



# IWMC Recommendations for CoP19

For CITES CoP19, IWMC — World Conservation Trust has adopted a new approach to its usual recommendations on Proposals and Documents submitted for consideration by the Conference of the Parties at its 19th meeting to be held in Panama City, Panama, from 14 to 25 November 2022.

In addition to regular members of the IWMC team, a total of 7 experts from different perspectives of the Conservation World were consulted and participated in the elaboration of IWMC's recommendations. For aquatic species and related documents, IWMC's recommendations relied entirely on the outcome of the Panel of Experts organised by the FAO under the Memorandum of Understanding (MoU), signed in 2006, between the Food and Agricultural Organisation of the United Nations and the Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). This MoU is a tool to maintain the credibility of CITES as a science-based organisation.

The format of the recommendations has also been modified in order to supply compelling arguments to support the recommendations, when requested by the nature of the proposal and/or document. The fact that IWMC addresses only some of the proposals and documents in its recommendations is dictated by our belief that these proposals and documents deal with fundamental principles involved in CITES structure, activities and evolution.

In Annex I to these recommendations you will furthermore find IWMC comments on the following documents: CoP19 Doc. 13 — Engagement of Indigenous peoples and local communities; CoP19 Doc. 14 — Livelihoods; and CoP19 Doc. 15 — Participatory mechanisms for rural communities. In addition, Annex II contains a document outlining the benefits of supporting CoP19 Doc. 87.1.

We hope these recommendations and comments will be useful in your deliberations.

PROPOSALS			
Proposal	Proponent	Criteria / Comments	Recommendation
<p><b>CoP19 Prop. 1</b></p> <p>Transfer of Hippopotamus (<i>Hippopotamus amphibius</i>) from Appendix II to Appendix I</p>	Benin, Burkina Faso, Central African Republic, Gabon, Guinea, Liberia, Mali, Niger, Senegal, Togo	The first introductory statement, “The common hippopotamus (hereafter “hippo”) is threatened with extinction” is manifestly false. The 2016 Red List Assessment estimated a 115,000-130,000 population number and ‘stable’, which does not suggest “threatened with extinction”. Some countries actually have too many hippos and need to cull them, such as Zambia , which is not mentioned in the proposal, and in the absence of political instability and poaching they can reproduce quickly. The places where large losses have been recorded (DRC and Uganda) were during periods of armed conflict. The IUCN assessment found that “illegal trade in Hippo ivory increased sharply following the international elephant ivory ban in 1989”. Listing hippos in Appendix I could lead to increased hippo poaching and illegal trade of its parts, which is what happened after the 1989 elephant ivory ban once the stockpiles accumulated in the 1980s were used up. A much more effective approach to conserve hippos would be to manage the habitats where they live and provide security and political stability in those areas. A trade ban is not the solution.	Reject
<p><b>Cop19 Prop. 2</b></p> <p>Transfer the population of White rhinoceros of Namibia from Appendix I to Appendix II with the following annotation: For the exclusive purpose of allowing international trade in: a) live animals for in-situ conservation only; and b) hunting trophies. All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly.</p>	Botswana, Namibia	Namibia is home to the second largest white rhino population after South Africa and has an excellent history of biological management and security standards. This has resulted in a positive population growth. The population therefore does not meet the biological criteria for inclusion in Appendix I. Namibia has effective legislation and law enforcement in place together with strict permit control measures. The sustainable utilization will bring positive economic support to their conservation efforts.	Adopt
<p><b>Cop19 Prop. 3</b></p> <p>Remove the existing annotation on the Appendix II listing of Eswatini’s White rhinoceros (<i>Ceratotherium simum simum</i>) population.</p>	Eswatini	Eswatini has an excellent history of biological management and security standards which has resulted in a positive population growth. Effective legislation, law enforcement and control of horns by DNA will ensure only legally acquired horns will be traded. A legal trade in rhino horn has the potential to reduce poaching pressure and the illegal killing of rhino for their horn. Since most reserves suffer from a shortfall of funding and the added impact of COVID severely affected income, this alternate proposal to trade horn on a sustainable utilization basis and at the same time reducing poaching pressure is an excellent long term solution as clearly demand reduction campaigns have not been effective. The sale of 330kg of horn from natural mortalities will bring much needed revenue to support the conservation needs of Eswatini as well as benefiting rural communities.	Adopt

