



TOWARDS POST-2020 EXPERTISE ON #3

THE POST-2020 GLOBAL BIODIVERSITY FRAMEWORK – WHAT'S IN IT FOR CITES?



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At the eighteenth meeting of the Conference of the Parties (CoP18) to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) convened in Geneva, Switzerland, the Post-2020 Biodiversity Framework - EU Support project organized a side-event.

"THERE IS A DEDICATED CLAUSE IN CITES STATING THAT SPECIES' TRADE IS TO BE SET AT A LEVEL THAT IS CONSISTENT WITH THEIR ROLE IN THEIR ECOSYSTEMS, WITH A HOLISTIC VISION. THE POST-2020 FRAMEWORK SHOULD NOT ONLY TALK ABOUT PREVENTING SPECIES FROM GOING EXTINCT BUT PROVIDE SUSTAINABLE USE MECHANISMS FOR SPECIES THAT DON'T QUALIFY FOR THE CITES APPENDICES."

Susan Lieberman, Vice President for International Policy, WCS

The purpose of the event was to assess the role of the CITES in the Convention on Biological Diversity (CBD) processes and identify grounds for synergies between the two conventions to be integrated into the Post-2020 Biodiversity Framework. It also provided grounds for a broader reflection on CITES' scope, including its integration of sustainable use, its coordination with other biodiversity-related conventions, and its respective role in addressing wildlife trafficking.

The eighteenth meeting of the Conference of the Parties (CoP18) to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) held in August 2019 stood as a unique opportunity to improve synergies between biodiversity-related conventions for an ambitious Post-2020 biodiversity framework. It also provided great advancement on the integration of sustainable use, some progress on the integration of other biodiversity-related conventions, and further development on addressing wildlife trafficking.

Over a hundred participants took part in the side-event organized with the European Commission in close collaboration with the Convention on Biological Diversity Secretariat. Discussions focused on the linkages between CITES and the Post-2020 Global Biodiversity Framework.



Chinese Water Dragon,
Physignathus cocincinus

¹ <https://bit.ly/3InL97V>

1. ASSERTING CITES' ADDED VALUE FOR THE POST-2020 BIODIVERSITY FRAMEWORK

CITES is an essential tool to address one of the drivers of biodiversity loss, unsustainable use with a specific mandate – to protect endangered species from the threat of international trade. Mobilizing all biodiversity-related conventions and creating synergies among them is instrumental in defining the decadal objectives required for the implementation of the 2050 Vision « Living in Harmony with Nature ». Biodiversity loss calls for concerted actions and close collaboration between all parties involved and the Post-2020 Biodiversity Framework is meant to be an encompassing framework that fosters implementation and commitment.

In that respect, CBD and CITES could largely benefit from working together, as they are undertaking complementary actions without being duplicative. Collaboration among the two conventions could be all the more efficient in the sense that it allows for a sharing of missions and responsibilities.

While CBD has a broad focus on setting a global agenda, CITES is quite narrow and more action-oriented, with operational regulatory mechanisms. It is well-acknowledged as a cornerstone of international conservation. As stated by Carolina Caceres, Chair of CITES Standing Committee in its opening remarks at CITES CoP18¹, “CITES, in its 44 years, 48 days since entering into force, has been a pragmatic results-driven Convention. Its designers, those many years ago, lay down a focused mandate – to protect species from the threat of international trade – and clear obligations on how to meet this mandate.” Both conventions share common agendas (wild meat, sustainable wildlife management, synthetic biology, etc.) and mutually contribute to one another’s implementation.

CITES AS A USEFUL MATRIX FOR POST-2020 TARGETS

When ensuring that unsustainable wildlife trade does not threaten species, CITES also supports sustainable trade. It prevents unsustainable use by addressing illegal wildlife trade and thus contributes to the implementation of CBD’s first and second objectives, namely conservation and sustainable use. This positioning is valuable and certainly bespeaks the interest of a tight collaboration between the convention and the Post-2020 Global Framework.

