



78th meeting of the CITES Standing Committee (CITES SC78)

26 January 2025

Introduction to WCS:

The Wildlife Conservation Society (WCS) is an international conservation NGO that has been working across the globe for more than 125 years to save wildlife and wild places. We have conservation programs on the ground in about 60 countries that work in partnership with governments, Indigenous Peoples, local communities, the private sector, academia, and other stakeholders on science-based conservation efforts.

Please contact Dr. Susan Lieberman (slieberman@wcs.org) and Alfred DeGemmis (adegemmis@wcs.org) with any questions about the contents of this document. Please refer to the Annex of this document for a list of acronyms used. Please note this is an update to our previous SC78 briefing.

General remarks:

- WCS commends those Parties who have adhered to reporting obligations and responded to requests for information from the Secretariat in accordance with decisions adopted at CoP19 and previous Standing Committee meetings. The SC benefits from, and indeed requires, such information to make informed, evidence-based recommendations.
- WCS continues to believe that engagement with technically qualified third parties, including science- and evidence-based non-governmental organizations, is essential to prepare and discuss issues before the Standing Committee, and to advance the conservation of species subject to international trade and the implementation of CITES.
- WCS addresses only a subset of SC78 agenda items and documents below (on some, we are still consulting our experts, others were not available in time for internal consultation, and others were not posted on the CITES website when this briefing was issued). However, we would be pleased to discuss any other documents and issues with SC members and other Parties, before or during the meeting of SC78. For late documents, we will share our views and recommendations with SC Members and Parties at the meeting.

Recommendations regarding [SC78 agenda items](#):

[15. Role of CITES in reducing risk of future zoonotic disease emergence associated with international wildlife trade](#)

WCS is pleased to have been a member of the WG on the “Role of CITES in reducing risk of future zoonotic disease emergence associated with international wildlife trade”, and to having been able to share our extensive [One Health work and expertise](#), and [science-based work on pandemic prevention](#) with the WG. We thank the co-Chairs (Israel and Singapore) and members of the WG for

the open and collaborative dialogue. It is vital that prevention at source (particularly of pathogen spillover from wildlife) of the next outbreak, epidemic, or pandemic of zoonotic origin be addressed at the national as well as multilateral/international levels. We believe that CITES and its implementation have a role to play in this prevention, but there is also much that needs to be done that is outside the remit of CITES.

This is a matter of great urgency, and there are urgent actions that are critical for governments to take, in order to help prevent another devastating pandemic of zoonotic origin. Implementation of a true trans-sectoral One Health approach is vital in that regard. We see CITES implementation as part of such a trans-sectoral approach, which must include management and regulation of domestic wildlife use, habitat degradation and loss, animal “farming” and handling, markets for live wildlife, and multiple other factors, and by necessity must involve multiple agencies and national authorities. Different factors contribute to pathogen spillovers (and spill-back) from wildlife to humans, other wildlife, and livestock. The evidence is clear that wildlife farms/captive breeding facilities, markets (particularly in live and freshly slaughtered animals, and particularly involving birds and mammals) and associated trade (domestic and international) contribute significantly to the risk of pathogen spillover. International wildlife trade is one of these factors, and of course all international wildlife trade (other than that from areas beyond national jurisdiction) begins domestically. As such, these issues are highly relevant from a CITES perspective.

The extensive scientific information and data now available are clear on what is needed to prevent the next pandemic of zoonotic origin, particularly in terms of commercial breeding, handling, and trade in live (and freshly slaughtered) wild birds and mammals. We know enough to act, and the precautionary principle necessitates action on a fast track.

We appreciate that many Parties have taken positive steps to address the risk of pathogen spillover from wildlife (farmed and from the wild), but many have not yet taken sufficient action. The ongoing work of the Quadripartite (WHO, WOA, UNEP, and FAO) provides important information particularly on the risk of pathogen spillovers. In May 2024, WOA released its [Guidelines for Addressing Disease Risks in Wildlife Trade](#), which provides guidelines to key actors in wildlife trade to identify and select pragmatic, flexible, and relevant risk-management strategies, and to ensure their effective implementation. We urge Parties to implement those Guidelines.

We appreciate the adoption by CBD CoP16 of [Decision 16/19](#) which includes a [Global Action Plan for Biodiversity and Health](#) (Action Plan) with actions for mainstreaming biodiversity and health interlinkages in the implementation of the GBF. The Action Plan includes taking biodiversity and health into consideration, using a One Health approach, in implementation of the GBF Targets, including Targets 4, 5 and 9 as particularly relevant in the trade context. The Action Plan has clear recommendations on reducing the risk of pathogen spillover. Since all CITES Parties but one are Parties to the CBD, we urge the SC and CITES Parties to endeavour to implement the Action Plan along with their implementation of the GBF.

Regarding the recommendations in SC78 Doc. 15:

- We recommend that the SC not only acknowledge the WOA Guidelines and CBD Action Plan, but rather that the SC welcome these two important documents.
- We support the recommendation of the WG that there is no need for the establishment of a CITES advisory body to provide guidance to Parties, in their efforts to reduce the risk of zoonotic pathogen spillover and transmission from wildlife trade and associated wildlife supply chains; rather, we urge CITES Parties to implement the Guidance produced by WOA and the CBD Parties, and to continue to coordinate with WOA, CBD, and CMS.

- We are disappointed that no consensus could be reached by the WG group on the matter of a new resolution on One Health, although most of those who responded did support a resolution. Of course, that does not preclude one or more Parties submitting a draft resolution to CoP20. We greatly appreciate the draft resolution, “One Health and CITES: Reducing Human and Animal Health Risks from Wildlife Trade” in Doc. 15 Annex 2, and we look forward to working with any interested Parties on adoption of such a resolution by CoP20.
- We support the recommendation to establish an in-session working group at SC78 to review the recommendations from AC33 presented in Annex 1 of this document, for approval by the SC. We look forward to joining such a WG and providing technical and scientific input.

16. Cooperation with Multilateral Environmental Agreements and other international organizations

While we note, and support, the ongoing collaboration with UNODC in the context of ICCWC, we think more emphasis should be placed on the collaboration between CITES and the UN Convention against Transnational Organized Crime (UNTOC) and the UN Convention against Corruption (UNCAC). This is particularly true considering the adoption of UNTOC COP [resolution 12/4](#), which requests the UNODC to convene the first ever open-ended intergovernmental expert group on crimes that affect the environment, including wildlife trafficking. The expert group has a mandate to: a) take stock of the implementation of the UNTOC in addressing such crimes; b) identify gaps in the international legal framework to prevent and combat such crimes; and c) consider possible responses relevant to those gaps, including the possibility, feasibility and merits of any additional UNTOC protocol. As this intergovernmental expert group assesses the international legal framework against wildlife trafficking, and considers possible new international instruments, it is essential that the role and limits of CITES are well understood. WCS therefore encourages the SC to include, in its review of the draft Partnership Strategy, clear references to UNTOC, its open-ended intergovernmental expert group on crimes that affect the environment, as well as UNCAC.

17. Cooperation with the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services, including policy aspects of IPBES Assessment report on the sustainable use of wild species

We are concerned about the process by which CITES Resolutions and key topics are being identified for review and potential updates. IPBES Assessments are critical tools but do not mandate revision of entire intergovernmental regimes, which would be the case if all of the resolutions highlighted in Annex 1 were to be opened for revision. **We urge the Standing Committee to prepare CoP20 decisions that define a much narrower scope for intersessional reflection between CoP20 and CoP21**, which may focus more on the areas identified in Annex 2 to Document 17.

18. World Wildlife Trade Report

WCS remains significantly concerned about the future directions of this report, and we urge Parties to reconsider opening wide discussions into the broad scope of topics identified. For example, using phrases such as “socio-economic impacts” as used in an invitation to Parties in draft decision 20.AA, is ambiguous and could result in a vast compilation of unstandardized data or inputs.

As noted previously, the organization and content of a previous pilot report does not respond to needs identified by CITES Parties through the SC or CoP. Furthermore, the introduction of concepts such as traceability confuse the core mandates of CITES with specific approaches that may only be outlined in CITES resolutions. Producing such a report on a regular basis would further burden CITES structures and resources (Secretariat, SC), and particularly Parties on reporting with information that

is not required by the treaty or resolutions. We concur with Parties such as Nigeria that time would be better spent assessing progress towards the delivery of the negotiated CITES Strategic Vision.

Should Parties wish to proceed, the SC should propose to CoP20 a narrower scope for such a report, including a list of key questions to be answered in the delivery of this report. Alternately, draft decisions for CoP20 should make it very clear that the SC should agree to a more specific and standardized scope for such a report.

23. Compliance Assistance Programme (CAP)

WCS commends the efforts of the Secretariat and the voluntary participation of Guinea, Lao PDR, Nigeria, Solomon Islands, Suriname, and Togo in the CAP.