PROPOSALS			
Proposal	Proponent	Criteria / Comments	Recommendation
<p><b>CoP19 Prop. 4</b></p> <p>Amendment to Annotation 2 pertaining to the elephant populations of Botswana, Namibia, South Africa and Zimbabwe</p>	Zimbabwe	IWMC recommends to the Parties to accept the proposal from Zimbabwe. At least, it recommends that the sections of the annotation that are out of date be removed. This should be also a recommendation from the Secretariat in its comments, in relation with agreement 1. h) of Resolution Conf. 11.21 (Rev. CoP18), even if this was not considered first by the Standing Committee or the Animals Committee. IWMC hopes that one Party at least would propose this as an amendment to Proposal CoP19 Prop. 4 in accordance with paragraph 2 of Rule 24 or with paragraph 5 of Rule 25 of the Rules of Procedure of the Conference. Unfortunately, it would not be possible to propose an amendment for the removal from the annotation of the references to resolutions, as such an amendment would increase the scope of the original proposal.	Adopt
<p><b>CoP19 Prop.5</b></p> <p>Transfer African elephant (<i>Loxodonta africana</i>) populations of Botswana, Namibia, South Africa and Zimbabwe from Appendix II to Appendix I</p>	Burkina Faso, Equatorial Guinea, Mali, Senegal	The present proposal is a repetition of earlier proposals that have all been rejected by previous CoPs. In light of these previous rejections and given that the state of the elephant populations of Botswana, Namibia, South Africa and Zimbabwe can be considered a conservation success, the proposed transfer is not justified.	Withdraw
<p><b>CoP19 Prop. 11</b></p> <p>Transfer of broad-snouted caiman (<i>Caiman latirostris</i>) from Appendix I to Appendix II</p>	Brazil	The status of <i>C. latirostris</i> does not meet the criteria for Appendix I, but the data used to imply this are not convincingly presented. The management of wildlife domestically is a State Responsibility, and different States evidently aim to manage their populations in different ways. With the current state of the industry, no real export market exists. To garner support, there is an urgent need to submit an Info Document that clarifies all the ambiguities in the proposal. Further, IUCN's Crocodile Specialist Group (CSG) was not involved with this proposal.	Withdraw
<p><b>CoP19 Prop. 12</b></p> <p>Transfer the population of Saltwater crocodile (<i>Crocodylus porosus</i>) of Palawan Islands, Philippines from Appendix I to Appendix II with a zero export quota for wild specimens</p>	Philippines	The proposal outlines the seriousness of the problem of local people being able to tolerate the building numbers of crocodiles. There is a significant recovery taking place in Palawan, and there is a need to create incentives for local people to apply stewardship. The split-listing (Palawan vs elsewhere in the Philippines) does not present a problem, because there is a zero export quota on wild caught animals, and the farm industry would remain the same as it is now (commercial captive breeding of an Appendix I species). This is a situation in which the industry has invested significantly and successfully in conservation, with <i>C. mindorensis</i> , for no commercial benefit, a conservation offset from their farming of <i>C. porosus</i> .	Adopt
<p><b>CoP19 Prop. 13</b></p> <p>Transfer the population of Siamese crocodile (<i>Crocodylus siamensis</i>) of Thailand from App. I to App. II</p>	Thailand	The proposal fails to demonstrate that the wild population no longer meets the criteria for Appendix I. The farm population is now some 10 generations captive bred, and it has become a normal, abundant, domestic farm animal. Appendix I management suits the wild population but not the diverse and abundant farm population. CITES needs to address this issue, because due to the separation between an ever-expanding captive population and the wild population it is illogical to apply the strict regulations of Appendix I to the captive population.	Withdraw

