

CITES COP17: THE CONVENTION BREAKS NEW GROUND

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The 17th meeting of the Conference of the Parties to CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora) (CoP17) took place in Johannesburg, South Africa, from 24 September to 4 October 2016 and was acclaimed by many as one of the most successful ever held. For many species—from pangolins to marine species and even including a whole genus of trees—stronger trade regulation measures were adopted through amendments to the CITES Appendices. Moreover, some key CITES Resolutions were strengthened and new Resolutions and Decisions adopted that broke new ground on a number of important issues, such as traceability and corruption.

The meeting took place following several years of increasing political attention to the issue of wildlife crime—as testified to by the adoption of the first-ever United Nations General Assembly Resolution on Tackling the Illicit Trafficking in Wildlife (Resolution A/RES/69/314) just the year before, committing countries to step up their collective efforts to address wildlife crime and diminish the “increasing scale” of global poaching. CoP17 also started in the wake of intense media coverage on a host of controversial wildlife use and trade issues in the preceding year, such as trophy hunting, national ivory bans and high-profile burning of ivory stocks in several countries.

While this attention did bring wildlife trade to the forefront of government agendas, it demonstrated the polarized views on many of these topics and made meaningful debate on key issues such as sustainable use challenging. Moreover, CoP17 revealed that more work was needed to improve CITES in a number of areas, such as in strengthening the role of science in decision-making, as well as strengthening the role of local communities in shaping decisions expected to affect them.

This article will examine some of the key decisions taken and strategic issues that emerged from CoP17 and discuss a way forward for trying to ensure that its outcomes strengthen the implementation of the Convention and the conservation benefits it is intended to produce.

The role of evidence

The operation of CITES is founded on evidence, as set out in the Text of the Convention, such that the decisions of its Parties are expected to be based upon the best available information on species and trade. This is particularly crucial with regard to the inclusion of species in the CITES Appendices and, to this end, the Parties adopted a set of biological and trade criteria—in 1994, via *Resolution Conf. 9.24 Criteria for amendment of Appendices I and II*, a Resolution that has been kept under careful review and regularly refined—to guide their decisions on this.

At CoP17, as at previous CoPs, many of the proposals to amend the Appendices submitted provided uncertain information or lacked sufficient detail regarding the status and levels of trade of the species in question. Annex 4 of the current version of *Resolution Conf. 9.24 (Resolution Conf. 9.24 (Rev. CoP17))* states that “When considering proposals to amend Appendix I or II, the Parties shall, by virtue of the precautionary approach and in case of uncertainty ... act in the best interest of the conservation of the species concerned and adopt measures that are proportionate to the anticipated risks to the species”. It is problematic in this case that Parties have not agreed any clear guidance on how to implement the said precautionary approach; nor have they given guidance on how to handle information of uncertain quality. Moreover, the criteria set out in the Resolution do not include any reference to assessment of conservation benefit that a listing may bring.

The case of African pangolins, proposed for inclusion in Appendix I at CoP17, provides an example to illustrate some of the difficulties highlighted. There are few population data to determine if African pangolin species meet the biological criteria for inclusion in Appendix I and the proposal judged solely against these would therefore have been unlikely to achieve success. However, the proposal for the pangolins’ listing in Appendix I was strongly supported by Parties because they felt these species were clearly at risk of following the Asian pangolin species into serious decline as a result of illegal trade and that the listing would provide a conservation benefit by providing a higher degree of regulatory scrutiny to prevent illegal international trade.

Clearly articulating the conservation benefit that a listing could bring would allow more confident decision-making—particularly in situations where the information is either uncertain or lacking. Conversely, Parties may determine that listing a given species will not result in any conservation benefits—even if the evidence suggests the species meets the listing criteria. In this case, they may wish to explore what other role CITES could play to achieve a positive impact for the species. Conservation benefit may be an issue that Parties wish to consider in any future discussion of amendments to the guidance on listing in the Appendices.

Conservation success or failure?