We support the tailored approach of CAP interventions, which are designed by national MAs to address each country's specific challenges—whether institutional, legislative, or scientific. However, the process appears to lack significant input from other critical stakeholders, such as NGOs, Indigenous Peoples, and local communities. Greater engagement with these groups could enhance CAP's relevance and effectiveness by bringing diverse perspectives to light and uncovering compliance issues that MAs might overlook.

We note the limited focus on enforcement within CAP. While the document justifies this by referencing ICCWC's involvement, this could risk underestimating the pressing need for enforcement support in countries facing significant wildlife trafficking challenges. We believe CAP could play a more active role in strengthening enforcement efforts, complementing ICCWC's work and addressing critical gaps, when possible.

Regarding timeframes, WCS echoes the Secretariat's concern that project periods (e.g., one year) are short. Structural reforms, especially legislative changes and infrastructure improvements, often require longer implementation periods to achieve any meaningful result.

Lastly, we welcome the inclusion of case studies highlighting CAP's impact, such as Togo's and the Solomon Islands' progress on NDFs. However, the document's claims of a "positive impact" lack sufficient quantitative or qualitative metrics for validation. Incorporating clear benchmarks for success—such as improved CITES National Legislation Project rankings, lifting of trade sanctions, reductions in illegal trade, or enhanced species recovery—would better substantiate CAP's achievements.

27. Engagement of indigenous peoples and local communities

WCS is pleased to have been a member of the WG on the "Engagement of Indigenous Peoples and Local Communities". We thank Canada as Chair and members of the WG for the collaborative dialogue. WCS fully understands, respects, and supports the vital role that Indigenous Peoples and local communities play in conservation around the world. We fully acknowledge and respect their rights as enshrined by UNDRIP and the Universal Declaration of Human Rights. Across the planet, WCS collaborates with IPs and LCs to achieve a shared vision for a more secure, inclusive, just, equitable, and resilient future, where wildlife thrives in healthy lands and seas, valued by societies and communities that embrace and benefit from the diversity and integrity of life on earth.

WCS believes that robust, meaningful engagement with IPs and LCs in the implementation and enforcement of CITES should be undertaken by Party governments according to their respective legal frameworks. We appreciate the work of the WG in exploring these issues. We strongly support the

engagement at the national level of IPs and LCs in the implementation and enforcement of CITES, as well as in the delivery of [Target 5](#) of the GBF. Towards that end, we strongly support national-level processes to engage IPs and LCs in CITES processes and meetings, to ensure their voices are well represented.

We note that in addition to economic and other livelihood benefits that can accrue from effective and equitable implementation of CITES and national legislation, there is a significant risk of harm to local livelihoods and cultural values if wildlife exploitation and trade are illegal, or unsustainable, or if they pose a risk of pathogen spillover. There is always an economic benefit to trade, by definition, but it rarely actually accrues significantly and equitably to IPs or LCs. In all too many cases, the commercial exploitation and trade in wildlife provides only marginal economic benefits and undermines the rights, livelihoods, well-being, and socio-cultural values of Indigenous Peoples.

We stress that there is an assumption by some that the livelihoods of IPs and LCs will always be negatively impacted by CITES restrictions in the marketplace, without considering the potential for undermining alternative worldviews through a focus on markets. Many Indigenous Peoples organizations, for example, have raised concerns in other fora that promoting a market-based approach undermines efforts to resist such an approach, to protect their cultural integrity and traditional economies. Indeed, perhaps CITES should also discuss how wildlife trade and a market-based approach, and exploitation of certain species for economic gain, potentially undermines the cultural integrity and traditions of Indigenous Peoples.

We support attendance of Indigenous Peoples Organizations at CITES meetings as official observers. We are also supportive of a separate fund being established to facilitate their participation in meetings, as long as it is in addition to the Delegates Travel Fund and does not disadvantage any developing country CITES authorities to attend CITES meetings.

WCS appreciates that some of our suggestions and recommendations were included in SC78 Doc. 27, including in the draft Guidance. WCS agrees that this draft Guidance should be non-binding, and posted on the CITES website for further discussion, but not adopted through an annex to a Resolution of the CoP, which would make it seem more obligatory. The draft guidance has useful elements, but would benefit from further discussion, and should not be seen or used as a barrier to preparation or submission of proposals to amend the CITES Appendices. We believe that the draft guidance would benefit from further discussion by the SC, CoP, and with impacted stakeholders, and attaching the guidance to a resolution would make it far more challenging to make amendments in the future.

We agree with Parties which have repeatedly pointed out that engagement with IPs and LCs should be addressed at the national level and that it is a matter for each Party to decide how to engage with communities and other stakeholders, based on national laws, policies, history, and circumstances. Some countries do not have or recognize Indigenous Peoples, whilst others have strict legal requirements and treaty obligations. Any guidance that appears too proscriptive could be counter-productive; it is preferable to post voluntary guidance to the CITES website, and invite comments from Parties, IP and LC organizations, and other stakeholders on its utility, for use prior to CoP21 and beyond. This is analogous to the new draft NDF Guidance produced since CoP19 through an extensive process, which is posted on the CITES website and will be field-tested; its use is voluntary by Parties.

Regarding the Recommendations in the document (paragraph 19):

- We support paragraphs a) and b) on terminology.
- We recommend that the SC discuss and provide input into the draft Guidance, and that the draft Guidance be shared with CoP20 and posted to the CITES website for further discussion and input.
- We concur that draft Decision 20.AA can go to CoP20 for consideration.
- We recommend further discussion by SC78 and CoP20 on draft Decision 20.BB, which would benefit from amendments, including:
 - o 20.BB para b) should be deleted, as we do not recommend attaching this draft Guidance to Resolution Conf. 16.6 (Rev. CoP18), nor did the WG agree on that option. We believe these issues should remain separate.
 - o We believe there are useful suggestions in Doc. 27 on engagement with IPs, and LCs, in CITES processes at the international level, but we are not convinced of the need to continue the process at the SC level to CoP21 and beyond. Many of the suggestions in paragraph 15 of Doc. 27 were supported by only a minority of WG members. Considering significant workload challenges to Parties, the Secretariat, and the SC, perhaps individual Parties can take on any of those suggestions and paragraph 20.BB c) can be deleted.

28. Livelihoods

WCS is pleased to have been a member of the WG on Livelihoods. We thank Peru and Zambia as co-Chairs and members of the WG for the collaborative dialogue. We recognize the significant challenges in reaching consensus on these issues, and respect the efforts of the co-Chairs to find common ground. WCS fully understands, respects, and supports the vital role that Indigenous Peoples and local communities play in conservation around the world. We fully acknowledge and respect their rights as enshrined by UNDRIP and the Universal Declaration of Human Rights. WCS believes that robust, meaningful engagement with Indigenous Peoples, and local communities in the management of wildlife use and trade, and the implementation and enforcement of CITES, should be undertaken by Party governments according to their respective legal frameworks.

We note that in addition to economic and other livelihood benefits that can accrue from effective and equitable implementation of CITES and national legislation, there is a significant risk of harm to local livelihoods and cultural values if wildlife exploitation and trade are illegal, unsustainable, or unsafe (including if they pose a risk of pathogen spillover). There is always an economic benefit to trade, by definition, but it rarely actually accrues significantly and equitably to IPs or LCs. In all too many cases, the commercial exploitation and trade in wildlife undermines the rights, livelihoods, well-being, and cultural values of IPs.

We stress that there is an assumption in this document that the livelihoods of IPs and LCs will always benefit from commercial international trade, without considering the potential for undermining alternative worldviews through a focus on markets. Many Indigenous Peoples organizations, for example, have raised concerns in other fora that promoting a market-based approach undermines efforts to resist such an approach, to protect their cultural integrity and traditional economies. Indeed, perhaps CITES should also discuss how wildlife trade and a market-based approach, and exploitation of certain species for economic gain, potentially undermines the cultural integrity and traditions of Indigenous Peoples.

WCS supports ongoing work to develop and share case studies on the use and trade of CITES-listed species, along with any livelihood or cultural benefits or harms of this trade to Indigenous Peoples,

and local communities. We believe that case studies provide important learning and sharing, without being proscriptive, as each country or community will by necessity evaluate these issues in their own cultural and legal context.

WCS is also skeptical that the use of registered marks of certification and origin will help Indigenous People and local communities benefit from wildlife or wildlife trade; that is not necessarily the case. There is also a significant risk this could increase the risk of fraud along the value chain. In our work with local communities, we encourage the recognition of traditional rights to wildlife, while prioritizing local uses (consumption and cultural practices); risks of fraud, corruption, and lack of benefits to local communities increase significantly when international trade is involved. Rather than highlighting best practices in the draft decisions, we recommend a focus on lessons learned and case studies (positive and negative).

Regarding the “Strategies for Maximizing the Benefits to Indigenous Peoples and Local Communities from Trade in CITES-listed Species”, in Annex 1 to this document, WCS recommends:

- Some elements of these strategies may be useful, but many go beyond the remit of CITES. For example, recommendations regarding pricing, market management, supply chains, business strategies and opportunities, trade promotion, and access and benefit sharing, are beyond the remit of CITES (and the latter is addressed in other multilateral fora).
- Many of the elements of these strategies are relevant to domestic use and trade, but not international trade; as such, they are not relevant to CITES, but may warrant consideration at the local and national level, and in the implementation of the GBF.
- If the SC decides to reference these strategies in amended Reso. Conf. 16.6 (Rev. CoP18), which we do not see as necessary, we urge the SC to include “Non-binding” in the title. Our preference would be to post them to the CITES website as “non-binding strategies”, but not to incorporate them into a Resolution of the CoP.

