

REPUBLIC OF KENYA

*Repr laid by the
Vice-Chairman of the
Committee (Gen. ~~Amos~~)
on 28/03/2017*



*Rt. Hon. Speaker
You may approve
for tabling
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02/03/17*

[Signature]

PARLIAMENT



THE SENATE

ELEVENTH PARLIAMENT- FOURTH SESSION

STANDING COMMITTEE ON
LAND AND NATURAL RESOURCES

**REPORT ON THE CONVENTION ON INTERNATIONAL
TRADE IN ENDANGERED SPECIES OF WILD FAUNA
AND FLORA (CITES) COP 17**

JOHANNESBURG, SOUTH AFRICA

24TH SEPTEMBER, 2016 TO 5TH OCTOBER, 2016

CLERK'S CHAMBERS
THE SENATE
PARLIAMENT OF KENYA
NAIROBI

*Approved
[Signature]
Speaker*

28th MARCH, 2017

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ACRONYMS/ ABBREVIATIONS

AEC	African Elephant Coalition
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
COP	Conference of Parties serving as the meeting of the Parties to the Parties
EU	European Union
IUCN	The World Conservation Union
Sen.	Senator

EXECUTIVE SUMMARY

The 17th Session of the Conference of the Parties (COP 17) to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) was held in Johannesburg, South Africa from 24th September to 5th October, 2016.

CITES is an international agreement to which States (countries) adhere voluntarily. States that have agreed to be bound by the Convention ('joined' CITES) are known as Parties. This provides a framework to be respected by each Party, which has to adopt its own domestic legislation to ensure that CITES is implemented at the national level. CITES membership currently stands at 183 parties.

Kenya's participation at CITES COP 17 was coordinated by the Ministry of Environment & Natural Resources – State Department of Natural Resources. The Country's delegation was led by the Cabinet Secretary for Environment and Natural Resources, Prof. Judi Wakhungu. Kenya had prepared 182 documents in preparation for the CITES meeting; and had submitted proposals in favour of protection of various species of wild animals and plants; chief among them being the five proposals on the protection of elephants as listed below:

- a) Re-establish a complete ban on the international ivory trade by placing all African elephants on Appendix 1;
- b) Promote the closure of domestic ivory markets;
- c) Encourage the management and / or the destruction of ivory stockpiles;
- d) End the decision making mechanism for legalizing trade in ivory; and,
- e) Restrict the trade of live wild elephants.

Kenya was successful in all the five proposals except the first one on re-establishing a complete ban on the international ivory trade by placing all African elephants on Appendix 1. However, Namibia and Zimbabwe who were seeking to remove elephants from Appendix 1 and allow international trade in ivory were also unsuccessful.

The Committee observed that Kenya had a very good reputation internationally in terms of lobbying for the protection of wild species of animals and plants; but these efforts

were hampered by their domestic reputations especially the Ministry's relationship with communities that are living next to or inside the wildlife parks and game reserves. This was essentially due to the human wildlife conflict.

The Committee recommends that the Ministry of Environment and Natural Resources should intensify lobbying for more funds with the Treasury and Budget and Appropriations Committee of the National Assembly to allocate more funds for compensation to victims of human wildlife conflict; and also revive the Compensation Committees.

The Committee further recommends that County Governments, through their Committee Executive Members in-charge of Environment and Natural Resources should implement the 10% forest cover policy.

PREFACE

1. The Standing Committee on Land and Natural Resources was constituted on Thursday 27th February 2014 during the Second Session of the Eleventh (11th) Parliament pursuant to the provisions of Senate Standing Order No.208.
2. The Committee is mandated, under the Second Schedule of the Senate Standing Orders, *to consider all matters related to lands and settlement, environment, forestry, water resource management and mining*.
3. In executing its mandate, the Committee oversees the Ministries of:
 - a) Lands and Physical Planning;
 - b) Environment & Natural Resources;
 - c) Ministry of Water & Irrigation; and
 - d) Mining.
4. The Committee comprises the following Members:

1) Sen. Lenny Kivuti	- Chairman
2) Sen. George Khaniri	- Vice Chairperson
3) Sen. Christopher Obure	- Member
4) Sen. Dawson Mwazo	- Member
5) Sen. Henry Ndiema	- Member
6) Sen. Isaac Melly	- Member
7) Sen. Liza Chelule	- Member
8) Sen. Martha Wangari	- Member
9) Sen. Boy Juma Boy	- Member (Deceased)
5. The following Senators attended the CITES COP 17 Conference from 24th September to 5th October, 2016: -

1) Sen. George Khaniri	- Vice-Chairman
2) Sen. Henry Tiolo Ndiema	- Member
3) Sen. Liza Chelule	- Member
6. The delegation was accompanied by Ms. Mwanate Shaban, the Clerk to the Committee.