Related to the question of conservation benefit is the need for clarity in a CITES context of what constitutes conservation success or failure. The inclusion of all eight species of pangolin in Asia and Africa in Appendix I of the Convention was celebrated as one of CoP17’s outstanding successes. The case for urgent international action on pangolins is clear. In Asia, pangolins are increasingly

threatened by high demand for their scales, which are used in traditional medicines, and for their meat, which is consumed as a luxury food. Recent TRAFFIC research, such as that presented in its report on pangolin trade in the Mong La wildlife market and the role of Myanmar in the smuggling of pangolins into China, testified to a booming illegal trade in live pangolins, their meat, and their scales in Asia. Populations of Asian pangolins are in severe decline, as stated, and, worryingly, supply is shifting to the four pangolin species found in Africa.

However, the listing of all eight pangolin species in Appendix I is arguably a reflection of failure—the failure of the regulatory measures employed under CITES since the listing of these pangolin species in Appendix II many years before. In 2000, a zero quota on trade in the Asian species apparently had little impact on the levels of trade (albeit illegal trade), leading to further declines in numbers of these species and a serial depletion of other species in Africa. How far the current inclusion of pangolin species in Appendix I will stem these declines remains to be seen. As with the zero quota that was imposed in previous years, the listing is unlikely to prevent declines unless there is a very real change in the enforcement of the listing by the countries along the trade chain.

More encouragingly, the pangolin listings were complemented by a Resolution on conservation and trade in pangolins (*Resolution Conf. 17.10*), the first such Resolution agreed by CITES, which urges Parties to address critical issues such as legislation, law enforcement, captive breeding, international co-operation, awareness and assistance of local communities, demand reduction, and management. It is probably through effective implementation of this Resolution that conservation benefit is most likely to follow the Appendix-I listing of pangolins.

The proposal to transfer the Peregrine Falcon *Falco peregrinus* from Appendix I to Appendix II, on the other hand, presented the opposite scenario to that presented by the pangolins, in so far as wild populations appeared to be stable overall, and to have recovered in instances in North America and Europe. Categorized as Least Concern in the IUCN Red List, the species clearly did not meet the biological criteria for inclusion in Appendix I at the time of CoP17. However, the Parties decided by majority vote to maintain the Peregrine Falcon in Appendix I on the basis that information on controls of trade in a number of range States was lacking. Some may argue that this is taking precaution to an extreme level. Also concerning, is the message sent by this CoP17 outcome that once a species is in Appendix I, it may be extremely difficult to transfer it to Appendix II. This is unfortunate, as Appendix II is at the core of the means CITES intends should ensure that trade “is not detrimental to the survival of the species”. Additionally, it may discourage some Parties from considering proposals to list species in Appendix I in future, including proposals that clearly merit consideration for fear that future approval of trade-based conservation solutions could be impossible to secure.

Ensuring legal and sustainable trade

At the heart of the effectiveness of CITES as a conservation tool is that it supports sustainability and

legal acquisition. CoP16 in March 2013 saw the historic listing of five species of shark and two manta ray species in CITES Appendix II and, at CoP17, four other species of shark—the Silky Shark *Carcharhinus falciformis* and three thresher sharks—and the genus of *Mobula* rays were added. However, the effectiveness of these listings will depend greatly upon how Parties implement their Non-detriment Findings (NDFs), these being the mechanism by which Parties determine sustainability so as to try and ensure exports of specimens of a given species will not be detrimental to its survival and will be limited in order to maintain the species’s range at a level consistent with its role in the ecosystem. Considerable efforts have been made by CITES over the years to develop general and taxon-specific guidance for making NDFs and CoP17 saw further progress in this area, a number of shark Decisions (*Decisions 17.209–17.216*) having focused on this. *Decision 17.209*, for example, urges Parties to consider Germany’s offer to support training workshops on the application of the Shark NDF Guidance developed by the German Scientific Authority.

Another significant outcome of CoP17 related to ensuring legal and sustainable trade was the regulation of the commercial international trade in a record number of timber species, predominantly by the listing of the genus *Dalbergia*, including several species commercially traded as “rosewood”, in Appendix II. While many of these species are subject to very heavy over-exploitation and do indeed require regulation under CITES, the listing of some 300 species of the genus may raise implementation challenges, particularly because of the somewhat confusing annotation adopted with the listing, and its relationship with other listings of *Dalbergia* species. However, the Standing Committee and Plants Committee are likely to look at these annotations as part of their work under *Decision 16.162 (Rev CoP17) Annotations*.