CITES could provide a useful matrix for the definition of some of the Post-2020 Biodiversity Framework’s targets, including precise data and instruments to set specific and measurable objectives for wildlife

trade and use, as well as other practical mechanisms (traceability, document findings, down-listing of species). Besides, the metrics used by CITES could be integrated into the Post-2020 Biodiversity Framework to measure progress in its targets’ implementation.

Reciprocally, CITES Strategic Vision 2021-2030 could also gain from the interrelationship with the Post-2020 Biodiversity Framework and collaborate on issues that are interconnected. A broader CBD target addressing over-exploitation would enable a sounder implementation and monitoring of CITES through the NBSAPs. If the Post-2020 Biodiversity Framework is actually addressing the drivers of biodiversity loss, it will provide CITES and other biodiversity-related conventions with a natural fit in its content. By enlisting endangered species, CITES somehow reflects the tip of the iceberg regarding biodiversity’s overall condition. As such, it echoes concerns over the critical ecosystem and wildlife situation, with more than 36,000 species of wild animals and plants now targeted by the convention. Not only will the further integration of both conventions allow to fill in gaps in their implementation, but it will also undoubtedly increase their respective visibility, legitimacy, and implementation efficacy. The better entrenchment of the two conventions will prove beneficial to both frameworks, and impactful in halting biodiversity loss.

“CITES IS AN EFFICIENT INSTRUMENT FOR BIODIVERSITY. IT HAS BEEN HIGHLIGHTED GLOBALLY AS HAVING A KEY IMPORTANCE FOR RIO CONVENTIONS AND MULTILATERAL ENVIRONMENTAL AGREEMENTS COORDINATION. IT WAS AMONG THE FIRST CONVENTION TO LAY DOWN ITS VISION FOR THE POST-2020, THROUGH SUSTAINABLE AND LEGAL INTERNATIONAL TRADE.”

Diane Klaumi, Multilateral Environmental Agreements, Support and Cooperation Law Division, UN Environment

2. SUSTAINABLE USE & CITES’ SCOPE

One of Vision 2050’s objectives is to revert the decline in biodiversity, as we are now experiencing it at an unprecedented rate, with one million species at risk and threatened by extinction.

In CITES Strategic Vision for 2008-2020, the emphasis was laid on the CBD’s first objective – conservation. But CITES’ scope naturally encompasses sustainable use through its dual objective – i.e. to protect species from unsustainable trade while enabling sustainable trade. And indeed, CITES was among the first conventions to lay down a vision for the post-2020 era, precisely on sustainable



Leopard, *Panthera pardus*,
CITES listing: Appendix I

² <https://bit.ly/2OISbow>

³ Draft resolution of the conference of the parties, available on:
<https://bit.ly/3lwR3nr>

⁴ Draft resolution of the conference of the parties, available on:
<https://bit.ly/3lqyDoI>

⁵ Decisions of the Conference of the Parties to CITES in effect after the 18th meeting, available on:
<https://bit.ly/395jHi0>

and legal international trade. The convention stands at a unique place, at the crossway of trade, environment, and development challenges.

As affirmed by CITES Secretary-General Ivonne Higuero, “CITES conserves our natural world by ensuring that international trade in wild plants and animals is legal, sustainable and traceable. Well-managed trade also contributes to human wellbeing, livelihoods and the achievement of the 2030 Sustainable Development Goals”².

Yet, CITES suffers some substantial limitations to be able to efficiently embrace the challenges related to sustainable use. Firstly, because most wildlife exploitation is managed at the national level where CITES as an international framework has very little say. As recalled by Vincent Fleming, Head of Global Programme & CITES Scientific Authority, Joint Nature Conservation Committee of the United Kingdom: “Not all wildlife trade is controlled by CITES and it never will be. We have to remember that CITES cannot do much and that most wildlife and its exploitation is managed at national level. The value of wildlife to people, not only in terms of consumptive use but also for its own sake, has to be acknowledged by the largest possible amount of people”. Although the convention provides a relevant framework for fighting the illegal wildlife trade, many countries fail to meet their commitments under CITES. And despite repeated calls for sanctions such as trade suspensions by various non-governmental organizations as the World Wildlife Fund³, the situation remains unchanged.