ACKNOWLEDGEMENT

Mr. Speaker Sir,

The Standing Committee on Land and Natural Resources wishes to thank the office of the Speaker and the Clerk of the Senate for facilitating the Committee delegation to travel and attend the 17th Session of the Conference of the Parties (COP 17) to the Convention on International Trade in Endangered Species of Wild Fauna and Flora that was held from 24th September to 5th October, 2016 in Johannesburg, South Africa.

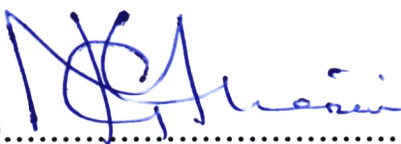
The Committee appreciates the Ministry of Environment & Natural Resources for coordinating the visit.

The Committee further commends the State Department of Natural Resources, the Kenya Wildlife Service and Civil Society Organizations for their efforts in lobbying for Kenya's proposals.

Mr. Speaker Sir,

It is my pleasant duty to present the report of the Standing Committee on Lands and Natural Resources on the CITES COP 17 Conference.

I thank you all.


SIGNED.....

DATE..... 2/3/2017

**SEN. GEORGE KHANIRI, M.P.
VICE CHAIRPERSON, LEADER OF DELEGATION,
SENATE STANDING COMMITTEE ON LAND & NATURAL RESOURCES**

1.0 INTRODUCTION

The 17TH session of the Conference of the Parties (COP 17) to the Convention on International Trade in Endangered Species of Wild Fauna and Flora was held in Johannesburg, South Africa from 24th September to 5th October, 2016 to take decisions on what additional measures are needed to end illicit wildlife trafficking. They also considered a number of proposals to bring additional species under CITES trade controls, among other things.

1.1 ABOUT CITES

CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora) is an international agreement between governments. Its aim is to ensure that international trade in specimens of wild animals and plants does not threaten their survival.

Annually, international wildlife trade is estimated to be worth billions of dollars and to include hundreds of millions of plant and animal specimens. The trade is diverse, ranging from live animals and plants to a vast array of wildlife products derived from them, including food products, exotic leather goods, wooden musical instruments, timber, tourist curios and medicines. Levels of exploitation of some animal and plant species are high and the trade in them, together with other factors, such as habitat loss, are capable of heavily depleting their populations and even bringing some species close to extinction.

Many wildlife species in trade are not endangered, but the existence of an agreement to ensure the sustainability of the trade is important in order to safeguard these resources for the future.

Because the trade in wild animals and plants often involves crossing of borders between countries, the effort to regulate it requires international cooperation to safeguard certain species from over-exploitation. CITES was conceived in the spirit of such cooperation. Today, it accords varying degrees of protection to more than 35,000 species of animals and plants, whether they are traded as live specimens, fur coats or dried herbs.

CITES was drafted as a result of a resolution adopted in 1963 at a meeting of members of IUCN (The World Conservation Union). The text of the Convention was finally agreed at a meeting of representatives of 80 countries in Washington, D.C., the United States of America, on 3rd March 1973, and on 1 July 1975 CITES entered in force. The original of the Convention was deposited with the Depositary Government in the Chinese, English, French, Russian and Spanish languages, each version being equally authentic.

CITES is an international agreement to which States (countries) adhere voluntarily. States that have agreed to be bound by the Convention ('joined' CITES) are known as Parties. Although CITES is legally binding on the Parties – in other words they have to implement the Convention – it does not take the place of national laws. Rather it provides a framework to be respected by each Party, which has to adopt its own domestic legislation to ensure that CITES is implemented at the national level.

For many years CITES has been among the conservation agreements with the largest membership, with now 183 Parties.

1.2 CITES COP 17

The 17th meeting of the Conference of the Parties to CITES (COP17) took place in Johannesburg, South Africa from 24th September to 5th October 2016 at the Sandton Convention Center.

South Africa offered to host COP17 at the 16th meeting of the Conference of the Parties (Bangkok, March 2013), which was accepted by acclamation. Following discussions with the South African authorities and the finalization of an open bid process, the host city was announced through a joint media release on 19th June, 2015.

This was the fourth meeting of the Conference of the Parties to CITES held on the African continent since CITES came into force on 1st July 1975, but it was the first held on the continent since 2000.