CoP17 saw CITES embark upon the next step in the sustainability process—traceability, whereby wildlife commodities considered to have been sustainably sourced are tracked to try and ensure they are traded in a legal and transparent manner. At CoP17, Parties adopted a series of pioneering Decisions (*Decisions 17.152–17.155*) aimed at achieving coherence of the different systems being developed on traceability under CITES.

In looking forward, it is important that certain key issues are considered when developing these traceability systems. These include the issue of their potential socio-economic impact and the issue of balance between assurance of minimum standards or universal guidelines on the one hand, and flexibility for operators and Parties to implement systems adapted to their specific contexts on the other, for example in terms of level of technology, resources or user capacity, or in terms of the taxa involved. At the 66th meeting of the CITES Standing Committee in January 2016, TRAFFIC highlighted a new review it had carried out of means of tracking trade in CITES-listed shark species along the supply chain, using lessons learned from case studies of trade in sturgeon caviar, crocodile skins, Queen Conch *Strombus gigas* and timber. Common to all four case studies was indication of this need to strike the right balance between standards or guidelines for traceability systems and the provision of flexibility.

In addition, it will be helpful if the CITES Parties can agree a traceability definition and “umbrella guidelines” to “develop traceability systems for different species that are mutually supportive and that generate standardized data” (see *Decisions 17.152–17.155*), as well as agreeing business requirement specifications. The lack of universal standards has allowed the proliferation of different systems, as mentioned, which are not necessarily interoperable—it is to be hoped that the new Decisions adopted at CoP17 will reduce this problem.

NDFs and traceability also featured in other CoP17 outcomes. A new CITES Resolution on conservation, sustainable use of and trade in snakes, for example, urged Parties to use available guidance in making NDFs for trade in snakes of wild origin and to take into account lessons learned from projects on traceability implemented for other CITES-listed species.

Any improvements in traceability would be welcome towards curbing further decline of the wild populations of many CITES-listed species and to help towards the goal of trade that occurs only in legal and sustainably sourced products.

If there is one issue that really tested the ability of CITES to deal with controversies surrounding sustainable use, it was trophy hunting. Trophy hunting was already the subject of intense debate and attention prior to CoP17, as manifested through the huge, public and global outcry over the killing of Cecil the Lion, which led many NGOs to call for a complete ban on trophy hunting. This led in turn to debate that tended to mix and muddle a range of arguments relating to animal welfare, conservation impact and local community benefits. There was also increased attention given to fraudulent hunts (so called pseudo-hunts) and their link with illegal trade, particularly with respect to some Appendix-I species such as rhinoceroses.

These developments led to moves by certain countries to apply stricter domestic measures with regard to hunting trophies in international trade. However, many recognize the important role that trophy-hunting programmes can and do play in supporting both conservation objectives and local livelihoods and economies, while also recognizing that problems can result from illegal and poorly-managed trophy hunting. The European Union and South Africa submitted draft resolutions on trophy hunting at CoP17, aiming to address problematic aspects. Parties agreed to a consolidated Resolution (*Resolution Conf. 17.9 Trade in hunting trophies of species listed in Appendix I or II*) that provides guiding principles for striking a balance between achieving scientific rigour to determine the sustainability of harvest levels and consideration of socio-economic impacts, and stresses close and timely consultation between importing and range States.

Discussion of the proposal to transfer the African Lion *Panthera leo* from Appendix II to I clearly demonstrated the many and polarized positions on trophy hunting, particularly with regard to so-called “canned hunting” of captive-bred lions. One of the arguments for the proposal was that it would curtail the trade in lion bone, including from captive-bred lions, to Asian markets, a concern being that this trade may be keeping demand for bones from wild

big cats alive. Ultimately, the CoP decided to retain the present Appendix-II listing for all range States but with a zero quota for bones, bone pieces, bone products, claws, skeletons, skulls and teeth from wild specimens. South Africa, however, obtained an exemption for exports of those parts from captive-bred lions, on the condition that it establishes annual export quotas and communicates these to the CITES Secretariat. CoP17 took additional measures for lion conservation via *Decision 17.241*, which calls for studies on legal and illegal trade in lions and lion parts, including bones, to be undertaken in collaboration with TRAFFIC and/or other relevant organizations, so as to ascertain origins and trade routes.

