



POSITIVE CONCLUSIONS FOR CITES COP16 FOR HUNTING AND SUSTAINABLE USE

When the world's largest wildlife trade summit concluded on 14 March in Bangkok, Thailand, hunters could rejoice over a number of victories for real conservation.

During 2 weeks, representatives from 149 national delegations to this 16th meeting of the Conference of the Parties (CoP16) to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) gathered to take decisions on many issues of relevance to international wildlife trade, including exports/imports of hunting trophies. The busy agenda contained many hunting-relevant issues, such as listing proposals of species in the 3 appendices to CITES. These depend on the species' required protection in view of international trade, as well as decisions on technical issues, such as how to make non-detriment findings for wildlife trade, the impact of CITES on livelihoods of local communities and the special treatment given to hunting trophies compared to other wildlife trade under the personal and household effects exemption.

FACE, in close collaboration with its partner organisations, Safari Club International (SCI) and the International Council for Game & Wildlife Conservation (CIC), participated as an observer to ensure that hunters' interests were properly taken into account in decisions by the Parties. The conclusion at the closing day of the CoP is a positive one for hunting and sustainable use.

POLAR BEARS

A first victory for conservation through sustainable use was the rejection by delegates of the US proposal to ban trade in products from the Polar bear (*Ursus maritimus*) (see our [special news item](#) in English for more information). An EU compromise proposal, which was less restrictive than the US proposal but still entailed unjustified interventions in the national polar bear management regime in Canada, was also rejected. FACE criticised both proposals as politically driven - rather than based on scientific and biological needs - and was therefore pleased to see that the majority of Parties and the large conservation-



orientated organisations, such as the International Union for the Conservation of Nature (IUCN), TRAFFIC, WWF and the CITES Secretariat joined FACE in opposing stricter trade measures for the polar bear. Such stricter measures could have been detrimental to the species' conservation by directly hitting Inuit subsistence-based livelihoods and thereby removing their incentives to continue managing this important resource as they have done for centuries.

Closely connected to this proposal were the agenda items on climate change and livelihoods, where the hunters' positions were confirmed by Parties despite harsh opposition from the ideological anti-use camp.

CLIMATE CHANGE

Some Parties and anti-use NGOs tried to foist upon CITES new speculative climate change criteria for the scientific assessments of species combined with the introduction of an extreme precautionary



approach. This would ultimately have led to more restrictions or even outright bans on perfectly legitimate and sustainable trade. It was therefore important that a majority of Parties rejected such a fundamental shift in CITES and adopted a document clarifying that the current provisions of CITES are already sufficiently comprehensive and flexible to take climate change science into account in decision-making.

LIVELIHOODS

An inter-sessional working group on CITES and livelihoods reported progress at CoP16 with a welcome resolution directed to Parties, the Secretariat and the Standing Committee. The text recognises that the implementation of CITES is better achieved with the engagement of rural communities, especially those which are traditionally dependent on CITES-listed species for their livelihoods. It underlines that the empowerment of the poor rural communities should be encouraged through measures that include, *inter alia*, resource tenure and ownership and traditional knowledge, cultural and intellectual property rights for indigenous, tribal and poor of or in rural communities associated with CITES-listed species, subject to any applicable national or international law. Parties are now encouraged to act in accordance with these needs and ensure that negative impacts of CITES decisions on livelihoods can be avoided or mitigated.

The adoption of the document represents yet another positive step in gaining recognition for livelihoods in CITES decisions - something FACE has long since been advocating. Organisations opposed to any wildlife use for ideological reasons loudly expressed their resistance towards this work, arguing that it draws attention away from CITES' real focus and consumes the limited resources available to it. Nothing could be more wrong! It is precisely in the respect for and the inclusion of local communities' needs in CITES that conservation success lies because the social and economic benefits derived from sustainable use, including revenues from trophy hunting, provide sustainable incentives for local people to conserve wildlife.