THE INTEGRATION OF A DEDICATED TARGET ON TRADE AND USE IN THE POST-2020 GLOBAL BIODIVERSITY FRAMEWORK

Secondly, because CITES’s scope is fundamentally restrained to trade in wildlife populations. CITES CoP18 highlighted the growing pressures exerted on CITES as an instrument to counter drivers of biodiversity loss, as they were identified by the Global Assessment Report on Biodiversity and Ecosystem Services of the Intergovernmental Platform for Biodiversity and Ecosystem Services (IPBES). Parties struggled to address pressures including habitat loss, disease outbreaks, and human-wildlife conflict that CITES is not designed to regulate but must be taken into account when considering what “sustainable use” means. It has been established that habitat loss and climate change are putting species at a far greater threat than international trade, which is only one facet of a more global problem. Intense discussions over what constitutes a sustainable level of exploitation is also increasingly called into question, when it comes to defining the standards to be set by CITES.

The CITES Strategic Vision Post-2020 adopted at CITES CoP18 seems to have partially sized that challenge. It refers to the achievement of the 2030 Agenda for Sustainable Development and sustainable use in its vision statement, and to the achievement of the Sustainable Development Goals and the Post 2020 Biodiversity Framework in its objective 4.2.

It also calls for the formation of new, innovative and mutually sustainable alliances and cooperation between CITES and relevant international partners in its objective 5⁴.

It even appears that the first operative decisions⁵ issued to implement the new vision encourage coordination between CITES and CBD national focal points and calls for the involvement of the members of the Liaison Group of Biodiversity-related Conventions. But none of the four decisions taken to promote cooperation among biodiversity conventions provide for operational mechanism and coordination, nor tools for joint integrated implementation. Yet, it makes no doubt that the integration of wildlife trade and the use of wild species in other biodiversity-related conventions and particularly the CBD narrative is unavoidable to better embrace these challenges. Proposals for a dedicated target on trade and use in the Post-2020 Framework could fill in this gap. Recommendations by the non-governmental organization TRAFFIC suggest having it split into two separate targets. A first target could address the drivers of biodiversity loss – illegal and unsustainable trade and use – and how it affects the benefits and human well-being. And a second target could look at the benefits generated by sustainable legal trade to conservation and well-being.

3. ILLEGAL WILDLIFE TRADE AND WILDLIFE CRIME

Environmental crimes have become the third most lucrative stream of illegal revenue in the world, after drugs and counterfeit goods, with an estimated value of between 110 and 281 million dollars in 2018, according to a recent estimate by Interpol and the United Nations Environment Programme (UNEP). A large part of this amount derives from illegal wildlife trade and wildlife crime. Those entail direct violations of CITES, which regulates exports, imports, and re-exports of wildlife and is therefore fully integrated into its scope and implementation. The convention, which also refers to Resolution 69/314 of the United Nations General Assembly on tackling illicit trafficking in wildlife, holds a pivotal role in addressing this growing threat to both nature and people. In many regards, CITES CoP18 has further displayed the convention as a key instrument championing global efforts to tackle biodiversity loss

FFirstly, the third goal of CITES Strategic Vision Post-2020 adopted at CITES CoP18 reassesses the need to provide parties with the tools, resources, and capacity to contribute to the reduction of illegal trade in CITES’ listed wildlife species. Secondly, the CITES Strategic Vision Post-2020 adopted at CITES CoP18 further calls the International Consortium on Combating Wildlife Crime (ICCWC) on taking a leading role to provide coordinated global support



Customs authorities seizing rhinoceros horns.