1.3 KENYA IN CITES COP 17

The CITES COP 17 meeting discussed, among other matters, the decisive measures to ensure the survival of the African elephant.

The meeting came amidst heightened levels of elephant killing. In order to reverse this crisis, the CITES Parties in the African Elephant Coalition (AEC) submitted five proposals to CITES COP 17 which aimed to accord elephants the highest level of international protection. The proposals were:

- f) Re-establish a complete ban on the international ivory trade by placing all African elephants on Appendix 1;
- g) Promote the closure of domestic ivory markets;
- h) Encourage the management and / or the destruction of ivory stockpiles;
- i) End the decision making mechanism for legalizing trade in ivory; and,
- j) Restrict the trade of live wild elephants.

Apart from the proposals on elephants, Kenya had also submitted proposals on other species for consideration; some jointly with other states. These included the African Pangolin, Thresher Sharks, Mt. Kenya Bush Viper, Kenya Horned Viper, Chameleons, Rosewood and Palisanders and on combating wildlife cybercrime.

Kenya's participation at CITES COP 17 was coordinated by the Ministry of Environment &, Natural Resources – State Department of Natural Resources.

2.0 COP17 SUMMARY OUTCOMES OF KENYA'S PROPOSALS

The following are decisions of the 17th Meeting of the CITES Conference of the Parties regarding proposals submitted by Kenya. Two-thirds majority vote of the Parties present and voting is required for adoption by the COP, of a species listing proposal while simple majority vote is required for adoption of a proposal on draft decision/resolution. In addition to the Kenya proposals on Rhinoceroses, Sharks were of interest and results of their discussion is presented in the summary report as follows:

2.1 SPECIES LISTINGS PROPOSALS

2.1.1 COP17 Prop. 16 (as it relates to COP17 Prop. 14 and COP17 Prop. 15):

Inclusion of all populations of *Loxodonta africana* in Appendix I through the transfer from Appendix II to Appendix I of the populations of Botswana, Namibia, South Africa and Zimbabwe;

The Proposal did not achieve the required 2/3 votes and so were the other elephant listing proposals one by Namibia and the other by Namibia and Zimbabwe both seeking to delete the annotations to the Appendix II listing. Instead, when subjected to a vote, the results were;

Prop. No.	Species	Number of Votes			Total votes cast	Outcome	EU vote result
		YES	NO	ABS			
14 (NA)	<i>Loxodonta africana</i>	27	73 (on screen)	9	109 (on screen)	Rejected (secret ballot)	NO
		27	100 (actual count)	9	136 (actual count)		
15 (NA & ZM)	<i>Loxodonta africana</i>	21	80 (on screen)	11	112 (on screen)	Rejected (secret ballot)	NO
		21	107 (actual count)	11	139 (actual count)		
16 (AEC)	<i>Loxodonta africana</i>	62	44 (on screen)	12	118 (on screen)	Rejected (open ballot)	NO
		62	71 (actual count)	12	145 (actual count)		

At the time of voting on the three proposals, the electronic Voting system had technical problems thus failing to show one (1) European Union (EU) vote as equivalent to 28 votes and the vote tally had to be verified to show records as per the screen and per actual counts (*see the table above*)

- 2.1.2 **COP17 Prop. 27:** Inclusion of the African pygmy chameleons of the genera *Rhampholeon spp. and Rieppeleon spp.* in **Appendix II**. This proposed inclusion is in accordance with Article II paragraph 2(a) of the Convention, satisfying Criterion B, and Annex 2(a) of Res. Conf. 9.24 (Rev. COP16).

The proposal was accepted/adopted by consensus

- 2.1.3 **COP17 Prop. 34:** Inclusion of the Mt. Kenya Bush Viper *Atherisdesaixiin* Appendix II in accordance with Article II, paragraph 2 (a), and Resolution Conf. 9.24 (Rev. COP16), Annex 2 a.

This proposal was accepted /adopted by consensus

- 2.1.4 **COP17 Prop. 35:** Inclusion of the Kenya horned Viper, *Bitisworthingtoniin* Appendix II in accordance with Article II, paragraph 2 (a), of the Convention and Resolution Conf. 9.24 (Rev. COP16), Annex 2 a.

