

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA

Twelfth meeting of the Conference of the Parties
Santiago (Chile), 3-15 November 2002

Strategic and administrative matters

SUSTAINABLE USE OF AND TRADE IN CITES SPECIES

1. This document has been submitted by Norway.

Sustainable use of and trade in CITES species

2. Natural resources are the source of our food and provide a livelihood for people all over the world. The need to ensure responsible harvesting and thus to maintain the resource base constitutes a fundamental element of all conventions on natural resource management as well as of those on nature conservation.
3. The preamble of CITES reflects on this issue:

The Contracting Parties, (...)

Recognizing that peoples and States are and should be the best protectors of their own wild fauna and flora;

Recognizing, in addition, that international co-operation is essential for the protection of certain species of wild fauna and flora against over-exploitation through international trade;

4. The Parties have previously adopted Resolutions reflecting the close relationship between CITES and the objective of sustainable use. For example, in Resolution Conf. 8.3 on *Recognition of the benefits of trade in wildlife*, the Conference of the Parties "RECOGNIZES that commercial trade may be beneficial to the conservation of species and ecosystems and/or to the development of local people when carried out at levels that are not detrimental to the survival of the species in question". The concept of sustainable use is also reflected in the present criteria for inclusion of species in the Appendices (see Resolution Conf. 9.24).
5. At its eighth meeting, the Conference of the Parties expressed its awareness of the fact that, unless conservation programmes take into account the needs of local people and provide incentives for sustainable use of wild fauna and flora, conversion to alternative forms of land use may occur. It was also recognized that returns from legal use may provide funds and incentives to support the management of wild fauna and flora to restrain illegal trade.

CBD and other relevant conventions and guidelines

6. The Convention on Biological Diversity (CBD) sets out sustainable use as one of its three main objectives. The text of the CBD is explicit with regard to the involvement of local people in the attempt to conserve local wild fauna and flora, for example through sustainable use: "The objectives of this Convention, to be pursued in accordance with its relevant provisions, are the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits ...".

7. The CBD is intended to function as a framework convention for a number of other conventions on conservation and sustainable use. This is exemplified in CITES Resolution Conf. 10.4 on *Cooperation and Synergy with the Convention on Biological Diversity* where the Conference of the Parties "RECOMMENDS that the Secretariat investigate opportunities whereby CITES can become a partner in the implementation of appropriate provisions of the Convention on Biological Diversity". The Resolution endorses a Memorandum of Cooperation between the Secretariats of the two conventions.
8. In addition, the concept of sustainable use has been embodied in conventions and guidelines on management of natural resources and responsible harvesting of these resources. Sustainable use is now accepted as a necessary basis for the development and use of harvesting equipment and methods. The practical application of the concept of sustainable use is continuously being developed, and its implications are increasingly being recognized. The work of the executive bodies of most international resource management agreements provides insight into practical implementation of the sustainable use concept. FAO in particular has a very important normative role in preparing guidelines for management of natural resources based on this concept.
9. Sustainable use is also one of the main objectives of the 1982 UN Convention on the Law of the Sea, in particular as expressed in its Articles 61-65.

Examples of sustainable use in CITES

10. In CITES, the use of three different Appendices is one way in which the objective of sustainable use is put into practice. The Appendices reflect the need for particular protection of species through trade restrictions at different levels.
11. The use of and trade in CITES species is also reflected in the annual quotas for many species included in Appendices I and II, as notified by the Secretariat. The list of quotas includes many examples of species that are used in a sustainable way that also promotes local conservation interests, for instance crocodylians, boids, carnivores and birds such as parrots.
12. At the 11th meeting of the Conference of the Parties, several proposals relating to the trade in and sustainable use of CITES species were put forward. Several of these proposals dealt with species that are in Appendix I but at present do not necessarily fulfil the criteria for inclusion in this Appendix (see also the position of the CITES Secretariat on this issue). One example was the proposal to allow trade in the African elephant specimens under certain conditions, motivated by the need to generate local interest in protecting the species. Such proposals for sustainable use have proven valuable in promoting local acceptance for conservation. At the same time they depend on credible trade control systems.