Regarding draft amendments to Resolution Conf. 16.6 (Rev. CoP18) on *CITES and livelihoods*, in Annex 2 to this document, WCS recommends:

- Replacing “rural communities” with “Indigenous Peoples, and local communities” throughout, for consistency with standard multilateral practice and the recommendations contained in SC78 Doc. 27.
- Retaining “Notes” in reference to the Strategies in Annex 1 to the present document, if they are to be retained. We also strongly recommend that it be clear that it is up to individual Parties to use these strategies if they consider them applicable to their national circumstances. They should not be seen as absolute or proscriptive or mandatory.

Regarding Draft Decision 20.AA, in Annex 3 to this document, WCS recommends the following edits (in underline for additions and ~~strikeout~~ for deletions):

- b) Parties are invited to initiate or strengthen participatory policy at national level, and adopt a legal framework, fully recognizing the rights of Indigenous Peoples and local communities to ~~either~~ own or access and manage wildlife resources, and benefit equitably, for both men and women, from legal, safe, and sustainable management ~~and trade in~~ of CITES-listed species, taking advantage of their traditional knowledge as appropriate, and subject to national legislation; and
- b) Parties are invited to share experiences, case studies, ~~best practices~~ and positive and negative lessons learned in the use of certification and labelling systems for products of CITES-listed species from Indigenous Peoples and local communities, document ~~best~~

~~practices~~ lessons learned as case studies, and share such experiences with other Parties and the Secretariat.

Regarding Draft Decision 20.BB and 20.CC, WCS believes it is premature to adopt these draft Decisions, which focus on the use of certification and labelling systems.

- It is premature to direct the Secretariat to support the development of case studies on the use of certification and labelling systems for products from Indigenous Peoples and local communities in international trade. We believe instead case studies of lessons learned should be assembled, and assessed, before funding and limited Secretariat resources are used to promote such certification and labelling systems without sufficient knowledge of the negative and positive ramifications of such systems.
- We also believe it is premature to establish a Working Group of the SC on the issue of certification and labelling systems for products from Indigenous Peoples and local communities. The risks and implications of such systems need to be more fully understood first. The workload of the SC is already over-stretched.

29. Demand reduction to combat illegal trade

WCS strongly supports and indeed implements targeted, evidence-based demand reduction efforts with our government partners--particularly those efforts that affect consumer behavior through legal and regulatory reform, and that use the latest behavioral science. We appreciate the adoption of *CITES guidance on demand reduction strategies to combat illegal trade in CITES-listed species* at CoP19, although we stress that this guidance is not the only guidance or tool available to influence consumer behavior and would welcome an update to the guidance to incorporate updated details of work on this issue. There is a great deal of work going on, in close collaboration with Parties, that is valid and scientifically exceedingly sound, but does not necessarily follow the CITES Guidance. This work is often overlooked or under-represented, especially as it may not be included in the current version of the Guidance. Indeed, much recent work exists by academics and practitioners with scientific grounding in changing consumer behaviors and attitudes. We believe there would be value in the SC requesting the Secretariat to develop a page on the CITES website dedicated to behavior change approaches, to highlight the CITES guidance while also providing a platform to share other approaches and available tools, that Parties can and do use to influence consumer behavior. We support the statement from the Secretariat in the document, highlighting the difference between public awareness campaigns and demand reduction interventions aimed at affecting behavior change. It is vital to focus on science-based, measurable behavior change in the design and implementation of demand reduction strategies and plans. WCS works with many Parties on such science-based behavior change with a focus on building networks of practitioners with access to a variety of approaches and would be pleased to provide information and updates on our work.

We find that Draft Decision 20.AA only references the CITES Guidance, which is limited. We recommend the following amendments (additions underlined).

Parties are invited to:

- a) share their experience in using the *Guidance for CITES Parties to develop and implement demand reduction strategies to combat illegal trade in CITES-listed species* and other materials or guidance on science-based behavior-change with other Parties and the Secretariat;
- b) communicate to the Secretariat information on priority species, taxa, or commodities for potential pilot projects that require extrabudgetary resources;

- c) promote science-based behavior change including but not limited to the use of the Guidance by organizing pilot projects and providing support to the potential pilot projects mentioned in paragraph b) above.

31. National laws for implementation of the Convention

31.1 Report by the Secretariat

WCS works actively with CITES Party governments to assist them to update or enhance their implementing legislation in accordance with the CITES National Legislation Project and tools such as the CITES model law. We have been in touch with CITES Authorities with whom we work where action is required. We appreciate the detailed summary by the Secretariat, and the progress that has been made by several Parties. We are dismayed that there are still 67 (36.2%) Parties and 5 dependent territories whose legislation is placed in Category 2 or 3, many of which have been Parties for decades. That means that more than a third of all Parties do not have legislation that meets the requirements for implementation of the Convention, although such legislation is required by the treaty. Importing Parties may wish to consider this when accepting shipments.

We are disappointed to see the list of 18 Parties with legislation in Category 2 or 3 that have received one or two formal warnings from the SC for failure to report any legislative progress, and that 18 Parties and 1 dependent territory have not reported any progress in adopting appropriate measures for the effective implementation of the Convention since SC77.

We support the recommendations of the Secretariat in paragraphs 47 and 48, noting with disappointment the 12 Parties this refers to. We also support the recommendations of the Secretariat in paragraphs 49 a, b, and c, but not 49d and e. We hope that the 3 Parties referred to in paragraph 49b can provide sufficient updates to the Secretariat prior to SC78.

We are surprised by the text in paragraphs 34-45 of this document, on potentially exceptional circumstances that impede a Party's ability to implement the Convention. We do not think this text belongs in a document focused on national legislation. These issues raised by the Secretariat warrant detailed, serious discussion and legal analysis. We are concerned that being too hasty on this could lead to creation of loopholes that facilitate non-compliance, thereby undermining the effectiveness of the Convention and threatening species in the wild (e.g., the suggestion that there are circumstances that could warrant fully or partially suspending the implementation of the Convention).

We recommend that the SC not agree with the recommendations in paragraphs 49d and 49e of the document, which request the Secretariat to draft guidance on the implementation of the Convention (e.g., issuance of permits and certificates) in the event of exceptional circumstances that impede the proper functioning of CITES at the national level and to make this guidance available on the CITES website before CoP20. We believe that in such exceptional circumstances, it may be better to suspend issuance or acceptance of permits and certificates rather than to allow issuance, as proposed by the Secretariat. We believe the Parties need to discuss this in greater detail (and in a separate document). Perhaps an intersessional working group of the SC post-CoP20 could deliberate further. The SC may wish to ask the Secretariat to prepare a document for discussion at CoP20, but we believe that posting guidance to the website prior to CoP20 is premature.

33. Compliance matters

33.1. Implementation of Article XIII and Resolution Conf. 14.3 (Rev. CoP19) on CITES compliance procedures [Resolution Conf. 11.3 (Rev. CoP19)]

We regret that the recommendations are in some cases inconsistent with the text in the rest of the working document. For example, with respect to trade in live animals to India, the MA of India has not yet supplied relevant information on import permits for the May 2024 trade in 90 live animals and birds of CITES-listed species from Mexico to India. The recommendation drafted for the SC does not seek to close that, and it is not clear why the information from Mexico is considered sufficient from the text provided.

WCS is particularly concerned on the issues discussed in paragraphs 63-67 regarding trade in the Oceanic Whitetip shark (*Carcharhinus longimanus*), where we strongly disagree with the analysis provided in the document. The Government of the Maldives submitted a letter to the Secretariat concerning trade in Oceanic Whitetip shark (*Carcharhinus longimanus*) that detailed multiple seizures of Oceanic Whitetip fins without CITES permits in Hong Kong SAR, with a number of countries consistently identified as the exporter. This lack of permitting and illegal trade is a concern appropriate for investigation under Article XIII, as these represent potentially systematic failures to comply with Article IV and/or a failure to enforce provisions of the treaty as directed by Art VIII(l) when exporting oceanic whitetip products.

However, in paragraphs 63-67 the Secretariat confuses the issue of documented illegal two-party trade with one of Legal Acquisition Findings and ABNJ imports/IFS, and interpretation of measures set by other multilateral bodies. Those issues are also of concern, but are secondary to the clear evidence of ongoing incidents of trade that is non-compliant with CITES; this should not prevent the Secretariat from following up with those Parties that it is noted in paragraph 65 have been contacted without reply. These multiple confiscations of exports of a Critically Endangered species from a subset of CITES Parties should be investigated under Article XIII immediately, and the issue of Legal Acquisition Findings in ABNJ and measures in other multilateral bodies dealt with separately.