PROPOSALS			
Proposal	Proponent	Criteria / Comments	Recommendation
<p><b>CoP19 Prop. 37</b></p> <p>Inclusion of requiem sharks (<i>Carcharhinidae spp.</i>) in Appendix II</p>	Bangladesh, Colombia, Dominican Republic, Ecuador, El Salvador, European Union, Gabon, Israel, Maldives, Panama, Senegal, Seychelles, Sri Lanka, Syrian Arab Republic, United Kingdom of Great Britain and Northern Ireland	19 shark species of the family <i>Carcharhinidae</i> are to be included in Appendix II. As a single proposal it does not meet the CITES criteria as merely three species meet the CITES criteria, 12 species do not meet the CITES criteria and four have insufficient data	Withdraw
<p><b>CoP19 Prop. 38</b></p> <p>Inclusion of hammerhead sharks (<i>Sphyrnidae spp.</i>) in Appendix II</p>	Brazil, Colombia, Ecuador, European Union, Panama	The inclusion of <i>Sphyrna tiburo</i> in Appendix II occurs in accordance with Article II.2(a) of the Convention while satisfying criteria A and B in Annex 2a of Resolution Conf. 9.24 (Rev. CoP17), therefore meeting the CITES criteria, including all remaining species in the family <i>Sphyrnidae</i> as look-alikes. However, since the FAO Expert Panel assessing the proposals for CITES listings stresses the data deficiency of many species, especially look-alike species and underlines the importance of considering the implications for local livelihoods, which are not paid regard to in the proposal, the proposal should be rejected.	Reject
<p><b>CoP19 Prop. 39</b></p> <p>Inclusion of certain freshwater stingrays (<i>Potamotrygonidae</i>) in Appendix II</p>	Brazil	The proposal encompasses seven freshwater stingrays ( <i>P. albimaculata</i> ; <i>P. henlei</i> ; <i>P. jabuti</i> ; <i>P. leopoldi</i> ; <i>P. marquesi</i> ; <i>P. signata</i> ; and <i>P. wallacei</i> ). <i>P. wallacei</i> and <i>P. leopoldi</i> are to be included in Appendix II in accordance Article II of the Convention as well as in accordance with criteria A and B in Annex 2a of Resolution Conf. 9.24 (Rev. CoP17). The other species are to be included as look-alike species. While <i>P. wallacei</i> does meet the CITES criteria, <i>P. leopoldi</i> does not.	Reject
<p><b>CoP19 Prop. 40</b></p> <p>Inclusion of six species of guitarfish in Appendix II</p>	Israel, Kenya, Panama, Senegal	Six species of guitarfish ( <i>Acroteriobatus variegatus</i> ; <i>Pseudobatos horkelii</i> ; <i>Rhinobatos albomaculatus</i> ; <i>R. irvinei</i> ; <i>R. rhinobatos</i> ; <i>R. schlegelii</i> ) are to be included in Appendix II in accordance with Article II, paragraph 2(a) of the Convention, and satisfying criteria A and B in Annex 2a of CITES Resolution Conf. 9.24 (Rev. CoP17). In addition, 37 species are to be added as look-alike species. International trade cannot be identified as a key driver for population decline for any of the proposed species. Therefore, the proposal does not meet the CITES criteria.	Reject
<p><b>CoP19 Prop. 41</b></p> <p>Inclusion of zebra pleco (<i>Hypancistrus zebra</i>) in Appendix I</p>	Brazil	The proposal to include <i>Hypancistrus zebra</i> in Appendix I occurs in accordance with Article II of CITES Convention paragraph 1, and by meeting Annex 1 B (iii; iv) and Annex 1 C (i; ii) of CITES Resolution Conf. 9.24 (Rev. CoP17). Despite pressure on the species due to an hydroelectric dam and illegal trade it is not faced with extinction and therefore does not meet the CITES criteria.	Reject

