



Council of the
European Union

**Brussels, 9 September 2022
(OR. en)**

**12274/22
ADD 1**

ENV 859

PROPOSAL

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	9 September 2022
To:	General Secretariat of the Council
No. Cion doc.:	COM(2022) 451 final
Subject:	ANNEX to the Proposal for a COUNCIL DECISION on the position to be taken on behalf of the European Union at the 19th meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES CoP19) (Panama City, Panama, 14 - 25 November 2022)

Delegations will find attached document COM(2022) 451 final – ANNEX 1.

Encl.: COM(2022) 451 final - ANNEX 1



EUROPEAN
COMMISSION

Brussels, 9.9.2022
COM(2022) 451 final

ANNEX 1

ANNEX

to the

Proposal for a COUNCIL DECISION

**on the position to be taken on behalf of the European Union at the 19th meeting of the
Conference of the Parties to the Convention on International Trade in Endangered
Species of Wild Fauna and Flora (CITES CoP19)**

(Panama City, Panama, 14 - 25 November 2022)

ANNEX I

Union Position on key issues to be discussed at the 19th meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), Panama City, Panama, 14 - 25 November 2022

(Panama City, Panama, 14 - 25 November 2022)

A. GENERAL CONSIDERATIONS

1. The Union considers CITES a key international convention for biodiversity conservation and against wildlife trafficking.
2. The Union should adopt an ambitious position for CITES CoP19, in line with relevant Union policies and international commitments, in particular the targets relating to wildlife under Sustainable Development Goal 15, the upcoming post-2020 Global Biodiversity Framework under the Convention on Biological Diversity, the CITES Strategic Vision and the UN General Assembly Resolution 75/311 on illicit trafficking in wildlife. The Union's position should also serve to attain the objectives set out at EU level through the Biodiversity strategy for 2030, the upcoming revision of the EU Action Plan against Wildlife Trafficking, the EU approach to promote trade and sustainable development, as reflected in the EU's open, sustainable and assertive trade policy, and the European Green Deal.
3. The priorities for the Union at CITES CoP19 should be to:
 - fully use the CITES instruments to regulate international trade in endangered animals and plant species which are subject to unsustainable levels of trade, pursuing a science-based approach;
 - strengthen the response by the international community to wildlife trafficking;
 - ensure that the EU's status and rights as a Party to the Convention remain fully respected. The EU's status and rights are solely set out in the text of CITES, including paragraphs 2 to 6 of Article XXI;
 - ensure that proposals adopted are consistent with relevant Union rules and policies.
4. The Union's position should take account of the contribution that CITES mechanisms can make towards improving species' conservation status and acknowledge the work done by those countries that have implemented effective conservation measures. The Union should ensure that the decisions taken at CoP19 maximise the efficiency of CITES, by minimising unnecessary administrative burdens and by achieving practical, cost-effective and workable solutions to implementation and monitoring issues.
5. The CoP is the governing body of CITES and a number of decisions adopted at CITES CoP19 will be implemented by the Standing Committee, which is the main CoP subsidiary body. The Union's position for CITES CoP19 should therefore also guide the EU's approach at the 75th and 76th meetings of the Standing Committee, which take place directly before and after CoP19.

B. SPECIFIC ISSUES

6. Fifty-two **proposals for amending the CITES Appendices** have been tabled for consideration at CITES CoP19. Thirteen of these proposals have been submitted by the Union as the main proponent or as co-proponent, and their adoption should naturally also be supported by the Union. The Union's position on all proposals should be based on the conservation status of the relevant species and on the impact that trade has or would have on those species, in line with Resolution Conf. 9.24 on the criteria for amending of Appendices I and II. The views of the range States of the species concerned by the proposals should receive particular attention. The Union also considers that, as a general rule, support should be given to proposals to amend CITES Appendices where these are the result of the work by the CITES Animals and Plants Committees and the Standing Committee. The assessment of the proposals by the CITES Secretariat and IUCN/Traffic¹ and, for commercially exploited marine species, the assessment by the Food and Agriculture Organization's (FAO) dedicated expert panel should also be taken into account when available.
7. As agreed upon in the Council Decision 2022/982 of 16 June 2022², the Union advocates the inclusion of
- *Physignathus cocincinus* (Chinese water dragon) in Appendix II
 - *Cuora galbinifrons* (Indochinese box turtle) in Appendix I
 - *Laotriton laoensis* (Laos warty newt) in Appendix II)
 - *Agalychnis lemur* (Lemur leaf frog) in Appendix II)
 - all species of *Sphyrnidae* spp. (Hammerhead sharks) not yet included in Appendix II in Appendix II
 - *Thelenota ananas*, *T. anax*, *T. rubralineata* (Sea cucumbers) in Appendix II
 - *Khaya* spp. (African mahogany) (Populations of Africa) in Appendix II with Annotation #17
 - *Afzelia* spp. (Pod mahogany) (Population of Africa) in Appendix II with Annotation #17
 - *Dipteryx* spp in Appendix II with Annotation #17 + seeds
 - *Handroantus* spp. (Trumpet tree), *Tabebuia* spp. and *Roseodendron* spp. in Appendix II with Annotation #17
 - *Pterocarpus* spp. (Padauk) (Populations of Africa) in Appendix II with Annotation #17
 - *Rhodiola* spp. in CITES Appendix II with Annotation #2.
- The Union has also decided to co-sponsor the proposal by Panama to list *Carcharhinidae* spp. (Requiem sharks) in Appendix II.
8. The Union notes that considerable work has been done in recent years to **build capacity for the implementation** of CITES, not least with regard to **marine species**, including through the Union's financial support. The Union supports better

