

INSTITUTIONAL DECAY

BOUGHT VOTES, BROKEN CONVENTION: THE INTEGRITY CRISIS INSIDE CITES PART I

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A Question CITES Refuses to Answer

At the close of the twentieth Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES CoP20) in Samarkand, a question that has haunted the Convention for decades once again demanded attention: does vote buying occur within CITES?

The official position of the CITES Secretariat has long been consistent. In the absence of formally submitted proof, allegations of vote buying are treated as unsubstantiated and are referred to established procedural channels, notably the Standing Committee. This position has been repeated across Conferences of the Parties and reflects the limits of the Convention's current governance framework.

CITES has evolved into a system in which vote buying can exist in plain sight while remaining institutionally untouchable. By requiring formal proof while offering no meaningful mechanism to detect, investigate, or sanction political inducement, the Convention has insulated itself from confronting one of its most corrosive vulnerabilities.

Vote Buying Does Not Require Envelopes

Vote buying at CITES does not need to resemble a crude exchange of cash across a table. In multilateral diplomacy, influence is rarely that unsophisticated. Many Parties, particularly from developing regions, cannot afford sustained participation in international meetings. Flights, hotels, advisors and preparatory work cost money that national budgets often do not provide. Into this vacuum step external actors, frequently NGOs with clear policy agendas, offering to "support" participation.



This support is not neutral. Sustained financial dependence creates expectation. Expectation becomes pressure. Pressure shapes votes. Influence is exerted through funded advisors embedded within delegations, through repeated sponsorship of attendance, through promises of future support and through reputational intimidation. These dynamics are not speculative. They are observed, repeatedly, by those who attend Conferences of the Parties, Standing Committee meetings and technical committees. No envelopes are required. The leverage is structural.

Institutional Failure, Not Individual Innocence

Drawing on decades of institutional experience, former CITES Secretary-General and IWMC World Conservation Trust President Eugene Lapointe has been unequivocal: the problem is not one of personalities, but of institutional design.

The absence of formally proven cases within the Convention does not demonstrate that vote buying does not occur. **It demonstrates that CITES is structurally ill-equipped to detect or address political inducement linked to voting behaviour.** The Convention was never designed to investigate such conduct; it was designed to regulate wildlife trade. As a result, vote buying can exist, be observed, be complained about, and even trigger inquiries, without ever producing enforceable consequences.

When Voting Patterns Defy Evidence

Certain outcomes at CoP20 are difficult to reconcile with technical advice, legal coherence, or procedural consistency. Taken individually, each decision might be defended as a legitimate difference of opinion. Taken together, the scale, uniformity, and repetition of these votes point to something more systematic.

Across multiple agenda items, Parties repeatedly set aside the advice of the Convention's own technical bodies, including the FAO Expert Advisory Panel, which exists specifically to guide Parties on commercially exploited aquatic species. Scientific uncertainties were left unresolved, implementation constraints were ignored, and recommendations grounded in fisheries science were dismissed without substantive engagement. Instead, interventions opposing the advice followed a strikingly similar structure, language, and tone, often sounding less like independent assessments and more like statements read from a common script.

The same pattern emerged in debates on well-documented terrestrial species proposals, where bloc voting replaced substantive scrutiny and arguments bore little relationship to the evidence presented. **Delegations with no shared biological, geographic, or management context delivered near-identical justifications, frequently relying on emotive or ideological assertions rather than the record before them. Such convergence is difficult to explain as coincidence.**

This does not reflect normal scientific disagreement. **When expert advice, including that of FAO, is repeatedly overridden through uniform messaging and aligned voting behaviour, it raises legitimate questions about what influences are shaping decisions behind the scenes.** In such circumstances, it becomes increasingly difficult to maintain that science alone is driving outcomes, and increasingly plausible that other interests are at stake.

ARE THESE SPECULATIONS? THE RECORD SAYS OTHERWISE

The CoP5 Precedent (Buenos Aires, 1985)

During CITES CoP5, three Parties, Pakistan, Panama and Papua New Guinea, were represented by a single delegate seated at one table. They could not communicate, did not coordinate, yet their flags voted identically. Representatives from Observers' delegations repeatedly engaged with them prior to votes...

The Papua New Guinea representative formally objected. He complained to the CITES Secretariat that Roger McManus, representing the Center for Environmental Education (CEE), was attempting to force him to vote against his stated position. The justification was explicit: PNG's participation had been paid for and the vote was therefore expected to align with the funder's interests.

The Secretariat requested the complaint in writing. Two weeks later, an official letter from the Government of Papua New Guinea was received. It was forwarded to the U.S. Department of State, triggering an investigation by the Office of Inspector General (OIG) of the U.S. Government Accountability Office (GAO). Two investigators spent three days at the CITES Secretariat. No findings were ever made public. No sanctions followed.

The CoP14 Precedent (The Hague, 2007)

Prior to CoP14, the Species Survival Network (SSN) offered, with Secretariat promotion, pre-programmed laptop computers to delegations from developing countries. The laptops contained SSN recommendations for all agenda items. SSN's logo was displayed prominently on the devices. According to SSN's own website, computers were provided to participants from twenty-five African countries.