This is particularly relevant as within the document there is a focus on the import of the Oceanic Whitetip shark from ABNJ, and the complexity of that process -however, the vast majority of Oceanic Whitetip shark trade recorded in the CITES trade database takes the form of two-State transactions with no IFS permits issued. As such, the issue of ABNJ catch of this species should be investigated further, as it is clear that there are issues for this species, which is mainly caught in the high seas. However, given that the vast majority of trade in the species reported to CITES takes the form of two-State transactions, and there is publicly available evidence of multiple seizures of unpermitted trade from a subset of exporting Parties, it should not be a reason for inaction. We strongly recommend that the non-permitted confiscations documented in the letter from the Government of the Maldives are investigated under Article XIII immediately.

Notwithstanding the need to immediately investigate the issues flagged in the Maldives letter under Article XIII, we strongly disagree with the views of the Secretariat in paragraph 66 on the requirements for Legal Acquisition Findings (or equivalent measures) for specimens obtained from ABNJ. We urge the Parties, the final arbiters of interpretation of the Convention, to review this issue. We call attention to the text in Annex 2 of Resolution Conf. 18.7 (Rev. CoP19), paragraphs 3-5. Paragraph 5 of Annex 2 states: "Pursuant to Resolution Conf. 14.6 (Rev. CoP16), paragraph 3, the State of

introduction, the State of export and the State of import should “take into account whether or not the specimen was or will be acquired and landed:

- i) In a manner consistent with applicable measures under international law for the conservation and management of living marine resources, including those of any other treaty, convention or agreement with conservation and management measures for the marine species in question; and
- ii) Through any illegal, unreported or unregulated (IUU) fishing activity”.

We strongly urge SC Members and other Parties to incorporate this into any follow-up to this issue stemming from paragraphs 63-67 of document 33.1.

33.3 Application of Article XIII in Bangladesh

WCS stands ready to continue to collaborate with the Government of Bangladesh on its efforts to address the recommendations in SC78 33.3. WCS has provided support to the relevant agencies in their efforts to date to ensure compliance with CITES, particularly regarding the trade in bird species and will continue to engage in support of the Government’s efforts to combat illegal wildlife trade. We acknowledge the progress made to date and agree with the Secretariat’s analysis that while some progress towards the recommendations from SC77 has been made, there is a need for further work, as outlined in the recommendations in Doc. 33.3. WCS remains ready to further support the Government of Bangladesh in its efforts to fully implement the recommendations of the SC.

WCS thanks the Government of Bangladesh for including reference to WCS’s ongoing support in implementing CITES shark and ray listings. We applaud the progress the Government has taken as noted in this document, and stand by to assist on this issue moving forward, with a focus on the needed action detailed in paragraph 19 of SC78 33.3.

33.5. Application of Article XIII in the Democratic Republic of the Congo

WCS stands ready to continue to collaborate with the Government of DRC, including ICCN and other partners, to increase compliance with CITES and engage in efforts to combat illegal wildlife trade. We look forward to discussing the draft recommendations contained within this document during SC78.

33.6 Application of Article XIII in Ecuador and Peru

WCS notes the progress made by Ecuador in the implementation of shark and ray listings detailed in this document. We strongly agree with the conclusions of the Secretariat and AC Chair detailed in paragraph 72 – namely that full details of the sustainability of ongoing catch, whether it is targeted or defined as incidental catch or bycatch, are required before the recommendation could be considered implemented.

We agree with the Recommendations in paragraph 80, and note that this document contains detail of large-scale ongoing trade in species that are Endangered on the IUCN Red List of Threatened Species, and ensuring that any continued trade in species such as thresher and mako sharks is sustainable must be prioritized, and information provided by Ecuador to that end must be presented to the Standing Committee for its analysis before the current trade restrictions regarding Ecuador are removed.

33.8. Application of Article XIII in the Lao People’s Democratic Republic

WCS works closely with the Government of Lao PDR on site-based conservation work, as well as the implementation of CITES and national counter wildlife trafficking efforts. WCS stands ready to work

closely with the Government of Lao PDR to fully implement the recommendations adopted by the SC in order to resolve any outstanding issues with implementation of CITES.

33.9 [Application of Article XIII in Nigeria](#)

WCS works closely with the Government of Nigeria and relevant authorities on intelligence-driven anti-poaching and law enforcement efforts, among other interventions, at Yankari Game Reserve in Bauchi State, as well as Cross-River National Park and the broader landscape in Cross River State. We welcome the progress reported by Nigeria, and we look forward to the timely adoption of the Endangered Species Conservation and Protection Bill -- ideally in 2025.

33.10 [Application of Article XIII in Viet Nam](#). Comments pending.

36. [Possession of specimens of species included in Appendix I](#)

This is a very important issue that deserves attention from CITES Parties. WCS agrees that national legislation implementing CITES should prohibit and penalize possession of specimens of CITES-listed species that have been obtained contrary to the Convention, in addition to penalizing trade in such specimens. With this in mind, we support the recommendations of the Secretariat in paragraph 16 of the document, including the proposed amendments to Resolution Conf. 8.4 (Rev. CoP19).

37. [Review of Resolution Conf. 11.3 \(Rev. CoP19\) on Compliance and enforcement](#)

WCS is pleased to participate in the intersessional WG on Resolution Conf. 11.3 (Rev. CoP19). We support the SC tabling a mandate, to be agreed at CoP20, for *“further consideration of marine species, stocks and stockpiles, One Health and electronic systems following CoP20 and the outcomes of ongoing discussions and guidance developed in other CITES working groups on those topics.”* The exact scope of such a mandate would depend on the progress made on some topics (e.g., stockpiles) under other agenda items at the SC and particularly by CoP20.

38. Enforcement

38.1 [Report of the Secretariat](#)

WCS supports the Secretariat’s proposal to incorporate Decision 19.77 in Resolution Conf. 17.6 (Rev. CoP19), to strengthen recommendations for Parties to address corruption risks associated with wildlife crime. However, we believe the text in Annex I would benefit from the following additions (in underline for additions and ~~strikeout~~ for deletions):

4. ENCOURAGES Parties, and especially CITES Management Authorities to:

- a) ensure that corruption risk mitigation policies and strategies are in place, and regularly updated, to address corruption risks associated with wildlife crime;
- c) ensure that collaboration mechanisms are in place between CITES management and anti-corruption authorities to facilitate swift and decisive action where corrupt activities are detected, including clear procedures for information sharing and joint investigations;

We encourage the SC to consider the reference to regular updates to corruption risk mitigation policies and strategies, as these risks can and *do* shift over time. As for point “c”, including references to information sharing and joint investigations provides Parties with a clear direction for how that collaboration can be operationalized.

Regarding tackling the illicit financial flows associated with wildlife crime, WCS welcomes the increased focus on financial investigations in China and Mexico, as well as the efforts by all relevant

stakeholders to elevate the importance of this topic. Financial investigations are critically important for dismantling the networks behind wildlife trafficking, targeting not only the perpetrators but also their financial enablers and beneficiaries. WCS supports the inclusion of the proposed text in Resolution Conf. 11.3 (Rev. CoP19). However, we also strongly recommend that this text be supplemented in line with UNTOC [resolution 10/6](#), to provide the legislative foundation necessary to operationalize financial investigations and address illicit financial flows effectively, as below: (underline for additions and ~~strikeout~~ for deletions):

9. RECOMMENDS that Parties:

d bis) develop or amend national legislation to ensure that wildlife trafficking, and related offences, are treated as predicate offences for the purposes of money-laundering offences and are actionable under domestic legislation on proceeds of crime, so that assets derived from wildlife offences can be seized, confiscated and disposed of;

Finally, regarding the CITES Illegal Trade Database, WCS reiterates our concern over the reliance on external funding for its maintenance. The lack of sufficient funding, as highlighted in Notification No. 2024/077, risks creating significant data gaps that could undermine the database's value as a critical resource for addressing illegal trade. To ensure sustainability, WCS strongly recommends that the costs for maintaining the database and dissemination platform be incorporated into the Secretariat's core budget. This would reflect the importance of the database in addressing taxon-specific issues of illegal trade and support its continued effectiveness.

38.3. [Task Force on illegal trade in specimens of CITES-listed tree species](#)

WCS welcomes the submissions of Colombia, Guatemala, Japan, the Netherlands, Sweden, and the UK, which contain valuable information on national practices and challenges in the fight against illegal timber trade. However, it is concerning that only six Parties replied to the Secretariat's request for information, given the truly global scale and impact of timber trafficking. We therefore support the Secretariat's proposal to retain Decision 19.89. We also welcome draft decision 20.AA and increased efforts to prevent and tackle this critical issue.

42. [CITES Big Cats Task Force](#)

WCS welcomes the progress made in convening the CITES Big Cats Task Force, and commends Uganda, the United States, and others for their leadership in this regard. WCS was pleased to have been able to attend the Task Force meeting in 2023 and to share our expertise. We believe the outcome document from the 2023 Task Force meeting contains important recommendations that should be considered by Parties during their national implementation of CITES.