Captive sourcing

Recent years have seen the issue of captive sourcing come to the fore in CITES, with concerns arising from serious anomalies in trade in specimens claimed to be from captive-breeding operations but in fact removed from the wild. The volume of specimens reported to CITES as being from captive-bred animals has been increasing since the 1990s, and is now higher than that declared to be of wild origin: between the years 2000 and 2012, captive-bred specimens (source code “C”) accounted for 13.3 million live animals in commercial trade, whereas wild specimens (source code “W”) accounted for 10.5 million animals. It is difficult to determine what proportion of specimens declared as “C” have been fraudulently declared as captive-bred, but a growing body of evidence, including that from TRAFFIC research, shows that such declaration is a widespread occurrence.

Owing to the size of the trade and/or threatened status of some of the taxa concerned, any trade in wild specimens falsely declared as captive-bred is likely to have a discernible impact on wild populations. Many examples of such impacts are documented in a report to the Animals Committee (“Concerns regarding trade in specimens claimed to be derived from captive breeding or ranching. Assessment of select examples”) undertaken by TRAFFIC (presented as Annex 1 to *document AC27 Doc. 17 (Rev. 1)*). Without a systematic, transparent and regular process under CITES for reviewing trade from captive sources, it was always likely that captive breeding would pose a continual threat to wild populations. Beyond its impact on species populations, this type of “laundering” constitutes a significant compliance issue, which may be linked to fraud and corruption extending into fundamental problems with governance and the rule of law.

Such laundering is clearly a form of illegal trade and undermines the operations of legitimate commercial captive-breeding facilities. Captive breeding of wildlife for commercial purposes is often seen as a useful conservation tool to relieve pressure on wild populations, while still allowing trade to continue and contribute to livelihoods. The deliberate misuse of source codes (i.e. claiming specimens are captive bred when they are in fact from the wild) completely undermines any such good intentions.

A new Resolution agreed at CoP17, *Resolution Conf. 17.7 Review of Trade in Animal Specimens Reported as Produced in Captivity*, provides a structure for CITES

to identify and address anomalies in trade such as those described above and provides a means of increasing transparency and accountability in transactions from captive breeding operations.

A fundamental aim of CITES is to ensure that international trade in specimens of wild animal species does not threaten their survival, and this must include trade mis-reported as entailing captive-bred specimens. The four-stage process outlined in *Resolution Conf. 10.10* will be as integral to CITES as some of its other “cornerstone” mechanisms, such as the Review of Significant Trade, which ensure that the aims of CITES are upheld, supported by compliance measures where necessary.

The elephants in the room

As in previous CITES CoPs, listing proposals for African Elephants *Loxodonta africana* dominated a great deal of the debate. Proposals from Namibia and Zimbabwe were cases in point: they sought to remove the annotation to the current Appendix-II listings so as to achieve, in effect, an unqualified Appendix-II listing of their elephant populations and establishment of the option for regular trade in future. This was primarily motivated by the failure of the Parties to adopt a CITES “decision-making mechanism” to establish a process for trade in ivory—a mechanism forming part of the so-called compromise reached at CoP14 in 2007 to persuade the southern African countries not to submit proposals for one-off sales in ivory.

Another proposal, from a number of other African range States, sought to transfer the African Elephant populations in Appendix II to Appendix I. The proponents’ reasoning was that the listing of all African Elephant populations in Appendix I was “the only way to send an unambiguous message” that elephants were “protected globally” and that buying ivory was “unacceptable”. While the proposal was often referred to as an attempt to impose a global ban on ivory trade, it should be noted that the annotation to the Appendix-II listing only allowed a one-off sale of ivory stockpiles, which was completed in 2009. In effect, therefore, there already is a global ban on international commercial trade in ivory and any further one-off sales would have to be approved by a future CoP. Moreover, there were also concerns that Parties might enter reservations with respect to an Appendix-I listing for all African Elephant populations and thereby open a channel through which international commercial trade could resume. Indeed, Namibia went as far as to state during debate that it intended to enter a reservation to such a listing if it were approved.

