communities in Argentina, Bolivia, Chile, Ecuador, and Peru, where the species occurs in the wild.

WCS strongly supports the draft resolution in Annex 1 of Doc. 91 “Conservation of vicuña (*Vicugna vicugna*) and trade in its fibre and products.” However, we believe there is a gap in the document, and that additional text is needed. The document does not mention health monitoring, which is an important issue for regional collaboration, in particular because of an apparent increase in prevalence of mange in some vicuña populations. Monitoring the health of vicuña during annual shearing campaigns is an effective way to monitor pasture conditions, because of the link between poor nutrition and immunosuppression and hence increased mange prevalence. We recommend including the need for health monitoring in the draft resolution.



## Maintenance of the Appendices

### 104. Review of Resolution Conf. 10.9 on Consideration of Proposals for the Transfer of African Elephant Populations from Appendix I to Appendix II

WCS was pleased to have been able to actively participate in the intersessional WG of the SC on this issue. We wish to thank Germany for its excellent and fair chairing, and all WG members for the collegial and transparent discussions. African elephants are the only species with a “special” process to evaluate a proposal to transfer populations from Appendix I to II; we believe that Resolution 9.24 (Rev. CoP17) provides sufficient and adequate guidance and precautionary measures, such that Resolution Conf. 10.9 is no longer necessary. This was the overwhelming view of the WG as well, among other factors, and was agreed by the SC. We urge the Parties to endorse the recommendation of the SC to repeal Resolution Conf. 10.9.