WCS appreciates and supports the conclusion of the Secretariat, based on responses received and discussions at AC33, that there is not sufficient support for the proposal to revise Resolution Conf. 12.5 (Rev. CoP19), to be inclusive of all CITES-listed big cat species. WCS notes that the issues facing these species and specifically the issues of international trade, are far too different to be folded into one resolution – which would become extremely lengthy and difficult to implement. WCS acknowledges the concern of an ever-increasing number of Resolutions and the work involved in these, but a resulting long and unwieldy document covering a large number of species with different issues will not only take the same amount of work but has the potential to confuse issues and make dealing with the documents more time consuming for Parties. We work with our government and community partners in multiple big cat Range countries on the conservation of these species, including efforts to prevent and combat poaching, illegal trade, prey loss, habitat loss and fragmentation, and human-wildlife conflict, to promote enhanced ecosystem integrity including

connectivity and to enable populations to recover. We find that when CITES resolutions are targeted and specific, they can help facilitate greater local, national, and regional action, and as such our opposition to a single big cat revised resolution does not detract from our ongoing commitment to big cat conservation.

We support the recommendations of the Secretariat in paragraph 11 of this document. We urge all Parties that are either big cat Range or consumer States to take all necessary actions to promote the conservation and recovery of all big cat species, including the prevention of poaching and illegal trade, as part of their implementation of CITES, CMS, and the CBD GBF (as applicable).

43. Asian big cats (Felidae spp.)

43.1. [Report of the Secretariat](#)

WCS welcomes the reports from many Parties, including reports on their implementation of relevant Decisions and by Range States of *Panthera pardus*. We regret that several Asian range States did not report on conservation measures undertaken and poaching incidents detected, along with Parties that did not report on seizures. We urge relevant Parties to provide supplementary information in advance of the SC meeting and to submit any reports on seizures of *Panthera pardus* specimens.

With regards to enforcement measures and activities to address illegal trade in Asian big cat specimens [Decisions 18.100, 18.101, Decision 18.103 (Rev. CoP19) and 18.105] we are pleased to see the reports from a number of Parties indicating successful enforcement measures but remain concerned by the ongoing impact of illegal trade on Asian big cat species and note the limited reporting of enforcement measures from Parties.

With respect to the proposed recommendations of the SC in Doc. 43.1, we note the limited number of countries reporting on seizures of *Panthera pardus* and recommend the insertion of a recommendation from the SC for Parties to further report on these along with ongoing information on conservation efforts. This information is key to fully understand the threats and responses to illegal wildlife trade affecting Asian big cats. This information should be required to be provided ahead of SC79/CoP20, as part of reporting on Reso. Conf. 12.5 (Rev. CoP19).

Acknowledging many of the Decisions relevant to Asian Big Cats are incorporated in Resolution Conf. 12.5 (Rev. CoP 19) and the CITES big Cats Task Force outcome document and draft decisions proposed in SC78 Doc.42, WCS is supportive recommendation b) in SC78 Doc. 43.1.

43.2. [Asian big cats in captivity](#)

WCS welcomes the reports from the Secretariat on the remaining missions in response to invitations from Parties identified in document SC70 Doc.51 and in whose territories there are facilities which may be of concern keeping Asian big cats in captivity. We regret that the number of facilities visited in a number of these countries was far less than in others; it is a concern that in several countries where technical missions were conducted, one or more facilities were not accessible to the CITES Secretariat and technical partners.

We note with further concern that for many of the countries identified in the recommendations agreed by SC77 (SC78 Doc. 43.2 Annex 1) limited progress has been made. Of particular concern is the limited progress regarding monitoring and enforcement of legislative provisions as outlined in para a), ii) and para b). As such we support the Draft Decisions on Tigers (*Panthera tigris*) in captivity

found in Annex 2 of this document. We support the inclusion of reporting on implementation as required in Resolution Conf. 12.5 (Rev. CoP19) ahead of SC79/CoP20.

44. Jaguars (*Panthera onca*)

44.1. [Report of the intersessional working group](#)

44.2 [Report of the Secretariat](#) (posted 23Jan; under consultation)

The jaguar is an emblematic species of the Americas, due to both its importance in maintaining natural landscapes and ecosystem functionality, and as an important cultural element throughout its distribution for centuries, particularly for Indigenous Peoples and Nations. We encourage Parties to support all necessary actions to benefit the conservation of this emblematic and ecologically important species. WCS has an extensive conservation program on the jaguar, working 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 trafficking in jaguar parts.

WCS is pleased to have been a member of the WG on the Jaguar, and we thank Brazil as Chair and members of the WG for the collaborative dialogue on threats facing the jaguar and the role that CITES implementation and enforcement can play.

WCS supports all the recommendations of the Jaguar WG, as summarized in paragraphs 7-31 of Doc. 44.1. For example, we highlight paragraph 10 and the recommendation that all Parties adopt legislation providing for sentences involving deprivation of liberty and not only deprivation of rights or pecuniary sanctions, when dealing with jaguar-related crimes. We also highlight paragraph 15, the scientific paper entitled *A Range-Wide Analysis of Legal Instruments Applicable to Jaguar Conservation*, by Kretser et al. (2022), and resulting recommendations of the WG.

As we discussed under Agenda item 42, we do not recommend that Parties revise Resolution Conf. 12.5 (Rev. CoP19), to be inclusive of all CITES-listed big cat species, including the jaguar. Rather, we strongly recommend a separate stand-alone resolution on the jaguar, including the recommendations of the WG outlined in this document. WCS notes that there may be some commonalities, but there are many issues and solutions that are specific to the jaguar and the region. We believe the jaguar Range States, NGO and IGO partners, and Indigenous Peoples and local communities across the range of the species, would be better served by a specific, focused jaguar resolution. WCS stands ready to work with Parties to draft such a resolution, and to facilitate its adoption at CoP20 and subsequent implementation.

46. [Tortoises and freshwater turtles](#)

WCS appreciates this document from the Secretariat, which focuses on Decisions 19.125-127, on illegal trade in critically endangered Appendix I tortoises from Madagascar (*Astrochelys radiata*, *A. yniphora*, *Pyxis arachnoides* and *P. planicauda*).

We appreciate the summary from the Secretariat, and we recommend adoption of the draft decisions in the document. We note that Madagascar has confirmed that there is a need to strengthen its enforcement of existing laws and regulations, and that it is experiencing several challenges including insufficient enforcement, weak judicial responses, corruption, inadequate financial and logistical resources, and lack of motivation among implementing authorities. Poaching and trafficking in these species remains a significant threat. We note the Secretariat summary that the initiatives and activities reported by Madagascar in 2024 are outdated and seem to have limited

relevance to information and intelligence concerning criminal networks operating within and from Madagascar.

Although we support adoption of the draft Decisions in the document, and encourage their implementation, we feel that is not enough. Trafficking in freshwater turtles and tortoises, including those in Appendix I, is rampant, and reflects insufficient efforts to stem the pet and hobbyist trades driving this trafficking. Parties adopted Decisions 19.123 and 19.124 on illegal trade in tortoises and freshwater turtles, and Resolution Conf. 11.9 (Rev. CoP18) on “Conservation of and trade in tortoises and freshwater turtles”. We would like to see reporting on those Decisions and Resolution as well.

More importantly, we urge Parties to take this issue more seriously and elevate the priority of efforts to prevent this illegal trade. Whilst we agree that Madagascar, and other Range States, need to do far more, we also believe that consumer States need to do far more as well. There have been many recent reports of seizures and confiscations of illegal shipments of tortoises and freshwater turtles—but sufficient efforts to prevent the poaching and illegal trade, and change consumer behaviour, are lacking. We strongly urge a more comprehensive effort to prevent and curb this trade, including considering including the remaining non-CITES Testudines on the Convention’s Appendices (to facilitate enforcement), and meaningful behaviour change efforts to stem consumer demand in the pet and hobbyist trades for these species.

47. Legal acquisition findings

We welcome the work under this agenda item and call particular attention of SC Members and Parties to the draft document in Annex 3: “*Guidance on the chain of custody required for demonstrating the legal acquisition of the parental breeding stock.*” This is a critically important document that addresses several species- or taxon-specific issues highlighted elsewhere in the SC agenda, such as on bird or amphibian species in the pet trade.

We note that within the document, it states that “...*Demonstrating the legal acquisition of the parental/breeding stock supposes demonstrating that the specimens constituting the parental/breeding stock have been obtained in accordance with relevant national legislation on the protection of fauna and flora and the provisions of the Convention.*” Noting there are circumstances [<https://conbio.onlinelibrary.wiley.com/doi/10.1111/csp2.13283>] indicating that despite successful captive breeding of species, it does not seem possible for founder stock to have been obtained legally, we believe that standard practices must be developed in accordance with this guidance for Parties to: a) highlight instances where questions about the legality of obtaining founder stock can be documented and discussed; and b) a best practice or standard for Parties to use when founder stock was obtained prior to existing documentation. We stress that if the legal acquisition of founder stock cannot be clearly demonstrated through appropriate documentation, exports should not be allowed.