PHOTO IISD REPORTING SERVICES, JUNE 4, COP14

The CoP19 Precedent (Panama, 2019)

At the closing ceremony of CoP19, **Mali, echoed by Senegal, publicly admitted that its participation in CITES meetings over many years had been funded by three anti-trade NGOs.** This admission was made on the record and remains publicly accessible. Such assistance has not been reported – neither by the Parties or funding NGOs – as requested by Resolution Conf.17.3 (Rev CoP19)

The Standing Committee 50 Precedent (Geneva, 2004)

During SC50, the then Chair of the Standing Committee, Ken Stansell (USA), publicly stated that **an NGO had refused to contribute to the Sponsored Delegates Project because it was “not sure the benefiting delegates would vote in accordance with its philosophy.”** The same NGO later admitted, in a UK newspaper interview, to having “helped” several African countries.

WHY NOTHING HAPPENS, EVEN WHEN EVERYONE KNOWS

CITES contains no provision defining vote buying as an offence. It prescribes no penalties. It provides no investigation authority. Even credible allegations lead, at best, to reputational discomfort.

This is why allegations surface at every CoP and then disappear. This is why complaints to presidents, ministers, or the media change nothing. Without enforceable mechanisms, the system protects itself, not its integrity.

Vote buying at CITES did not begin at CoP20, and it will not end with procedural deflection or institutional silence. The record demonstrates that funding-linked coercion and influence have occurred before. The continued absence of safeguards ensures that they can occur again.

This is not an attack on any individual. It is an indictment of a Convention that has tolerated a known vulnerability for decades while refusing to confront it directly.

If CITES wishes to be taken seriously as a rules-based international instrument, it must address this failure head-on. Anything less allows a long-recognized and repeatedly ignored structural weakness to continue undermining the Convention from within.

BOUGHT VOTES, BROKEN CONVENTION: THE INTEGRITY CRISIS INSIDE CITES PART II

EUGENE LAPOINTE

Observations on Decision-Making at CoP20

Recent analyses of decision-making processes at Conferences of the Parties (CoPs) have raised questions regarding the manner in which certain outcomes are reached. In this context, IWMC considers it appropriate to invite Parties to reflect on whether the integrity of the CITES decision-making process is consistently safeguarded, and whether deviations from established practice may carry broader implications for sovereign rights, legal certainty, and effective conservation outcomes.

At CoP20, a number of decisions were adopted following voting patterns that exhibited a high degree of uniformity among delegations with no apparent shared biological, geographic, or management context. In several instances, the justifications advanced during debate appeared to rely more heavily on general policy positions or value-based considerations than on the technical, scientific, or legal record before the Conference. While differences of opinion among Parties are an inherent and legitimate feature of multilateral processes, IWMC notes that the cumulative effect of certain voting outcomes at CoP20 raises questions as to whether established advisory mechanisms and procedural safeguards were afforded due weight.

Decisions of Particular Concern

IWMC respectfully draws the attention of Parties to the following decisions adopted at CoP20, which merit careful consideration:

1. The adoption of multiple proposals concerning aquatic species, despite advice to the contrary from both the CITES Secretariat and the FAO Panel of Experts.
2. The rejection of several well-documented proposals relating to African elephants, giraffes, rhinoceroses, and the regulation of ivory trade.
3. The manner in which the listing of the African elephant was adopted, which gives rise to a significant legal and procedural concern under the Convention.

Collectively, these decisions resulted in the extension or reinforcement of prohibitions, or in the imposition of more restrictive regulatory controls, with limited consideration of sustainable-use frameworks that are explicitly recognized under CITES.

Procedural Considerations Relating to the African Elephant Listing

IWMC wishes, in particular, to draw Parties' attention to a legal and procedural issue arising from the decision adopted at CoP20 concerning the listing of the African elephant.

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The Conference resolved to include *Loxodonta* spp. in Appendix I, rather than maintaining separate listings for the two currently recognized African elephant species. This approach departs from established CITES interpretation and practice, under which substantive taxonomic determinations are effected exclusively through the submission and adoption of a formal amendment proposal in accordance with Article XV of the Convention.

The replacement of species-level listings with a genus-level listing is not merely a drafting or editorial matter. It constitutes a substantive amendment to the Appendices, with significant legal and regulatory consequences for Parties. Established CITES practice provides clear guidance in this respect. Where genus-level listings encompassing multiple recognized species have been adopted, this has occurred through explicit amendment proposals submitted, debated, and adopted by the Conference. The listing of *Manis* spp. (pangolins) illustrates this established procedure.

At CoP20, however, no formal proposal seeking a genus-level listing for African elephants was submitted or considered. Notwithstanding this absence, *Loxodonta* spp. was included in Appendix I.

Legal Implications

In IWMC's assessment, the absence of a formal amendment proposal means that the Appendix I listing of *Loxodonta* spp. lacks a valid procedural foundation under the Convention as consistently interpreted and applied.

This procedural defect has direct legal implications. It gives rise to an entitlement for Parties to enter reservations not only with respect to the amendments to Annotation A10—which were adopted following a duly submitted proposal—but also with respect to the Appendix I listing of the genus *Loxodonta* itself.

Such reservations would be consistent with Article XV, paragraph 3, of the Convention and with established precedent, including reservations entered by Parties following decisions adopted at CoP19 relating to the African elephant.

Conclusion

Considering the decisions taken at CITES CoP20, it is IWMC recommendation that any Party which feels defrauded by the outcome and consider it as being inadequate and inconsistent with acceptable international practices, enter reservations on the decisions Amending CITES Appendices. Entering of reservations by concerned Parties, will have the effect of reaffirming the Sovereign Rights of its member-States, promoting the crucial role of Human Rights in wildlife conservation initiatives and, accessory, protecting the integrity of CITES in exposing that CITES has mechanisms available to deal with abuses