FACE welcomes the adoption of the resolution and, despite the protests of a few Parties, like the US, that the Standing Committee shall continue the operation of the working group on CITES and livelihoods so that it can provide additional guidance, develop and share case studies and monitor progress in addressing livelihoods issues. The group will report back to the next Conference of the Parties.

COOPERATION BETWEEN PARTIES & THE PROMOTION OF MULTILATERAL AGREEMENTS

An issue with a potential negative impact on livelihoods of poor local communities is stricter domestic measures of some Parties going further than what is required under CITES. CoP14 authorised the investigation of whether stricter domestic measures were effective in achieving the objectives of CITES, including a determination of the scope for multilateral CITES processes that could reduce and replace the need for stricter domestic measures.

Some countries, including the US, India and Mexico, and anti-use organisations (seeking restrictions on trade wherever possible) took the floor in Bangkok to express scepticism that CITES investigate stricter national measures.



A majority of Parties however accepted to continue the study. South Africa heads the working group that oversees the study, in which voluntary case studies will be used for the assessment of stricter domestic measures and if these in some cases could be replaced by multilateral cooperation.

For FACE it was a success that this important work continues. Countries like the US, and the European Union too often adhere to stricter domestic measures, either suspending legitimate and important trade (such as the black rhino and cheetah trophies in the US) or put unjustified bureaucracy in place, implying a general lack of trust in exporting countries (such as the stricter EU measures on import permits and some suspension listings). Stricter measures could indeed in some cases be justified, but too often they are merely a result of political/ideological pressure and a lack of understanding in the Western world for the importance of sustainable use in third-world countries. FACE believes that it is a rather sensible approach that, if an importing country feels that it has a problem with the exports from another country, the importing country should first engage in a dialogue with the exporting country before launching into stricter domestic measures.

RHINOCEROS

FACE welcomed Kenya's withdrawal of its proposal to impose a moratorium on trophy hunting exports from the White rhinoceros (*Ceratotherium simum simum*) from South Africa and Swaziland. FACE, joined by organisations like WWF, TRAFFIC, IUCN and the CITES Secretariat, came out in defence of the significant role played by trophy hunting in the conservation and recovery of rhino populations in South Africa, the country holding more than 95% of the population. The economic returns from sustainable trophy hunting are instrumental in encouraging private landowners to conserve the rhino and contributing resources to fighting illegal poaching.



The main arguments against the Kenyan rhino proposal is summarised in the [FACE CoP16 Conservation Guide](#).

It is important to recognise that there is an increasing and worrying poaching of rhinoceros and illegal trade in the species, in particular driven by demand in Vietnam. In 2011 the Standing Committee established a working group assisted by TRAFFIC, with wide-ranging terms of reference to report to the CoP16. The recommendations focussed on improving enforcement in all States involved in trafficking rhino horns. Based on this, Parties at CoP16 adopted new decisions on enhanced enforcement based on intelligence-sharing with particular emphasis on the relevance of Vietnam and its nationals.

A last minute attempt by Vietnam to shift the focus in the debate by proposing a general review and possible narrowing down of the definition of the term "hunting trophy", as provided in Resolution Conf. 12.3 (Rev. CoP15) was avoided. This definition constituted a victory for FACE at the last CoP in Doha and took long negotiations to achieve. In Bangkok, Parties instead agreed that a review should be limited in scope to rhino horns - and not all hunting trophies as suggested by Vietnam.



The background for demanding such a review is the discussion on so-called “pseudo hunting” - whereby Asian nationals who were not actually hunters were able to get permits to take White rhinos in South Africa and shipped the trophies right into the commercial trade. South Africa has taken effective steps to put an end to this situation - which has been recognised by the CITES Secretariat in its report to CoP16 on the Kenyan rhino listing proposal.

FACE also got information that there was an effort to use hunters from Poland and the Czech Republic to obtain horns this way, but that the horns were seized by the authorities on import, proving that the enforcement systems in place actually work.