In the event, all three African Elephant listing proposals went to a vote and were unsuccessful—although debate in session revealed that there was still a profound chasm between some African Elephant range States and others, at a time when co-operation and collaboration to address poaching and illegal trade among the range States on the continent is most sorely needed.

Fortunately, there was much more encouraging news that emerged from discussions on the other elephant-related issues on the CoP agenda. The National Ivory

Action Plan (NIAP) process, for example, has resulted in many very positive actions taken by a wide range of players and various amendments were made to *Resolution Conf. 10.10* on trade in elephant specimens which further streamlined and strengthened processes, enhancing the level of consultation with the Parties involved in the making of decisions, as well as providing them with guidance and support in implementing their NIAPs.

TRAFFIC’s analysis of the Elephant Trade Information System (ETIS) that was presented to CoP17 made clear that Africa’s elephants continue to face a very serious threat from the illicit trade in ivory: while the findings provide a hint of improvement on the horizon, additional data in subsequent years will be required to confirm if a meaningful decline in the illicit ivory trade trend is commencing.

A number of countries had made significant progress in the implementation of their NIAPs. Thailand has made commendable progress and is a good example of a country using its NIAP to make sound stepwise progress towards meeting its obligations under CITES to regulate strongly any domestic trade in elephant ivory. Improved legislation in place in Thailand, could be seen as having shifted to an implementation phase which, if sustained, would be a very significant development. Whilst the overall effort taken to reach this stage in a fairly short period of time is admirable, CoP17 noted that Thailand’s domestic ivory trade still required attention to ensure full compliance with CITES requirements for domestic trade in ivory. Key issues to address include the roll-out of a robust product-marking system to track registered worked ivory products and ensure that unregistered products are not laundered into the system, and the need to test ivory products randomly to demonstrate the integrity of Thailand’s management system for legal ivory trade.

The ETIS analysis identified a number of additional countries that might warrant consideration under the NIAP process. For example, some key countries in the ivory trade chain still have not reached the essential starting point of having the basic legislation in place to support assiduous law enforcement and impose meaningful penalties on offenders. There also remains a need for greater and more focused commitment to the investigation of large ivory seizures along the entire trade chain, including through increased forensic examination to determine the source of ivory and through full use of controlled deliveries as a means to penetrate deeper into the identities of large-scale criminal operatives.

While progress made on implementation of the NIAPs has been encouraging, it is still very much at a nascent stage and the continuation of the NIAP process needs to be further encouraged. For the process to have a lasting impact, there must be renewed scrutiny and review of the various NIAPs to ensure that they meet all their objectives. There is hope that effective use of the NIAP Guidelines and timely assistance and support to the countries concerned will assist in these efforts.

As many countries recently responded to reports of increased elephant poaching significantly increasing the level of restrictions imposed on the sale of ivory nationally, it is not surprising that the issue of domestic ivory markets

also gained prominence in discussions at CoP17. As a result, amendments to *Resolution Conf. 10.10* on trade in elephant specimens were adopted, recommending that Parties in whose jurisdiction there is a legal domestic market for ivory that is contributing to poaching or illegal trade take all necessary legislative, regulatory and enforcement measures to close their domestic markets for commercial trade in raw and worked ivory.

There is evidence that some legal ivory markets are indeed being used to launder illegal ivory and countries should be commended for introducing stricter regulation of their domestic markets to prevent that from happening. Such moves must be accompanied by practical and enforceable provisions and compliance systems that will assist, rather than hinder, the enforcement authorities in their efforts to curb illegal ivory trade. It is also essential that global attention must remain firmly fixed on those few markets that are indeed directly fuelling the elephant poaching crisis in Africa.

Beyond elephants

The year 2015 saw a slight decrease in rhinoceros poaching incidents in South Africa, to 1175 from the 1215 record total in 2014. However, overall rhinoceros poaching figures for Africa in total recorded a high for the continent of 1342. The 2015 decrease in South Africa has been more than offset by significant increases in neighbouring Zimbabwe, where rhinoceros poaching rose from 12 in 2014 to a widely reported total of “at least 50” last year, while losses in Namibia also rose sharply from 24 in 2014 to 94 in 2015. The global rhinoceros poaching crisis had not abated and the “IUCN/TRAFFIC report on African and Asian rhinoceroses status, conservation and trade” presented at the CoP provided evidence that rhinoceroses remain in serious straits. It highlighted South Africa’s continuing role as the main source of rhinoceros horns for illegal trade but also noted the escalation of poaching in Namibia and Zimbabwe, making these two important range States a focus of

concern as well. Mozambique remained as a major *entrepôt* and exporter and Viet Nam was identified as the primary end-use destination for rhinoceros horn. China (including Hong Kong SAR) emerged as the second-most prominent destination, although Chinese authorities demonstrated a far more active commitment than most to prosecution of rhinoceros crimes.