48. Non-detriment findings for specimens of Appendix-II species taken from areas beyond national jurisdiction

WCS appreciates the attention of the Parties to the implementation of their scientific obligations relevant to specimens taken in ABNJ, and we look forward to continuing to collaborate with Parties and the Secretariat to help ensure effective implementation of CITES for specimens taken in ABNJ.

We appreciate and were pleased to be able to attend the technical workshop organized by the Secretariat on this issue, in April 2024. We also appreciate this document from the AC, and the detailed, collaborative discussions at AC meetings on this important issue. We support the recommendations from the AC in paragraph 7 of this document. We do not agree however with the Secretariat that their proposed draft Decisions in SC78 Doc. 49 (see item 49, below) will sufficiently

allow the SC to address the relevant implementation matters raised at the technical workshop or agreed by the AC. We believe that paragraphs 7a-7c, but also paragraphs 7f-7j, could benefit from a document to be considered at CoP20. If the decisions proposed by the Secretariat in Doc. 49 are agreed by CoP20, though well-intentioned, there might only be limited progress on these issues until at least CoP21 in 2028. Parties would benefit from clear, more timely guidance on issuance of NDFs for specimens taken in ABNJ.

49. Introduction from the sea (IFS)

WCS appreciates the attention of the Parties to the implementation of their obligations relevant to specimens taken in ABNJ, and we look forward to continuing to collaborate with Parties and the Secretariat to help ensure effective implementation of CITES for specimens taken in ABNJ.

We appreciate all the hard work and consensus-building that went into the adoption of Resolution Conf. 14.6 (Rev. CoP16). We recognize that more progress is needed on implementation of this resolution and associated CITES requirements, for specimens taken in ABNJ. We are not convinced that there has been sufficient analysis to warrant revision of Reso. Conf. 14.6 (Rev. CoP16), beyond some clarifications and updates. We strongly urge the SC and Parties not to amend the core elements of the resolution, the product of years of debate, on when an IFS certificate should be issued versus when an export permit should be issued, for specimens taken in ABNJ.

We also appreciate the analysis presented by the Secretariat in paragraph 5, of the synergies between CITES and the Agreement under UNCLOS on the Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction (the BBNJ Agreement). We also appreciate the technical workshop organized by the Secretariat on *Non-detriment findings for specimens of Appendix-II species taken from areas beyond national jurisdiction* in April 2024.

We thank the Secretariat for the changes made to the "Frequently Asked Questions" on Introduction from the Sea, and for posting it to the [IFS page of the CITES website](#). We recommend making it more prominent there, however. It is a very useful document.

WCS believes that the issues relate to not only understanding by Parties of their obligations relevant to specimens taken in ABNJ, but compliance with those obligations, and enforcement by flag and port States, exporting and importing countries. Rather than focusing on amending Resolution Conf. 14.6 (Rev. CoP16), we would prefer an enhanced focus on implementation of the Convention for specimens taken in ABNJ and ensuring compliance—including issuance of appropriate CITES permits or certificates and required findings by Parties whose vessels operate in ABNJ, and enforcement of CITES requirements by Parties.

Regarding the draft decisions in the Annex to this document, WCS has these recommendations:

- We support potentially modifying the Annex to the resolution ("*Explanatory Notes*"), but not the resolution itself, although technical clarifications in terms of chartering, reference to the BBNJ agreement, and minor clarifications and updates could be fine. However, we recommend that Parties not amend the core elements of the resolution on when an IFS certificate should be issued versus when an export permit should be issued, for specimens taken in ABNJ.

53. Stocks and stockpiles

This document contains an excellent summary of the work to date, and we support the efforts to build consensus around terminology and approaches among CITES Parties.

There is a proposed area of focus here on non-living specimens to be defined as “stockpiles.” That is appropriate to move forward, recognizing that accumulations of living specimens can and should be addressed separately.

With regards to the draft definition of stockpiles, we reiterate that “dead” can be a challenging term (for example, where parts or derivatives can be obtained from living animals), and would suggest “non-living” instead of “dead”:

In the context of CITES, 'stockpiles' refer to any quantity of accumulated ~~dead~~ non-living specimens, including parts and derivatives [sic], of CITES-listed species held by public or private entities. Specimens included in permanent collections held by museums, scientific institutions, or individuals for non-commercial purposes, are excluded from the definition. In general, provisions related to stockpiles in CITES Resolutions and Decisions are intended to ensure that these are secured, managed and disposed of in such a way that the specimens would not enter or re-enter illegal trade.

We welcome the feedback and improvement cycle that can be instituted through implementation of paragraph 29 for the management of stockpiles of rhino horn, elephant ivory, pangolin scales and saiga horn, and Parties may wish to direct the Secretariat to report on any responses received.

54. Stocks and stockpiles (elephant ivory)

WCS supports the recommendations in this document, which will hopefully take steps to address non-reporting on elephant ivory stockpiles.

ETIS analyses must be able to assess non-reporting on stockpiles when making assessments of Parties that should be included in the National Ivory Action Plan process, and we also concur that Parties with stockpile management issues should receive support when paired with domestic budget allocation efforts and the development of standard operating procedures.

Failure to report systematically should be considered at odds with the implementation of Reso. Conf. 10.10 and should be treated as a potential compliance matter when linked to existing processes such as the NIAP process.

58. Disposal of confiscated specimens

We generally support the forward motion of this discussion and can endorse the amendments to Reso. Conf. 17.8 (Rev. CoP19), but we draw attention to the intent of this language: *“In all circumstances, the confiscating authority should be satisfied that: 1) those involved in the illegal or irregular transaction that gave rise to confiscation cannot obtain the animals or their offspring; 2) the transfer does not compromise the objective of confiscation; and 3) the transfer will not increase illegal, irregular or otherwise undesired trade in the species.”* This is critically important – it is not just those directly implicated in the confiscation, but also commercial partners or other associated economic beneficiaries. We have seen many cases where Appendix I species (or App. II with zero quota or endemics with prohibited export) are bred in captivity through aberrations in the implementation of CITES (i.e., illegal trade). Without stricter language and application of the language as proposed in the guidelines above, we could continue to see this issue arise.

61. Review of Resolution Conf. 12.10 (Rev. CoP15) on Registration of operations that breed Appendix-I animal species in captivity for commercial purposes

61.1 [Review of Resolution Conf. 12.10 \(Rev. CoP15\)](#)

61.2 [Implementation of paragraph 5 j\) of Resolution Conf. 12.10 \(Rev. CoP15\)](#)

WCS is pleased to have been a member of the WG on this issue. We thank the U.S. as Chair and members of the WG for the collaborative dialogue. We support the proposed amendments to Resolution Conf. 12.10 as outlined in Annex 1 of Document 61.1. Critically important is the issue captured in paragraph 5 sub-paragraph k (as amended), which would provide an opportunity for additional checks and balances within the registration system. We note that one of the most critical issues, as we continue to see in applications for approval under Conf. 12.10 (Rev. CoP15), is the evidence that must be provided on the legal original of the founder stock in proposed facilities (Annex 1, paragraph 5). We recommend that the Secretariat not forward any applications that do not clearly demonstrate this.

We support the way forward outlined in Document 61.2, recognizing that credible guidance can support Parties in implementing Reso. Conf. 12.10 (Rev. CoP15). Fulfilment of the requirement in Annex 1 paragraph 15 is critical, but all too often demonstration of measurable actions and activities of the breeding operation to contribute to the conservation of wild population(s) of the species, is weak or *pro forma*. We encourage Parties to pay significant attention to this requirement; the goal is conservation of species in the wild. There are multiple documents outlined in paragraph 15, sub-paragraph b, and we recommend that the SC and Parties consider the development of a single guidance document that would be subject to peer review, full citation and be designed to be user-friendly by Management and Scientific Authorities.

63. [Identifying information on species at risk of extinction affected by international trade](#)

WCS is pleased to have been a member of the WG on “Species at Risk of Extinction Affected by International Trade”. We the United Kingdom as Chair and members of the WG for the collaborative dialogue. We consider it vital that Parties are aware of and consider available scientific data and technical information, including peer-reviewed materials or publications, government reports or reports from other official bodies, scientists, and other stakeholders; this information is vital to ensure species are appropriately listed on the CITES Appendices. In particular, Parties’ Scientific Authorities will benefit from information on species potentially in trade that are threatened with extinction or that are in trade and may become threatened if their trade is not effectively regulated.