A specific decision taken by Parties in Bangkok - which will not directly affect EU hunters - was to exclude rhino horn or elephant ivory contained in hunting trophies from the special exemption from an export permit or re-export certificate for Appendix II species. In practice all exporting countries and many countries of re-export do not apply this exemption for (re-)exports and all EU Member States do in any case require the presentation of a valid export permit or re-export certificate for the imports of these species into the Union.

The decisions on rhino conservation taken in Bangkok should help to end the rhino poaching without punishing hunters and without harming rhino conservation by eliminating the important revenues derived from legitimate rhino trophy hunting.

PERSONAL AND HOUSEHOLD EFFECTS

In the CITES Convention and in a number of its implementing Resolutions, it is implied that hunting trophies are to be regarded as ‘personal and household effects’, a consideration that in principle entails a less restrictive regime.

Cop15 extended the mandate of the working group on personal and household effects to clarify various aspects including the relationship between “tourist souvenirs”, “hunting trophies” and “personal and household effects”. The working group, in which FACE and SCI participated, concluded its work in 2012 and had the Standing Committee recommend to CoP16 to adopt guidelines in a new annex to Resolution Conf. 13.7 (Rev. CoP14) on control of trade in personal and household effects.

The only substantial change at CoP16 - as described under the point on Rhinoceros above - was the decision to exclude rhino horn or elephant ivory contained in hunting trophies from the special exemption from an export permit or re-export certificate for Appendix II species. This will have no practical effect on EU hunters, since these documents are required anyway under EU law for imports into the Union.



ELEPHANTS

Parties noted a report on the trends in levels of illegal killing of elephants based on data to the end of 2011. It indicates a sad and ongoing increase in poaching. Key factors identified are poverty, poor law enforcement, weak governance and an increased demand for illegal ivory. Kenya is a major transit point for illegal ivory shipments. Nevertheless, although no one is disputing that a sharp increase in elephant poaching has occurred in the last couple of years, a number of scientific studies presented showed that elephant populations in southern African countries such as Namibia, Zimbabwe, South Africa and Botswana are in good shape and are well managed.



A number of anti-use NGOs failed in their effort to get a Party to propose a restriction on elephant trophy export quotas. They wanted to punish any elephant hunting range state (and hunters) in case the range state was late in informing the CITES Secretariat about its annual quota. They would have cut the quota to zero for the entire year. No year-long zero quota language was approved by Parties at CoP16.

Earlier during the CoP, Burkina Faso and Kenya had withdrawn their heavily criticised proposal to prevent any further ivory sales from the African elephant (*Loxodonta africana*) until after November 2017. FACE welcomed this withdrawal, as it would have undermined the agreement on a moratorium on sales reached at CoP14, which clearly and explicitly relates only to Botswana, Namibia, South Africa and Zimbabwe. Moreover, the proposal was unreasonably disproportionate and would unjustifiably have penalised African range States having been successful in their elephant management and some of which are now faced with management problems of how to sustain the increased populations.

SECRET BALLOT

A proposal from Denmark, on behalf of the 27 EU Member States, to amend the Rules of Procedure as to require a simple majority for the use of secret ballot (instead of as currently 10 representatives seconding the proposal) was rejected by Parties.

The defenders of the secret ballot - in particular China, Japan and southern Africa countries - argue that the secret ballot allows Parties to vote in accordance with the advice of their scientific expertise on emotive issues without concern of reprisals towards individual representatives or their governments. In the past, many pro-use countries have requested secret ballots for votes on emotive species proposals, like for example the African elephant.

As an alternative to the EU proposal, Mexico had proposed a secret ballot to be seconded by 1/3 of the representatives of the Parties eligible to vote. Where the ballot relates to the election of officers or prospective host countries, Mexico proposed that only 10 representatives would be required to second the proposal. Finally the Mexican proposal suggested that proposals for a secret ballot should



not be decided by a secret ballot. Also the Mexican proposal along with some last-minute compromises suggested by various Parties was rejected.

Ironically, the different votes on the secret ballot were taken by secret ballot.