Recommendations from the IUCN/TRAFFIC report were adopted by Parties, including for amendments to *Resolution Conf. 9.14* on conservation of and trade in African and Asian rhinoceroses and for a series of rhinoceros Decisions (17.133–17.144) calling for evaluation of measures to prevent and combat rhinoceros poaching and trafficking in rhinoceros horn in those countries identified for priority attention in the report, as well as continued scrutiny on legislative and enforcement measures being implemented by Viet Nam and Mozambique. Measures were also introduced to address issues relating to trophies, fakes and synthetics, prosecution rates and penalties.

The situation with rhinoceroses is still a major concern and, similarly, there is also no evidence of a decline in Tiger trafficking across Asia. A TRAFFIC analysis of seizures released during the CoP revealed that parts equating to a minimum of 1755 Tigers were seized in the period 2000 to 2015—an average of more than two animals per week. The analysis indicated that an increasing number of seized animals undoubtedly originated from captive breeding operations: at least 30% of the Tigers seized in the period 2012–2015 were known to be captive-derived. It is widely believed this increase in live seizures is directly related to the rise in Tiger farms. Traffickers also appear to be exploiting a previously identified trade route stretching from Thailand to Viet Nam through Lao PDR—three countries where the number of Tiger farms has risen.

Fortunately, great progress had been made by the CITES Asian Big Cats working group in the inter-session period prior to CoP17 and a number of the draft decisions submitted by it were adopted by

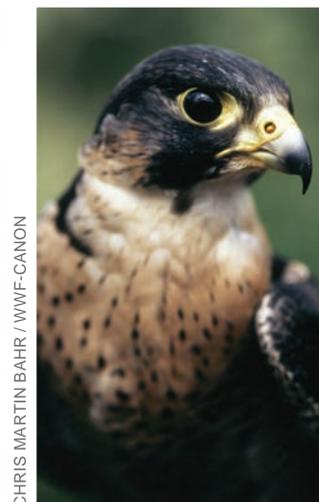
Left to right: Barbary Macaque *Macaca sylvanus* (transferred from App. II to I); Cuban land snails *Polymita* spp. (inclusion in App. I); Peregrine Falcon *Falco peregrinus* (proposal to transfer from App. I to II rejected); Natal Ginger *Siphonochilus aethiopicus* (inclusion of populations of Mozambique, South Africa, Swaziland and Zimbabwe in App. II).



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the CoP (*Decisions 17.224–17.231*). These included recommendations to review actions being implemented by Parties on: legislative and regulatory measures; national law enforcement; demand reduction, education and awareness; management of national and privately-held stocks of parts and derivatives; and on prevention of illegal trade in parts and derivatives from Asian big cat captive facilities. The Decisions also direct the CITES Secretariat to conduct a review of the number of facilities keeping Asian big cats in captivity, review legal and illegal trade in Asian big cats from or through such facilities, identify those which may be of concern, and undertake missions to relevant countries for the purpose of gaining a better understanding of the operations and activities undertaken by these facilities.

Many of the Decisions adopted were based on recommendations from the review of the implementation of *Resolution Conf. 12.5* on Asian big cats that was conducted for the 65th meeting of the CITES Standing Committee and the CoP17 Decisions also call for the review of implementation of *Resolution Conf. 12.5* to be continued. It is hoped that this review will be able to recommend targeted and time-bound actions to address gaps and weaknesses identified.

Making wildlife crime a serious crime

Corruption is one of the biggest facilitators of illegal wildlife trade, taking place at every stage in the illegal trade chain, from poaching and illegal harvesting through transportation of illegally poached or harvested goods, processing and export, to sale and laundering of proceeds. Corruption threatens to undermine action against the organized criminal networks whose activities deplete wildlife and undermine good governance, the rule of law and the well-being of local communities.