PROPOSALS			
Proposal	Proponent	Criteria / Comments	Recommendation
<p><b>CoP19 Prop. 42</b></p> <p>Inclusion of three species of sea cucumber (<i>Thelenota spp.</i>) in Appendix II.</p>	European Union, Seychelles, United States of America	Three species belonging to the genus <i>Thelenota</i> , comprising <i>Thelenota ananas</i> , <i>T. anax</i> and <i>T. rubralineata</i> are to be included in Appendix II, in accordance with Article II.2(a) and under criteria A and B in Annex 2a of CITES Resolution Conf. 9.24 (Rev. CoP17). Given the slow rate of decline in the genus and the low trade in the species, the proposal does not meet the CITES criteria.	Reject
<p><b>CoP19 Prop. 43</b></p> <p>Amendments to various annotations for plant species listed in Appendices I and II</p>	Canada	IWMC strongly supports all the proposed amendments originally recommended by the SC Working Group on Annotations, chaired by Canada, and then agreed by the Standing Committee. IWMC wishes to congratulate Canada for having submitted that proposal of amendments to annotations, including a typographical one (replacement of a , with a ; in the English version of an annotation), in full accordance with Article XV of the Convention, Resolution Conf. 11.21 (Rev. CoP18) and Rules 24 and 25 of the Rules of procedure of the Conference of the Parties. This should be kept in mind when documents CoP19 Doc. 66.4.2 and CoP19 Doc. 88 would be considered.	Adopt

— PROPOSALS END —

DOCUMENTS			
Document	Submission	Comments	Recommendation
<p><b>CoP19 Doc. 13</b></p> <p>Engagement of Indigenous peoples and local communities</p>	Standing Committee	In essence, this document shows the inertia with which CITES has moved towards including IPLCs in the decision-making process. Again an inter-sessional working group is to be established on “how to effectively engage indigenous peoples and local communities in the CITES processes” — an issue which has been on the agenda for years now. Of course, the initiative and the document should be supported, but the Standing Committee should also start to work on processes that enable the working group to work efficiently and to achieve its goal: namely, the effective engagement of IPLCs in CITES decision-making processes. This means also providing the working group with sufficient funds and communication infrastructure to carry out its work.	Support
<p><b>CoP19 Doc. 14</b></p> <p>Livelihoods</p>	Standing Committee	This document is closely linked to document CoP19 Doc. 13 and shows the same inertia as the former. Especially against the backdrop of the documents mentioned in the Introduction to this brief assessment, the document should be supported since it is imperative that more case studies are commissioned that outline the livelihood implications of CITES listings. That said, every statement of support should indicate a level of frustration over the inertia of the recognition of livelihoods. As with the previous agenda item, this issue is nothing new and in order to meet internationally agreed-upon human rights standards, a scaling up of resources and political will is imperative	Support
<p><b>CoP19 Doc. 15</b></p> <p>Participatory mechanisms for rural communities</p>	Eswatini, Namibia, Zimbabwe	Given the failure of establishing a Rural Communities Committee at CoP18 over disagreements in terminology and legal competence of this committee, the current proposal aims to establish a Rural Communities sub-Committee as an advisory body to the Animals and Plants Committees. Moreover, the proposal aims to garner unequivocal support for the 2018 UN Declaration on the Rights of Peasants and Other People Working in Rural Areas. The first point is a very good compromise in light of the disagreements over the committee's legal competences. The second point would enable CITES to correspond to international human rights standards. Therefore, the document should be supported	Support
<p><b>CoP19 Doc. 23.2</b></p> <p>One Health and CITES: Human and animal health risks from wildlife trade</p>	Côte d'Ivoire, Gabon, The Gambia, Liberia, Niger, Nigeria and Senegal	The proposed resolution seems to be an attempt by the anti-use NGOs to tie up Parties in so much red tape around the zoonotic spillover health risks of wildlife trade that it would be stifled. Specifically: 1.d) ii and iii are impractical and do not take into consideration existing protocols for ensuring that infected live animals are not exported/imported. Live exports normally require veterinary health inspections, including blood tests for a variety of diseases that are known to be transmissible to humans. It is not up to CITES to provide the veterinary health expertise, it is up to the relevant vet health agencies. The resolution does not include much more than ensuring that national governments implement stringent measures to require these inspections and certificates. NGOs want to use the issue to end or stifle all wildlife trade, and it appears as if the anti-use NGOs are behind the document. Other parts of the draft Resolution are reasonable regarding the One Health cooperation efforts. CITES cannot ignore this issue while generally can be recommended that veterinary health procedures be followed. As such, however, the document should be withdrawn.	Withdraw