The draft decisions proposed by the WG Chair on behalf of the WG, for consideration of SC78, are in the right direction, but we have some comments and suggestions:

- We consider the work requested of the Secretariat in this Decision should be within its core budget, as it is core to implementation of the Convention and of the CITES Strategic Vision for Parties to have the best available scientific and technical information on the conservation status of species subject to international trade. Specifically, Objective 1.4 of the CITES Strategic Vision states, “*The Appendices correctly reflect the conservation status and needs of species*”; and Objective 2.4 states, “*Parties have sufficient information to make listing decisions that are reflective of species conservation needs*”. Assistance from the Secretariat to Parties to implement the Convention, and these two objectives, should not be contingent upon fundraising efforts. Therefore, we suggest the following amendment to Draft Decision 20.BB:
 - The Secretariat shall, ~~subject to external resources:~~

- Most of the information that these decisions relate to is publicly available, particularly in the peer review literature, although it may not be easily accessible by all Parties. We strongly oppose limiting access to this information to a restricted area of the CITES website that is accessible to Parties only. Many scientists, researchers, and IGO and NGO staff, engage in significant scientific research that is published in the peer reviewed literature; it seems counter-productive to ask these stakeholders to share the information, but not to be able to access it. Indeed, it is the free and open sharing of scientific and technical information on species in trade that will truly enhance implementation of CITES and listing on its Appendices of species that would benefit. Furthermore, we suggest inviting observers, and other scientists and researchers, to submit information to the Secretariat, but not to require it be “through a Party”, since that creates unnecessary burdens for Parties. Rather, we strongly encourage the open sharing of information; in particular, there is no reason that peer-reviewed paper should not be able to be posted directly. Furthermore, Draft Decision 20.CC directs the SC to consult with the AC and PC in the implementation of these decisions. The AC and PC members are individuals, not Parties; they also need to be able to access this information if they are to evaluate the implementation of the decisions. Therefore, WCS recommends the following amendment to Draft Decision 20.BB (b):
 - develop a dedicated page ~~with a link to a restricted section~~ on the CITES website ~~accessible to Parties~~ to make the following information submitted by Parties, by non-Party observers ~~through Parties~~, and by the United Nations and its specialized agencies ~~through either a Party or the Secretariat~~ **publicly available to Parties:**
- Regarding submission of information/data, WCS recommends the following amendment to Draft Decision 20.BB (b)(i):
 - i) provided by Parties, **observers, or the United Nations or its specialized agencies**, including the name of the Party(s) **or organization** that submitted the information and the date of submission; and

64. [Spix's macaw \(*Cyanopsitta spixii*\)](#)

WCS appreciates this document and the details therein, and fully concurs with the concerns of the Government of Brazil regarding *Cyanopsitta spixii*. We support the recommendations of the Secretariat in paragraph 32 but are also concerned with the broader issues this raises. We would be pleased to participate in the proposed in-session working group. However, we believe much more needs to be done to ensure that any trade in Critically Endangered Appendix I endemic species, such as this one, is in full consultation with and with the support of the Range State, and that any allowed trade in captive bred Appendix I species truly benefits the conservation of the species in the wild.

65. Elephants (*Elephantidae* spp.)

65.1. [Report on the implementation of Resolution Conf. 10.10 \(Rev. CoP19\)](#)

65.2. [Implementation of the priority recommendations from the review of the ETIS programme](#)

65.3. [ETIS categorization of Parties](#)

65.4. [Domestic ivory markets](#)

65.5. [Exchange of information between the annual illegal trade report and the Elephant Trade Information System](#)

65.6. [Trade in Asian elephants \(*Elephas maximus*\)](#)

65.7. [Trade in mammoth ivory](#)

65.8. [CITES dialogue meeting for African elephant range States](#)

Regarding **Document 65.1**, we welcome signs of progress but note the disconnect between detected rates of poaching and the illegal movement of ivory across national borders in contravention of CITES. Sustained attention is needed, and we generally support the recommendations in paragraph 67 of the document. In addition, we welcome the proposed feasibility study of monitoring additional species as outlined in paragraphs 61 and 62 of the documents and encourage that it includes key taxa such as pangolin species, Appendix I bird species, and more. Finally, we commend the EU's longstanding support to the implementation of CITES but note with concern that site-level monitoring efforts are critical to the implementation of the MIKE Programme. Funding for policy activities can be complementary but shouldn't replace funding to the field.

Regarding **Document 65.4**, we believe that the proposed way forward blinds us to a key element of analysis when examining how legal and illegal markets are related and drive the poaching of elephants and illegal international trade in elephant specimens. We do not disagree that it is a complex topic, but as one MIKE-ETIS sub-group member has noted, there are potential *"alternatives, such as including all Parties in a preliminary analysis that seeks to identify the correlation between the presence of ivory in domestic markets at any level and the presence of illegal ivory trade to better reveal the relationship between the two activities..."* We recommend that the SC convene an intersessional working group prior to CoP20 to identify potential options for consideration by the CoP on this matter.

Regarding **Document 65.6**, we believe there are important issues raised in paragraph 6 (for example, in sub-paragraph d), however we concur that these are beyond the scope of the existing CoP decisions. We can support the adoption of amendments to Resolution Conf. 10.10 (Rev. CoP19) as outlined in the Annex.

Regarding **Document 65.7**, we disagree with some of the premises in the conclusions and analysis, including that *"...including mammoth ivory in CITES Appendix II would have limited benefit and might even be counterproductive. Such inclusion may disincentivize market actors from utilizing mammoth ivory as a substitute for elephant ivory, which could inadvertently lead to an increase in illegal trade in elephant ivory and an increase in elephant poaching."* This logic is defeatist and counter to the objective of CITES, which is to regulate international trade where appropriate to ensure the conservation of species in the wild. Furthermore, the conclusion appears to be based on [one paper](#) that did not take into account potential confounding variables on the study results. National regulation and management are of course very welcome, but we urge Parties to not view the absence of precautionary and science-based regulation as a primary instrument to stimulate compliance with the Convention. However, as this does not appear in the draft SC conclusions, we can support moving forward as proposed.

Regarding **Document 65.8**, we welcome the Communique from the CITES Dialogue Meeting for African elephant Range States and we thank Botswana for hosting this meeting, which almost all African elephant Range States were able to attend. We support the conclusions reached by African elephant Range States at the meeting, particularly because they reflect a consensus. We generally support the way forward as outlined in paragraph 12 of the document, with one important caveat. We note that changes were made to the draft decisions that emerged from the African elephant range State dialogue as proposed in Annex 3 (resulting in the proposed CoP20 decisions in Annex 1). We do not support the addition of draft decision 20.DD, which we believe is far too ambiguous in intent and scope. As this was not generated by the Range States themselves, we propose deletion of 20.DD prior to endorsement by the SC.

66. [Illegal trade in African great apes \(Gorilla gorilla, Gorilla beringei, Pan troglodytes and Pan paniscus\)](#)

WCS appreciates this document and supports the recommendations of the Secretariat. We note however that in addition to the serious threats of poaching for illegal trade in live animals, meat, and body parts, and habitat loss and degradation, great apes are also threatened by the spillover of pathogens from humans (which may have originally spilled over from other animals). Vigilance, and a strong One Health approach, are necessary to protect the health of great apes and local communities that may either illegally kill great apes or find dead animals. As the numbers of researchers, ecotourists, local people, and soldiers increase in and around the lowland forests of central Africa, the likelihood of viruses, parasites, and other pathogens passing between them and great apes rises. Research suggests that tens of thousands of great apes perished from Ebola hemorrhagic fever virus, which is also deadly to humans. [The WCS Health Programs](#) are at the forefront of investigations into the diagnosis, management and prevention of such diseases.

67. Pangolins (*Manis* spp.)

67.1 [Report of the Animals Committee](#)

67.2. [Report of the Secretariat](#)

We support the amendments proposed to Reso. Conf. 17.10 (Rev. CoP19), found in the Annex of Document 67.2. We believe information on stockpiles should be complemented by explicit or primary, and comprehensive, updates to any legal, regulatory, or other policy changes that affect the documentation and management of stockpiles of pangolin products and derivatives.

68. Saiga antelopes (*Saiga* spp.)

68.1 [Report of Kazakhstan](#)

68.2 [Report of the Secretariat](#)

WCS appreciates efforts by those range and consumer Parties that are working hard to both combat illegal trade in Saiga parts and products and implement the current listing and associated annotation. We welcome the efforts of the Secretariat and Parties to implement Decisions 19.213-215 and 19.217 and commend those Parties who provided current and updated information on implementation of these decisions.

WCS remains concerned about the reported exports of Saiga specimens from Ukraine, using source code U. We appreciate the Secretariat's summary of the situation in paragraph 8 of this document, but we remain concerned that these exports were not in compliance with CITES and should be discussed by the SC. We are aware of the current difficult situation in Ukraine but still recommend that the SC seek clarification that no such further exports will take place.

We are also concerned about the reported exports of Saiga specimens using source code O; based on available information on stockpiles, it is reasonable to question the existence of specimens that are more than 34 years old now entering trade. This highlights the serious gaps in stockpile management in many Range and Consumer States. We welcome the Secretariat's summary of reported seizures of Saiga specimens as contained in Parties' annual illegal trade reports. However, the Secretariat has focused on the number of seizures, which have declined, but we note that the size of seizures and trends in seizure size are critically important to understanding and preventing the illegal trade. As with other taxa (e.g. pangolins and elephants), larger seizures indicate criminal organization, stockpiling, and continued commercial transactions on a more industrial scale. We

recommend that the SC request the Secretariat to analyze the illegal trade database again with this in mind, ahead of CoP20.

