

# TRAFFIC Recommendations on the Proposals to Amend the CITES Appendices at the 16<sup>th</sup> Meeting of the Conference of the Parties

Proposal #/ Proponent	Species covered by the proposal	Proposal	RECOMMENDATION
# 12  Burkina Faso and Kenya	<i>Loxodonta Africana</i> African Elephant	Amend the annotation for <i>Loxodonta africana</i> as follows (additional text <u>underlined</u> , deleted text struckthrough): h) no further proposals to allow trade in elephant ivory from <u>any</u> populations already in Appendix II shall be submitted to the Conference of the Parties for the period from CoP14 and ending nine years from the date of the single sale of ivory that is to take place in accordance with provisions in paragraphs g) i), g) ii), g) iii), g) vi) and g) vii). In addition, such further proposals shall be dealt with in accordance with Decisions 14.77 and 14.78 (Rev. CoP15).	<p>This proposal is to amend the current annotation for <i>Loxodonta africana</i> which applies to the African Elephant populations of Botswana, Namibia, South Africa and Zimbabwe in Appendix II.</p> <p>Focused upon paragraph h) of the existing annotation, the proposed amendments would, in the view of the proponents, preclude submission of any proposal to trade in elephant ivory from those countries whose elephant populations are currently listed in Appendix II, or any country whose elephant population subsequently became listed in Appendix II, until November 2017. However, as the annotation applies to countries whose elephant populations are already listed in Appendix II, it is not clear if the proposed amendment would indeed prevent any other elephant range State from exercising the rights conferred by Articles XV and XVI of the Convention permitting any Party to propose amendments to the CITES Appendices, both at meetings of the Conferences of the Parties, or between the meetings (by postal procedure). Further, the Parties have considered the use of annotations in the Appendices in <i>Resolution Conf. 11.21 (Rev. CoP14)</i> and have recognized two kinds of annotation: reference annotations (i.e. those indicating that “one or more geographically separate populations, subspecies or species are in another Appendix”; “the annotation ‘possibly extinct’”; and “annotations relating to nomenclature”) and substantive annotations (i.e. those indicating “the inclusion or exclusion of designated geographically separate populations, subspecies, species, groups of species, or higher taxa, which may include export quotas”; and those specifying “the types of specimens or export quotas”). The suggested annotation does not appear to conform with either of the prescribed annotation types in Resolution Conf. 11.21 (Rev. CoP14). Finally, Article XV allows any Party to place a reservation against any amendment to the Appendices within 90 days of its acceptance. If accepted, this amendment could potentially prompt countries to impose reservations to the listing of <i>Loxodonta africana</i>, which would have the effect of weakening the Convention as it currently applies to this species.</p> <p><b>REJECT</b></p>