Corruption is also a highly sensitive issue which, in the past, CITES Parties have been reluctant to address in an open and transparent manner. However, this changed dramatically at CoP17 when Parties adopted the first-ever CITES Resolution on prohibiting, preventing, detecting and countering corruption-facilitating activities conducted in violation of the Convention (*Resolution Conf. 17.6*). The Resolution is for implementation of a variety of measures to address the scourge of corruption, including the imposition of appropriate penalties for corruption offences and ratification of the UN Convention on Transnational Organized Crime and the UN Convention Against Corruption. It encourages closer cooperation between CITES Authorities and national anti-corruption enforcement authorities. The Resolution even goes as far as recommending compliance proceedings by the Standing Committee against Parties where corruption is identified as a problem in the effective implementation of the Convention.

While this is a significant step forward for CITES, it is urgent that practical guidance be developed for countries to assist them in mitigating the risks of corruption in the wildlife trade sector. To this end, the primer “Strategies for Fighting Corruption in Wildlife Conservation” was produced by WWF and TRAFFIC to provide a practical

framework for understanding corruption and why it is a problem for wildlife conservation, and to initiate processes that can reduce wildlife-related corruption.

CITES also made significant headway against wildlife crime specifically on another front. Recognizing that e-commerce and online auction sites, as well as social media platforms, are increasingly used to sell illegal wildlife products, providing as they do an alternative to physical markets which may be perceived to be or actually be more exposed to monitoring and enforcement action, Parties adopted *Decisions 17.92–17.96* on combating wildlife cybercrime. These Decisions mandate the establishment of a working group that will include representatives of both producer and consumer countries and those with large internet companies, representatives of NGOs with expertise, lawyers, and other relevant experts. It is hoped that they will allow CITES Parties to keep up with the speed at which wildlife traffickers are using fast-moving internet technology.

TRAFFIC research has documented increases in transactions for illegal wildlife products over the past decade, particularly ivory, and traffickers are seen to have shifted away from online retailers such as auction sites and onto social media platforms which are far more “closed” and difficult to monitor. The shift to social media marketing creates a whole new suite of challenges, yet monitoring and policing this “underground” marketplace must become a top enforcement priority.

Beyond the usual suspects

The CoP was opened by the President of South Africa, Jacob Zuma. He stressed the need for CITES to involve rural communities that live in close proximity to wildlife and bear the brunt of conflict with wildlife or conflict in connection with wildlife trade. He also noted the importance of wildlife to livelihoods and the benefits it can bring. The CoP took a number of significant steps to address and engage with key stakeholders and audiences critical for the effective implementation of the Convention. For example, a proposal was put forward for the establishment of a rural communities committee of the Conference of the Parties. Owing to a disagreement over its mandate, the idea of the committee was not accepted, but Parties did agree in general on the principle behind it and on the need for a practical way to strengthen the role and participation of indigenous peoples and local communities that live with and/or depend on wildlife in decisions around its conservation and sustainable use. As a result, the CoP adopted *Decisions 17.28–17.30* instructing the Standing Committee to establish an inter-sessional working group to consider how to engage rural communities effectively in CITES processes. These Decisions should accordingly lead to development of a structured process to enhance the importance of inputs from these communities in analysis and decision-making. This will not only enhance the effectiveness of CITES but will also better take into account socio-economic impacts of CITES decisions, including effects on livelihoods, and ensure stronger alignment between CITES and the United Nations Sustainable Development Goals.