NON-DETRIMENT FINDINGS

CITES requires that before a permit can be issued to export a CITES-listed animal or plant, a Scientific Authority in each exporting country must make a finding that the export will not be detrimental to the survival of the species: a “non-detriment finding” (NDF).

CoP16 adopted a resolution on non-binding guidelines for NDFs. It remains to be seen if the set of guidelines for making NDFs adopted by Cop16 will lead to the sought-after improvement in the quality of NDFs by many exporting countries.

For FACE it is satisfactory that the adopted document is actually a set of guidelines and not a set of mandates or rules that could have grown into unjustified bureaucratic requirements imposed on exporting countries.

PERIODIC REVIEW OF THE APPENDICES: FELIDAE

CoP13 directed to the Animals Committee to include *Felidae* in its Review of the Appendices. Reviews of the Lion (*Panthera leo*), the North American cougar (*Puma concolor cougar*) and the Florida panther (*Puma concolor coryi*) are ongoing, so the Animals Committee recommended extending its validity until CoP17, which was accepted by the Parties at CoP16. Namibia and Kenya will make the periodic review report on lions to the next Animals Committee meeting, one year from CoP16.

Hunters’ organisations like FACE and major lion range states, have favoured this review as part of preventing any premature, ideological driven proposal to uplist the lion to Appendix I at this time. Some important work will have to be done in the coming years to ensure that accurate data is used in the review process and sensible conclusions are being drawn from the outcome of the review.

ILLEGAL TRADE IN CHEETAHS

Ethiopia, Kenya and Uganda proposed a study of the legal and illegal trade in wild cheetahs (*Acinonyx jubatus*) and its impact on conservation of the wild population, which would then be reported to the Standing Committee. Parties accepted the draft decision to go ahead with the study.

IMPORTANCE OF SUBMITTING TIMELY COUNTRY REPORTS

Pakistan narrowly avoided a trade ban on all CITES-listed species when it supplied annual reports just prior to the meeting. Reports are required from every country detailing its trade in CITES-listed species. If a country fails to report 3 years in a row, the Standing Committee can impose a trade ban on all trade in CITES species.



ABRUZZO CHAMOIS

A proposal from Denmark on behalf of the 27 EU Member States to downlist the Abruzzo chamois (*Rupicapra pyrenaica ornata*) from Appendix I to Appendix II was unanimously accepted by the Parties.

The Animals Committee had endorsed this proposal as part of the periodic review of the appendices. Although meeting some of the biological criteria for Appendix I inclusion (small wild population and restricted area of distribution), there has been an increase in both the population trend and the geographical range as a result of active management, reintroductions and effective protection under national and international law.

There has been virtually no reported international trade in the past decade and the species is not currently huntable.



WORLD WILDLIFE DAY

Based on a proposal from the host country Thailand, Parties decided to declare 3 March each year to be World Wildlife Day, the CITES Convention having been adopted on 3 March 1973.

NEXT MEETING OF THE CONFERENCE OF THE PARTIES

The next meeting of the Conference of the Parties (CoP17) is scheduled for South Africa in 2-3 years.

POSITIVE CONCLUSIONS FOR HUNTING & SUSTAINABLE USE

FACE is pleased to see that its recommendations have been followed for all of the four hunting-relevant species in our voting Guide, which was distributed to all Parties. We are also glad that the various decisions on technical issues and documents adopted by Parties of relevance to hunters confirm that conservation through sustainable use and the important role of hunters are still at the core of CITES.

So what lies ahead of us? The conclusion of the lion review is scheduled for next year. South Africa has indicated that it might consider legalising trade in rhino horn as a way of combating poaching and illegal trade. The question on how to handle the valuable stockpiles of elephant ivory from natural mortality and seizures of illegal ivory shipments is still an open question. The money they could bring in could be used to fund the combat against poaching and illegal ivory markets. Therefore, lions, rhinos, and elephants are likely to arise again as topics for CoP17.

FACE and its partners need to be prepared for these discussions and ensure that the overall positive line on hunting and conservation taken by Parties during this CoP16 is reinforced during the next CoP17.

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