⁶ <https://bit.ly/3InjPqm>

to the law-enforcement community to address that challenge. The platform, which gathers four other international organizations – the United Nations Office on Drugs and Crime, the Interpol, the World Bank, and the World Customs Organization – is designed to strengthen criminal justice systems, to provide coordinated support at national, regional, and international levels to combat wildlife and forest crime, and to ensure that perpetrators of serious wildlife and forest crime face a formidable and coordinated response. Thirdly, CITES CoP18's output also includes new operative decisions on combating wildlife cybercrime and specific decisions for wildlife crime enforcement support in West Africa.

Nevertheless, the efficient tackling of wildlife crime requires capacity-building and resources' mobilization that go beyond CITES' current scope and capabilities. Many actors, such as the non-governmental organization TRAFFIC, work on leveraging the private sector to combat illegal wildlife trade online stands. But effectively connecting the dots between the private and public sectors requires coordination mechanisms yet to be integrated into the current CITES' framework. Similarly, significant resources shall be invested to meet countries' blatant capacity-building needs, identify and make up for the shortfall of national policy frameworks and implementation tools, and increase the efficacy of wildlife crime operations.

The evolution of CITES towards the strategic and operational framework providing a more comprehensive, coordinated, and multinational work against environmental crimes⁶ rightly coveted by

many. Efforts sustained by programs and platforms supporting regional cooperation to address environmental crime do partially cope for the acute cooperation need. For instance, the European Multidisciplinary Platform against Criminal Threats (EMPACT) gathering relevant Member States, EU institutions and agencies, third countries, international organizations, and other partners proved instrumental in facilitating cross-border operations and the sharing of data on the Environmental Crime Network (EnviCrimeNet), an informal network connecting police officers and other crime fighters in the field. Similarly, and just as over 40% of the world's biodiversity lies in Latin America, the program El PacCTO stands as another key initiative, providing a relevant cooperation platform for EU Member States and Latin American institutions and agencies to share good practices and address environmental crime.

Yet, those wound-dressings will not be able to address the structural challenge faced by CITES' scope limitation and can no longer remain the only way forward to tackle illegal wildlife trade and trafficking policies with the ambition required to preserve biodiversity.

"AICHI TARGETS ARE PERCEIVED AS DESIGNED BY AND FOR GOVERNMENTS. BUT THEY SHOULD APPLY TO ALL SECTORS OF SOCIETY."

Vincent Fleming, Head Global Programme & CITES Scientific Authority, Joint Nature Conservation Committee - United Kingdom

INSIGHT ON THE CONVENTION ON BIOLOGICAL DIVERSITY ZERO DRAFT OF THE POST-2020 GLOBAL BIODIVERSITY FRAMEWORK KEY REFERENCES RELATED TO CITES *

THREATENED SPECIES 2030 AND 2050 GOALS (P.8)

"The percentage of species threatened with extinction is reduced by {X%} and the abundance of species has increased of at least {20%} by 2050, ensuring ecosystem resilience."

WILDLIFE TRADE 2030 ACTION TARGETS (P.9)

Reducing the threat to biodiversity:
"Ensure by 2030 that the harvesting, trade and use of wild species are legal and at sustainable levels."

SUSTAINABLE USE OF WILD SPECIES 2030 ACTION TARGETS (P.9)

Meeting people's needs through sustainable use and benefit-sharing:
"Enhance the sustainable use of wild species providing, by 2030, benefits, including enhanced nutrition, food security and livelihoods for at least {X million} people, especially for the most vulnerable, and reduce human-wildlife conflict by {X%}."

MULTILATERAL ENVIRONMENTAL AGREEMENTS INCLUDING CITES (P.7)

"The theory of change [...] also takes into account the long term strategies and targets of other multilateral environment agreements, including biodiversity-related and Rio conventions, to ensure synergistic delivery of benefits from all the agreements for the planet and people."

* Those provisions are listed in the CBD Zero Draft of the Post-2020 Global Biodiversity Framework. The full document is available at <https://bit.ly/2u6HLCI>

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