This proposal was accepted /adopted by consensus

- 2.1.5 **COP17 Prop. 12 :** Proposal to Transfer African Pangolins (*Manis*) from Appendix II to Appendix I (Co-Sponsored with **Nigeria, Gabon, South Africa , USA among others**);

This proposal was accepted /adopted by consensus

2.1.6 **COP 17 Prop.43:** Proposal for Inclusion of Thresher Sharks (*Alopiasspp*) in Appendix II (co-sponsored with European Union, **Sri Lanka and others**);

This proposal was accepted/adopted after being subjected to a Secret Vote with results; 108 Yes Vote, 29 NO vote and 5 Abstention Vote

2.1.7 **COP17 Prop. 55:** Proposal for Inclusion of *Dalbergiaspp* in Appendix II (co-sponsored with European Union, **Guatemala and others**);

This proposal was amended to provide for annotations to exempt inter alia up to 10kg shipment of processed artefacts/carvings and was accepted/ adopted by consensus

2.2 DRAFT DECISIONS AND RESOLUTIONS

2.2.1 **COP17 Doc 84.2:** Draft Decision on Decision –Making Mechanism for a process of trade in ivory;

This proposal was accepted/adopted in essence terminating discussion on a mechanism for a process to trade in ivory.

2.2.2 **COP17 Doc. 57.2:** Draft Resolution on Closure of Domestic Markets for elephant ivory;

This proposal was accepted/ adopted with amended text developed by a Working Group of Committee II of the COP; Details are found in COP17 Comm.II.6 (Attached as Appendix 4 to the report)

2.2.3 **COP17 Doc 57.3:** Ivory Stockpiles: Proposed Revision of Resolution Conf. 10.10 (Rev COP16) on trade in elephant specimens;

This proposal was accepted/ adopted with amended text developed by a Working Group of Committee II of the COP. However, the word “Destruction” was not included in the text feeding into Res. Conf. 10.10 (Rev COP 16) but instead the word “disposal”

- 2.2.4 COP17 Doc. 57.4:** Trade in live elephants: Proposed Revision of Resolution Conf. 10.10 (Rev COP16);

This proposal was accepted/ adopted with amended text developed by a Working Group of Committee II of the COP and the text fed into revision of Res. Conf. 10.10 (Rev COP 16)

- 2.2.5 COP17 Doc.29:** Draft Resolution on combating wildlife cybercrime (e-commerce);

This proposal was accepted/ adopted with additional text introducing two Decisions. Details of the Decisions adopted are found in Document COP17 Comm. II.36 (Attached as Appendix 5 to this report)

- 2.2.6 COP17 Doc. 65:** Draft Decision to extent Decisions 16.153 &16.154 on the East African Sandalwood, *Osyrislanceolata*.

This proposal was accepted/adopted with additional two (2) Decisions. Details of the text are found in Document COP17 Comm.I.8 under the “in session” section of the COP17 weblink.

- 2.2.7 COP17 Doc.77:** International Trade in African Tree species

This proposal was accepted/adopted by consensus; Details are found in COP17 Comm. I.20 (Attached as Appendix 6 to this report)

2.3 OTHER PROPOSALS OF SIGNIFICANT INTEREST TO KENYA

- 2.3.1 **COP17 Prop.7:** To alter the existing annotation on the Appendix II listing of Swaziland's white rhino (*Ceratotherium simum simum*) so as to permit limited and regulated trade in White Rhino horns (by Swaziland)

This proposal was subjected to secret vote and was rejected with the following results; 26 YES vote, 100 NO vote and 17 Abstention vote

- 2.3.2 **COP17 Prop. 42:** Inclusion of Silky Sharks, *Carcharhinus falciformis* (Müller & Henle, 1839) in Appendix II in accordance with Article II paragraph 2(a) of the Convention.

This proposals was subjected to secret vote and was accepted/adopted with the following results; 111 YES vote, 30 NO Vote and 5 Abstention vote.

3.0 COMMITTEE OBSERVATION AND RECOMMENDATIONS

3.1 COMMITTEE OBSERVATIONS

The Committee observed the following:

- 1) The Ministry of Environment and Natural Resources had a good reputation internationally for their Conservation Efforts, but needs to work on building their local image by addressing the human wild life conflicts and compensation issues;
- 2) Trade was not the only challenge to endangering the species; the Ministry should look at the destruction of the environment by locals, farming and development;
- 3) There was need for civic education to enlighten the people on the species that they need to protect and economic benefits should be accorded to the locals in terms of royalties;
- 4) The Ministry should consider domesticating/ farming endangered species of plants especially trees; and,
- 5) There was need to research on how to sustain the species and new blood needed to be injected in research institutions to ensure continuity.