DOCUMENTS			
Document	Submission	Comments	Recommendation
<p><b>CoP19 Doc. 43.2</b></p> <p>Making non-detriment findings for specimens of Appendix II species taken in the marine environment not under the jurisdiction of any State</p>	United Kingdom	The proponent considers that there is a serious need of CITES guidance for the conduct of such non-detriment findings but does not provide any evaluation of the volume of specimens that are currently and potentially concerned. The cost of the proposed workshop and associated previous studies is evaluated between 100 and 150 thousands US dollars. This amount is rather high and the Conference of the Parties should not support the proposal without clear insurances on its utility and real need.	Oppose
<p><b>CoP19 Doc. 45</b></p> <p>Labelling system for trade in caviar</p>	Standing Committee	During the interval between CoP18 and CoP19, the working group established by the Standing Committee was still unable to find an agreement about the determination of the country of origin of the caviar from aquaculture, and the Standing Committee did not recommend any solution. Now, a study of the potentiality of the use of QR code is proposed. IWMC is not in favour of such use, which appears as being essentially a commercial gadget. Considering that the trade in caviar, in particular for sturgeons, is almost if not exclusively based on the aquaculture, IWMC would rather recommend that the Animals and Standing Committees be directed to reconsidered the whole problematic of the conservation and sustainable use of these species, and the role of CITES in that matter.	Oppose
<p><b>CoP19 Doc. 66.4.1</b></p> <p>International trade in live African elephant specimens: Proposed revision to Resolution Conf. 10.10 (Rev. CoP18) on Trade in elephant specimens</p>	Benin, Burkina Faso, Equatorial Guinea, Ethiopia, Liberia, Niger, Senegal and Togo	Since the situation as it currently stands regarding the trade in live wild-caught African elephants is confusing, falling under various provisions, it would be beneficial to use uniform criteria. The proposed single paragraph provides one uniform criterion, but perhaps reference to Res. Conf. 11.20 (Rev. CoP18) should have been included. Some confusion may result. Looking at the issue more broadly, elephant conservation is neither advanced nor harmed by live trade. The small numbers traded since 2010 – 2016 is insignificant. The financial return to the exporting countries is equally insignificant, except in the case of Eswatini in 2016, when Big Game Parks were under a lot of financial hardship and needed the income, plus the drought was threatening the elephants. In most cases, the PR harm is not worth the limited benefit. The issue is more of an animal welfare one, and live wild-caught African elephants should not be traded for zoos and safari parks.	Support
<p><b>CoP19 Doc. 87.1</b></p> <p>Proposed amendments to Resolution Conf. 9.24 (Rev. CoP17)</p>	Botswana, Cambodia, Eswatini, Namibia and Zimbabwe	Supporting the document supports the entire breadth of resource-dependent communities worldwide, such as aboriginal, rural and coastal, and will consequently be particularly relevant for developing states, but also for developed states by addressing the interaction between humans and the environment and countless different levels. CITES will furthermore be reminded of its own decisions and resolutions pertaining to livelihoods and food security (for more information, see Annex II).	Support