¹ The International Union for Conservation of Nature (IUCN) and TRAFFIC are specialised in wildlife trade issues and provide a thorough assessment of proposals to amend CITES Appendices before each CoP.

² https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=uriserv:OJ.L_.2022.167.01.0095.01.ENG

coordination between CITES, regional fisheries management organisations and other relevant bodies, acting within their respective mandates, with the aim of improving governance and increasing complementarity.

9. The Union notes an increased focus within CITES on **timber species**, as also reflected by the Union's proposals to list additional tree species in CITES Appendix II at CoP19. CITES plays a very important role in the conservation of forests and the Union supports stronger and more consistent action between CITES and other forest-related organisations and processes.
10. The Union's position on proposals related to **wildlife trafficking** should reflect the EU's comprehensive approach to preventing wildlife trafficking by addressing its root causes, strengthening legal and policy frameworks to address wildlife trafficking, enforcing existing rules effectively, and fostering global partnerships to address wildlife trafficking.
11. Consistent with these priorities, the Union is supportive of better protection through CITES of species currently imported into the EU at unsustainable levels or illegally. The Union therefore supports the proposals to amend the Appendices in relation to various species of reptiles and amphibians, in particular several species of turtles that are imported to the EU as pets.
12. The Union should also encourage initiatives that contribute to increasing the **capacities** of relevant authorities, sharing information and best practices, aiming to better implement CITES and improve cooperation between source, transit and destination countries.
13. In this context the Union notes proposals that call for the creation of specific **funds** to benefit selected parties. The Union considers that new funds should only be created in duly justified cases, based on a thorough analysis of their feasibility and added value. Access to funding should not be limited to selected parties or groups of parties.
14. It is important for the Union to ensure that all resolutions, and annotations and reservations are uniformly understood and interpreted. As there are still high levels of **elephant poaching and ivory trafficking**, the Union should specifically promote the clarification of the rules on trade in live elephants, specifically Resolution Conf. 11.20 (Rev. CoP18) and Resolution Conf. 10.10 (Rev. CoP18). At the 74th meeting of the Standing Committee the Union and its Member States expressed their wish to create a common framework for trade in live African elephants, based on the CITES framework and on transparent and robust scientific scrutiny. Harmonising the conditions for trade in live African elephants and promoting actions that directly address the problem of illegal trade in elephants and ivory should be a priority for the Union for all CoP19 agenda items relating to elephants.
15. The Union notes that several proposals have been tabled by Parties in relation to **legal trade in elephant ivory**. International trade in ivory is currently banned under the CITES framework. The Union considers that the conditions for reauthorising this trade are not met and does not support proposals for CoP19 to re-open it. For domestic ivory markets, the Union should continue to support proportionate and effective measures based on the best available evidence, within the scope of the Convention.
16. The Union acknowledges that international trade in wildlife may pose a risk for the emergence of **zoonotic diseases**. CITES should play a role, in accordance with its

mandate, in reducing potential risks to the health of animals and people. No organisation can address on its own the multiple challenges that could lead to the emergence and spread of wildlife-related diseases. The Union should therefore encourage CITES to continue strengthening their active collaboration with other intergovernmental organisations, including those involved in animal or public health, trade, food and transport, in line with the '**one health approach**'. The Union strongly supports the renewed commitment between the World Organisation for Animal Health and CITES to work together on animal health and welfare issues worldwide to safeguard biodiversity and protect animals.

17. The wildlife-trafficking crisis, combined with the extension of the scope of CITES to new species and Parties, means that **more activities have been brought within the scope of the CITES umbrella** in recent years and that the workload of the CITES Secretariat has increased considerably. The Union should take these developments into account when deciding on its priorities at CoP19 and on the future budget for the CITES Secretariat.