While the current Decisions and Secretariat's report highlight the need for international cooperation to address the illegal Saiga horn trade, they largely focus on all Saiga (*Saiga tatarica* and *Saiga borealis* under CITES nomenclature; subspecies of *Saiga tatarica* under the taxonomy of the IUCN Red List of Threatened Species and others). We recommend that any future decisions explicitly recommend targeted actions to address the unique vulnerabilities of critically endangered *Saiga borealis* in Mongolia and other small vulnerable populations of *Saiga tatarica* (under CITES nomenclature).

WCS also notes the critical role of national legislation in supporting confiscations, accurate stockpile reporting, monitoring, and management. The lack of a unified system for data collection and management further complicates this issue, potentially leading to inaccurate stockpile estimates. We recommend a Decision encouraging legislative reform to ensure accurate stockpile estimates and management across all Range and Consumer States.

We welcome the 5th meeting of the CMS Saiga MOU signatories (MOS5), which will take place 12 to 14 March 2025 in Astana, Kazakhstan. We note that in paragraph 19 (b) of this document, the Secretariat recommends that the Secretariat prepare draft Decisions for CoP20 based on the outcome of MOS5 and implementation of the relevant CITES Decisions. We recognize the timing issues, but find it unusual that the Secretariat would draft Decisions for consideration of the CoP without going through the SC or considering SC input and recommendations. We suggest amending paragraph 19. b) as follows:

b) on the basis of the outcomes of the fifth meeting of the CMS Saiga MOU signatories, discussions at SC78 and any associated recommendations, and the status of implementation of Decisions 19.213 to 19.217 on *Saiga antelope* (*Saiga spp.*), invite the Secretariat to revise or draft new decisions on *Saiga antelope* (*Saiga spp.*) for consideration by the Conference of the Parties at its 20th meeting.

WCS also appreciates the document submitted by Kazakhstan on Saiga. We congratulate Kazakhstan for the significant increases in its Saiga population, as well as for its efforts at enforcement, prevention of poaching and illegal trade, and establishment of protected areas for Saiga, and for hosting the upcoming MOS5 meeting. Regarding Kazakhstan's recommendations in paragraph 21 in Document 68.1:

- We agree with and recommend that the SC include the text in paragraphs 21.b. and e. in any future draft Decision on this issue.
- We believe that paragraph 21.c.i is already addressed in Doc. 68.2 and our comments/suggested amendments.
- We concur with the recommendation in paragraph 21.d. to establish an Intersessional WG and hereby volunteer to join the Intersessional WG that is proposed. However, we recommend adding a focus on endangered and critically endangered Saiga populations to the WG's mandate.
- We agree with and recommend that the SC include the text in paragraph 21.f., but delete the word "important"; all consumer and trading States should be requested to report.

70. Sharks and rays (Elasmobranchii spp.)

70.1 [Report of the intersessional working group](#)

70.2. [Report of the Animals Committee](#)

Paragraph 5 of document 70.2 includes reference to Annex 4, the recommendations from the AC on the need to revise the guidance applied to the RST process for highly mobile marine species such as many CITES listed sharks and rays. This issue is of high importance, with a significant number of shark and ray species identified as of concern during this RST cycle, and the AC identifying the need for a bespoke approach at a higher taxonomic and wider geographic scope to effectively implement the Convention's obligations for highly mobile shark and ray species. These recommendations that will generate a report on this issue should be adopted by SC78 and passed to CoP20.

70.3. [Report of the Secretariat](#)

WCS recommends that the draft decisions contained in paragraph 34 (20AA) are adopted. As noted in this document it is crucial that work continues via these decisions to address a clear lack of reporting of CITES listed shark and ray trade by a number of parties.

On the issue of addition of catch locations to annual reports WCS disagrees with the suggestion that catch locations should only be applied to catches originating in ABNJ included in paragraph 47. As documented in paragraphs 48 and 49, there is a range of CITES Parties where catches can originate in multiple ocean basins or FAO fishing areas, and the current lack of clarity is impacting the efficiency and effectiveness of CITES implementation and compliance actions. The addition of catch reporting location is therefore needed for both source codes X and W, with the justification for that action clearly laid out in paragraph 45 of this document. Our view is that making this change via ocean basin is simpler and easier to implement while still providing improved information to support more effective compliance action.

79. [Implications of the transfer of a species from one Appendix to another](#)

WCS recommends that the SC endorse some guidance, and we appreciate this first draft from the Secretariat. We note that this situation is of great importance to certain taxa but affects a relatively small proportion of trade in CITES-listed specimens over time. We believe that any guidance should adhere to precautionary approaches, including using CITES-reviewed or internationally standardized/recognized stockpile management systems to ascertain that a specimen is pre-Convention for new listings. We hope there is time at SC78 to discuss these issues and suggest an in-session WG if necessary.

83. [Higher taxon listings in the Appendices](#)

This is an interesting document from the AC and PC nomenclature specialists. While they make some useful points in the general sense, we do not see their conclusion particularly in paragraph 9 as relevant to Document 84 and the taxonomy of *Loxodonta* spp. (see below). We support the amendments to Resolution Conf. 12.11 (Rev. CoP19) that the nomenclature specialists recommend.

We appreciate the revised text in paragraph 12 of the document (posted 16 January), which corrects confusing text in the earlier version of this document, and we support the recommended amendments to Resolution Conf. 12.11 (Rev. CoP19) on Standard nomenclature.

84. [Taxonomy and nomenclature of African elephants \(*Loxodonta* spp.\)](#)

WCS recognizes that the science is clear that there are two species of African elephant: the African savanna elephant (*Loxodonta africana*), and the African forest elephant (*Loxodonta cyclotis*). Any of

the 3 options in paragraphs 29-32 would accomplish recognition of that by CITES. We appreciate the revised document, clarifying which paragraphs are referred to.

WCS recommends that the SC endorse Option B – namely, a nomenclatural change in the CITES Appendices to now list *Loxodonta* spp. (replacing *Loxodonta africana* with *Loxodonta* spp.), although we think that Option C is also acceptable. We believe that Options B and C are the appropriate change for now, given the original intent of the listings as adopted by CITES Parties, as well as the implementation of CITES for parts and derivatives such as elephant ivory that are addressed through several ongoing CITES processes. We believe that these options (A, B, or C) are not a substantive change, do not change the scope of the listings in the Appendices, the relevant annotations are unchanged, and there is no change in the level of protection or Appendix of any population. Therefore, no proposal to amend the Appendices would be required with any of these options.

Option A would lead to greater disruption to the functioning of CITES at present and could create additional burdens for Parties in implementation. We disagree with the argument from the Secretariat that Option B would cause confusion (paragraph 34), as there already exist several genus-level listings in the CITES Appendices. We are sympathetic however to the concern that either Option B or C does not clarify the recognition of *L. cyclotis*, and suggest a note in the Appendices accordingly. For some taxa listed at the genus level, there is always the chance that a new species will be discovered; that is certainly not the case for African elephants.

Annex: Acronyms used

ABNJ	Areas Beyond National Jurisdiction
AC	CITES Animals Committee
AC33	33 rd meeting of the CITES Animals Committee (July 2024)
BBNJ	Biodiversity Beyond National Jurisdiction
CBD	Convention on Biological Diversity
CMS	Convention on the Conservation of Migratory Species of Wild Animals
CoP	meeting of the Conference of the Parties
CBD CoP16	16 th meeting of the Conference of the Parties to the CBD (October 2024)
CoP19	19 th meeting of the CITES Conference of the Parties (November 2022)
CoP20	20 th meeting of the CITES Conference of the Parties (November/December 2025)
EU	European Union
FAO	Food and Agriculture Organization of the United Nations
GBF	Kunming-Montreal Global Biodiversity Framework
ICCWC	International Consortium on Combating Wildlife Crime
IFS	Introduction from the Sea
IGO	Intergovernmental organization
IPBES	Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services
IPs	Indigenous Peoples
LAF	Legal Acquisition Findings
LCs	Local communities
IUCN	International Union for the Conservation of Nature
MA	CITES Management Authority
MEA	Multilateral environmental agreement
MoU	Memorandum of Understanding
NDF	CITES non-detriment finding

NIAP	National Ivory Action Plan
NIRAP	National Ivory and Rhinoceros Action Plan
NGO	Non-governmental organization
PC	CITES Plants Committee
RST	CITES Review of Significant Trade
SC	CITES Standing Committee
SC77	The 77 th meeting of the CITES Standing Committee (November 2023)
SC78	The 78 th meeting of the CITES Standing Committee (February 2025)
UN	United Nations
UNCAC	UN Convention against Corruption
UNCLOS	UN Convention on the Law of the Sea
UNDRIP	UN Declaration on the Rights of Indigenous Peoples
UNEP	UN Environment Programme
UNODC	UN Office on Drugs and Crime
UNTOC	UN Convention against Transnational Organized Crime
WG	Working Group
WHO	World Health Organization
WOAH	World Organisation for Animal Health