DOCUMENTS			
Document	Submission	Comments	Recommendation
<p><b>CoP19 Doc. 87.2</b></p> <p>Aquatic species listed in the CITES Appendices: proposals for a new approach to the listing of sharks and rays</p>	Senegal	The document calls for proactive listing of shark and ray species on Appendix II in order to make trade in them more sustainable, especially in light of potentially stricter measures put in place by RFMOs. The document advertises an approach to shark and ray listing proposals that stands in contrast to CITES' own listing criteria by ignoring science and the biological and trade criteria outlined in document 9.24 (Rev. CoP17). It should therefore be opposed as not justifiable to be presented to the CoP.	Oppose





# ANNEX I

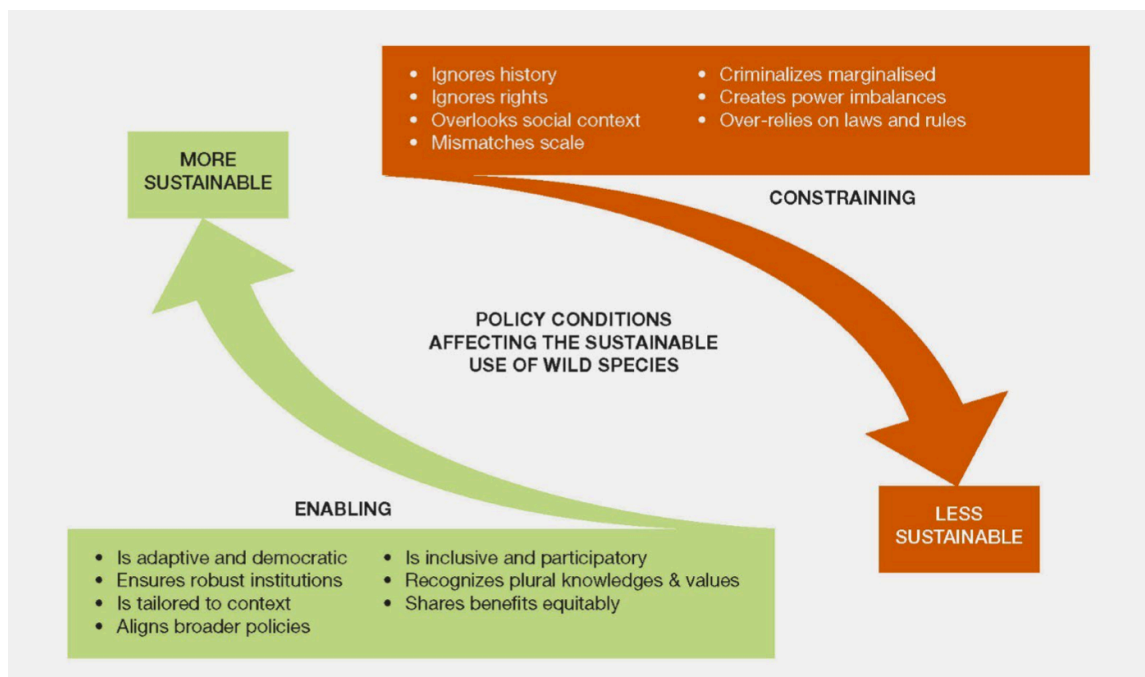
## Comments on the documents relating to agenda items 13–15

### ABSTRACT

At the upcoming Conference of the Parties (COP19) of CITES, several agenda items, 13–15, related to the role of indigenous peoples and local communities (IPLCs) in the CITES processes. These must be considered against the backdrop of the recently released IPBES Report on Sustainable Use of Wild Species and the UN Resolution on the Human Right to a Clean, Healthy and Sustainable Environment. Against this backdrop, all of the tabled documents should be supported. However, it should time and again be highlighted that CITES moves very slowly in strengthening the voices of IPLCs and that inertia works against internationally agreed-upon standards pertaining to the participation of IPLCs.

### Introduction

At impending COP19, several agenda items relate to the role of indigenous peoples and local communities (IPLCs) in the CITES processes. While the importance of including IPLCs in these processes is nothing new and has been underlined by multiple studies and reports, two very recent publications warrant a special reference: the IPBES Report on Sustainable Use of Wild Species (IPBES, 2022) and the UN Resolution on the Human Right to a Clean, Healthy and Sustainable Environment (United Nations, 2022). The former time and again highlights that sustainable use of wild species can only occur when management regimes spend time and effort to include IPLCs in the decision-making processes. A figure in that report visualises the need to include IPLCs.