Challenges for CITES

13. There has recently been a focus on the issue of conservation through sustainable use in a number of fora, and guidance is currently being developed. In particular, the concept of the ecosystem approach and the 12 management principles developed under this approach by the CBD have been a major contribution. The CBD has also taken the initiative to test and develop scientifically-based best practices for sustainable use in different ecological regions of the world. These projects aim to develop a common set of practical principles and operational guidelines for sustainable use of biological diversity.
14. The consequences of the CBD initiative should be taken into full consideration in relation to CITES and the ongoing work on the revision of the criteria for including species in the Appendices. CITES should clarify its relationship to other conventions where the sustainable use objective is important. This applies particularly to the important work now being conducted by FAO on the conservation and sustainable use of marine resources and inclusion of commercial fish species in the CITES Appendices.

15. The issue of Global Governance focuses on harmonization between related conventions to achieve synergies and improve effectiveness. CITES should engage in this debate to identify areas where the effectiveness of CITES can be improved.

COMMENTS FROM THE SECRETARIAT

- A. As the document points out, the Convention already incorporates the principles of sustainable use, and Resolutions Conf. 8.3 and 10.4 address benefits of trade and synergy respectively with the Convention on Biological Diversity (CBD). There is therefore no need for a resolution to repeat the Convention's stated commitment on these subjects.
- B. CITES already maintains close cooperation with the CBD and the Food and Agriculture Organisation of the United Nations (FAO), and the criteria to amend the Appendices are already subject to a review (document CoP12 Doc. 58). The periodic review of animal and plant species included in the Appendices is already within the terms of reference of the Animals and Plants Committees [cf. Resolution Conf. 11.1, Annex 2, paragraph h)]. Therefore paragraphs a), b) and c) under RECOMMENDS are redundant.
- C. In view of the above the Secretariat does not support this draft resolution.

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Sustainable use of and trade in CITES species

NOTING that the sustainable use of natural resources is the basis of human livelihoods and viable local communities;

ACKNOWLEDGING that peoples and States are and should be the best protectors of their own wild flora and fauna;

ACKNOWLEDGING that the concept of sustainable use is being incorporated as the basis for responsible management of natural resources by States and regional management bodies as well as international organizations;

NOTING that the conservation and management of living natural resources is governed by a multitude of international and regional agreements, and that the existing body of international law sets forth important principles for conservation and sustainable use;

NOTING the IUCN 2000 Policy Statement on Sustainable use of Wild Living Resources stating that "Both consumptive and non-consumptive use of biological diversity are fundamental to the economies, cultures, and well-being of all nations and peoples" and that "Use, if sustainable, can serve human needs on an ongoing basis while contributing to the conservation of biological diversity";

NOTING the importance of the Convention of International Trade in Endangered Species of Wild Fauna and Flora in protecting certain species against overexploitation through regulation of international trade;

NOTING that the Conference of the Parties has endorsed the principle of sustainable use in its work, in particular through its Resolution Conf. 8.3 stating that "trade in wildlife products may be beneficial to the conservation of species and ecosystems (and/or to the development of local people) when carried out at levels that are not detrimental to the survival of the species in question";

NOTING the need to base the inclusion of species in the Appendices, and the deletion of species therefrom, on the best scientific advice;

NOTING the difficulties related to deletion of species from the Appendices or downlisting of species even when this has been warranted under the CITES criteria or when the criteria for inclusion are no longer met;

RECOGNIZING the necessity of involving indigenous knowledge in the efforts to achieve protection and sustainable use of wild fauna and flora;

AWARE of the considerable risk of using trade restrictions as protectionist measures under cover of scientific uncertainty;

NOTING that the objectives of conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits are all fundamental principles of the Convention on Biological Diversity;

NOTING that international resource management agreements and their executive bodies provide essential insights into practicable policies on sustainable use in resource management;

ACCEPTING that Resolution Conf. 10.4 and the Memorandum of Cooperation acknowledge the need for cooperation and synergies between CITES and the Convention on Biological Diversity;

NOTING the importance of harmonization between related conventions to achieve synergies and improve the effectiveness of international work;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS that:

- a) CITES seek close cooperation with *inter alia* the Convention on Biological Diversity (CBD) and FAO to develop guidelines on the interpretation of the principle of sustainable use in order to harmonize the implementation of CITES with the objective of sustainable use in the CBD and other relevant international management organizations;
- b) the CITES Secretariat, on the basis of elaborations by the Standing Committee, the Animals Committee and the Plants Committee, prepare a proposal for the application of the CITES listing criteria in a manner that supports the objective of sustainable use, with the aim of adopting this proposal at the 13th meeting of the Conference of the Parties; and
- c) the Parties consider ways of validating the CITES Appendices, e.g. by an automatic review of listed species every fifth year or by the introduction of a 'sunset clause' for a suitable period.