The issue of consumer choice was highlighted by discussions at the CoP, particularly in terms of reducing the demand for illegal wildlife products. “Reducing demand” in this sense relates to efforts to lower consumer desire for acquisition of illegally traded wildlife specimens. It is seen as a critically necessary complement to anti-poaching, anti-trafficking and other enforcement actions, in order that these should not be continually undermined by persistent, unaddressed demand. CITES has given increasing attention to the issue of reducing demand over the years through, for example, the inclusion of relevant text in Resolutions pertaining to elephants, rhinoceroses and Asian big cats, as well as through *Decision 14.65*, which deals specifically with developing demand reduction strategies for rhinoceros parts. Attention to demand reduction was further elevated at CoP17 with the adoption of *Resolution Conf. 17.4 on Demand reduction strategies to combat illegal trade in CITES-listed species*, which exhorts countries to conduct in-depth and regular research on the demand for specimens of illegally traded CITES-listed species, where possible, using standard methodologies to understand the drivers and dynamics of the demand and to provide solid information for use in demand-reduction campaigns. It also urges countries to develop and implement well-targeted, species-specific, evidence-based campaigns by engaging key consumer groups, targeting the motivations for the demand, and developing specific messaging and methods for reaching target audiences.

Parties also adopted a series of Decisions on demand reduction (*Decisions 17.44–17.48*), which set in motion an assessment of best practices, challenges, strategies and programmes for increasing the effectiveness of efforts to reduce demand for illegal wildlife specimens and the development of CITES guidance on demand-reduction strategies.

There have been many efforts in the past to dissuade consumers from seeking illegal wildlife products, primarily concentrated on generating greater awareness of the importance of the conservation of these species or of the illegal nature of consuming products derived from them. However, continued demand for these products indicates that consumers have not changed and may not change their attitudes and behaviour in response to awareness of these issues. Rather, if demand for these products is to be significantly reduced, a paradigm shift in the design, planning and execution of strategies for the same is required: there is a need for them to be more evidence-based and better targeted to specific consumer groups. Implementation of *Resolution Conf. 17.4* and associated Decisions should facilitate efforts to understand the factors influencing the behaviour of consumers of illegally traded wildlife specimens and, therefore, better appreciation of how to influence this behaviour in a lasting way. It is essential that conservationists, in partnership with experts from relevant fields, examine behavioural change processes in a scientific manner, as this will provide a foundation for more structured thinking about demand reduction efforts and how to apply behavioural science to produce a measurable lessening of desire for trade in endangered species. It is also important that these efforts are targeted on those specific trade chains where consuming illegal

products is having a significant and detrimental impact on the species concerned. Otherwise they run the risk of conveying a simplistic message that any consumption of wildlife is undesirable—a message that undermines CITES efforts to shift wildlife trade chains towards legality and sustainability.

Conclusion

In many respects, CoP17 clearly enhanced the potential impact of action under CITES to address wildlife trade challenges. With respect to wildlife crime, decisions were taken to strengthen existing provisions and processes as well as to implement new and innovative approaches. This includes, for example, the strengthening of processes such as the NIAP efforts and the adoption of new Resolutions on anti-corruption and demand reduction.

Decisions were also taken to enhance the effectiveness of CITES in promoting legal and sustainable trade, through the bolstering of existing science-based processes and tools as well as through the adoption of new and innovative approaches to augment attempts to ensure international trade is legal, sustainable and traceable. CoP17 outcomes in this regard include, for example, the strengthening of measures for the implementation of effective NDF tools and the adoption of guidance on traceability and captive breeding.

How effectively these decisions deliver positive impact on the ground will depend greatly on a number of factors. Despite the CoP having adopted an ambitious and exciting programme of work, one exploring new frontiers in wildlife conservation, Parties accepted an increase of no more than 0.24% in the budget for implementing this. Parties, aid agencies, inter-governmental organizations and NGOs will need seriously to consider how they can assist CITES in ensuring it has the resources to reach the high bar that has been set by the Parties at CoP17 and meet the needs of a rapidly growing Convention.

Parties will also need to ensure that there is constant monitoring and evaluation of progress in the inter-sessional period so that gaps and weaknesses in implementation are quickly identified and addressed and Parties are held accountable for the commitments they took in Johannesburg. The level of compliance with and effective implementation of the provisions outlined in the Resolutions and Decisions will be the real test of the seriousness of these commitments. Various outcomes during CoP17 led many to believe that the Convention has not been hesitant in baring its “teeth”, but has been reticent in actually using them. Parties must not be afraid to use compliance tools where it is clear that no serious progress is being made in implementing the ambitious targets that CoP17 has set for the next three years. The successes and achievements of what was clearly a remarkable CoP will otherwise just remain paper commitments and adversely affect the credibility of the Convention as an effective tool for conservation that delivers results.

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