The latter was voted on at the 76th Session of the General Assembly. Of the 169 states eligible to vote, none voted against it and merely eight states abstained. The 13th preambular paragraph is of very high relevance for the engagement of IPLCs in the CITES processes. The paragraph reads:

*Recognizing that the exercise of human rights, including the rights to seek, receive and impart information, to participate effectively in the conduct of government and public affairs and to an effective remedy, is vital to the protection of a clean, healthy and sustainable environment*

In other words, also the United Nations General Assembly has formally recognised that participation in decision-making processes is essential environmental protection and for the protection of the human right to a clean, healthy and sustainable environment.

Against this backdrop the following should be considered.

### **CoP19 Doc. 13 – Engagement of Indigenous peoples and local communities**

In essence, this document shows the inertia with which CITES has moved towards including IPLCs in the decision-making process. Again an inter-sessional working group is to be established on “how to effectively engage indigenous peoples and local communities in the CITES processes” — an issue which has been on the agenda for years now. Of course, the initiative and the document should be supported, but the Standing Committee should also start to work on processes that enable the working group to work efficiently and to achieve its goal: namely, the effective engagement of IPLCs in CITES decision-making processes. This means also providing the working group with sufficient funds and communication infrastructure to carry out its work.

### **CoP19 Doc. 14 – Livelihoods**

This document is closely linked to document CoP19 Doc. 13 and shows the same inertia as the former. Especially against the backdrop of the documents mentioned in the Introduction to this brief assessment, the document should be supported since it is imperative that more case studies are commissioned that outline the livelihood implications of CITES listings. That said, every statement of support should indicate a level of frustration over the inertia of the recognition of livelihoods. As with the previous agenda item, this issue is nothing new and in order to meet internationally agreed-upon human rights standards, a scaling up of resources and political will is imperative.

### **CoP19 Doc. 15 – Participatory mechanisms for rural communities**

Given the failure of establishing a Rural Communities Committee at CoP18 over disagreements in terminology and legal competence of this committee, the current proposal aims to establish a Rural Communities sub-Committee as an advisory body to the Animals and Plants Committees. Moreover, the proposal aims to garner unequivocal support for the 2018 UN Declaration on the Rights of Peasants and Other People Working in Rural Areas.

The first point is a very good compromise in light of the disagreements over the committee's legal competences. The second point would enable CITES to correspond to international human rights standards. Therefore, the document should be supported.

## References

IPBES. (2022). Summary for policymakers of the thematic assessment of the sustainable use of wild species of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services. Advance unedited version. 7 July 2022.

United Nations. (2022). The human right to a clean, healthy and sustainable environment. Resolution A/RES/76/300.



## ANNEX II

### Benefits of supporting Document 87.1

#### Background

Document 87.1 Proposed Amendments to Resolution Conf. 9.24 (Rev. CoP17) was tabled by Botswana, Cambodia, Eswatini, Namibia and Zimbabwe.

The document aims to include livelihoods and food security as part of the listing criteria, particularly for Appendix I. This means that apart from biological and trade criteria, proposed amendments to the Appendices should take potential effects on livelihoods and food security into account. Proposed amendments to Appendix I should even only be tabled if international trade has been identified as the main driver for species decline.

As identified by numerous bodies, institutions and scholars (a non-exhaustive list is annexed to this document), safeguarding livelihoods and food security has positive conservation effects and necessitates the inclusion of local populations in the decision-making process.

The document furthermore calls for more sophisticated stakeholder analysis and consultation prior to the tabling of a proposal for amendment.

#### Benefits of support

In light of growing poverty and increasing food shortages worldwide, supporting a document that shields the livelihoods and food security of resource-dependent communities does not only comply with international human rights standards, but furthermore identifies supporting states as truly caring for these communities' interests.

As identified by the Convention on Biological Diversity (CBD) and other regimes, as well as numerous scholarly studies, supporting livelihoods and food security of resource-dependent communities has beneficial impacts for conservation. Not only are human rights therefore safeguarded, but the entire mission of CITES will benefit from support of the document.

Supporting the document supports the entire breadth of resource-dependent communities worldwide, such as aboriginal, rural and coastal, and will consequently be particularly relevant for developing states, but also for developed states by addressing the interaction between humans and the environment and countless different levels.

By supporting the document, CITES will be reminded of its own decisions and resolutions pertaining to livelihoods and food security. By simply excluding these from the criteria for making amendments to the Appendices – the most relevant mechanism within the CITES decision-making structure – CITES does not live up to its own ways forward. If considered irrelevant during the discussions, Parties should be reminded that it was they themselves that

adopted these. If livelihoods and food security are truly irrelevant, all decisions and resolutions pertaining to these should consequently be annulled — a step which no sensible Party should seek to take.

By anticipating possible effects of Appendix-listings on livelihoods and food security, Parties are much better prepared to effectively protect these and to act proactively in order to avoid adverse consequences.

The principles of conservation and sustainable use are integral to modern conservation strategies, best exemplified by the standards set by the CBD. Addressing the impacts of proposed amendments to the Appendices on livelihoods and food security effectively combines conservation and sustainable use in a CITES context. Without amending the Convention itself, CITES' working procedure and scope will be aligned with contemporary standards of international environmental and conservation law.

If Parties choose to oppose the document they should be convinced by using the above that benefits outweigh the disadvantages and that the arguments in favour of the document are all within the scope of CITES and not beyond.

## **Supporting documents and literature for the right to participation**

### **Legal / Political** (*not exhaustive*)

- Principle 10 Rio Declaration: “Environmental issues are best handled with the participation of all concerned citizens, at the relevant level [...] States shall facilitate and encourage public awareness and participation by making information widely available.”
- Convention on Biological Diversity (CBD), Articles 8 (j) & 10 (c)
- IPBES. (2022). Summary for policymakers of the methodological assessment of the diverse values and valuation of nature. <https://zenodo.org/record/6522393#.YzFIQy8RphG>
- IUCN World Congress 1996 (passing six resolutions on the rights of indigenous peoples to their traditional lands)
- UNECE Aarhus Convention 1998 on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (47 Parties)
- UN Declaration on the Rights of Indigenous Peoples (UNDRIP), 2009
- UN Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP), 2019.
- UN Declaration on the Right to a Clean, Healthy and Sustainable Environment as a Human Rights, 2022.

### **Scholarly** (*not exhaustive*)

- Cooney, R., DWS Challenger, S. Broad, D. Roe & DJD Natusch (2021). Think Before You Act: Improving the Conservation Outcomes of CITES Listing Decisions. *Front. Ecol. Evol.*, 20 April 2021, <https://doi.org/10.3389/fevo.2021.631556>
- Dowie, M. (2009). *Conservation Refugees. The Hundred-year Conflict between Global Conservation and Native Peoples.* Cambridge, MA: MIT Press.

- Freeman, MMR & UP Kreuter (Eds.) (1994). Elephants and Whales. Resources for Whom? Amsterdam: Gordon and Breach.
- Gillespie, A. (2011). Conservation, Biodiversity and International Law. Cheltenham: Edward Elgar.
- O’Riordan, T. & S. Stoll-Kleemann (Eds.) (2002). Biodiversity, Sustainability and Human Communities. Cambridge: Cambridge University Press.
- Sellheim, N. (2020) The Evolution of Local Involvement in International Conservation Law. Yearbook of International Environmental Law 29, 77-102.
- Sellheim, N. & O. Ojanperä. (2021). Indigenous youth and international conservation law: Five case studies. Review of European, Comparative & International Environmental Law. <https://doi.org/10.1111/reel.12421>