6.2 COMMITTEE RECOMMENDATIONS

The Committee therefore makes the following recommendations:-

- 1) The Ministry of Environment and Natural Resources should try and bring the issue of the African elephants in to the agenda of the African Union so as to gain political goodwill;
- 2) The Ministry of Environment and Natural Resources should consider conservation and preservation of wild indigenous fruits that are gradually becoming extinct, even though they are not listed in CITES. This can be done through working with County Governments to identify and create an

- inventory of indigenous plants from all counties for purposes of preservation and increasing their numbers; and also engage the community and encourage them to preserve their environment;
- 3) The Ministry of Environment should look in to the areas of enhancing public awareness on matters conservation, engaging the women and youth in areas of mitigation;
 - 4) The Ministry of Environment and Natural Resources should lobby the Treasury and the National Assembly Budget and Appropriations Committee to allocate adequate funding for compensation and fencing of wildlife parks;
 - 5) The County Government, through the County Executive Committee member in charge of Environment and natural Resources, should budget for, execute and implement the 10% Policy of the forest cover.

MINUTES OF THE 108th MEETING OF THE STANDING COMMITTEE ON LANDS AND NATURAL RESOURCES HELD ON WEDNESDAY, 1ST MARCH, 2017 IN THE NEW WING SMALL DINING ROOM, MAIN PARLIAMENT BUILDING FROM 11.30 A.M.

MEMBERS PRESENT

- | | |
|---------------------------------|-------------------------------|
| 1. Sen. George Khaniri, M.P | - Vice Chairperson (Chairing) |
| 2. Sen. Christopher Obure, M.P. | - Acting Chair |
| 3. Sen. Martha Wangari, M.P. | - Member |
| 4. Sen. Isaac Melly, M.P. | - Member |
| 5. Sen. Henry Tiolo Ndiema | - Member |

MEMBERS ABSENT WITH APOLOGY

- | | |
|----------------------------|---------------|
| 1. Sen. Lenny Kivuti, M.P. | - Chairperson |
| 2. Sen. Liza Chelule, M.P. | - Member |
| 3. Sen. Dawson Mwazo, M.P. | - Member |

SENATE SECRETARIAT

- | | |
|--------------------------|-----------------------------|
| 1. Ms. Mwanate Shaban | -Clerk Assistant |
| 2. Mr. Mohamed Abdullahi | -Clerk Assistant |
| 3. Dr. Kefa Omoti | -Principal Research Officer |
| 4. Mr. Leonard Koech | -Legal Counsel |

MINUTE SEN/SCLNR/603/2017: PRELIMINARIES

The meeting was called to order at 12.00 noon. and this was followed by a word of prayer by Sen. Chris Obure. The Chairman then welcomed the new Clerk to the Committee, Mr. Mohammed Abdullahi and thanked the thanked the outgoing Clerk for her work.

MINUTE SEN/SCLNR/604/2017: ADOPTION OF AGENDA

The agenda of the meeting was adopted after it was proposed by Sen. Isaac Melly and seconded by Sen. Martha Wangari M.P. as follows;

Prayer

1. Preliminaries;
2. Adoption of the Agenda;
3. **Confirmation of previous minutes**
 - **Minutes 101**
 - **Minutes 106**
 - **Minutes 107**
4. **Matters Arising from the Minutes**
5. **Adoption of Reports**
 - Changara Petition Report**
 - Isiolo Petition Report**
 - COP 17 Report**
6. **Briefing on the Land Value Index Laws (Amendment) Bill (National Assembly No. 40 of 2016**
7. Any Other Business & Adjournment.

MINUTE SEN/SCLNR/605/2017: CONSIDERATION OF PREVIOUS MINUTES

The Minutes of the 101st Sitting of the Committee held on Wednesday 30th November, 2016 in the New Wing Small Dining Room, Main Parliament Building From 10.00 am were confirmed after being proposed by Sen. Isaac Melly and seconded by Sen. George Khaniri.

The Minutes of the 106th Sitting of the Committee held on Wednesday 1st February, 2017 in Fahari Boardroom, Whitesands Beach Resort from three pm were postponed due to lack of quorum of the Members present then.

The Minutes of the 107th Sitting of the Committee held on Wednesday 22nd February, 2017 in Committee Room Five, Main Parliament Building From 11.00 am were confirmed after being proposed by Sen. Martha Wangari and seconded by Sen. Chris Obure.

MINUTE SEN/SCLNR/606/2017: MATTERS ARISING FROM THE MINUTES

EX-MIN SEN/SCLNR/600/2016: Committee Deliberations on the Physical Planning Bill

The Committee noted that the Physical Planning Bill had been listed in the day's Order Paper.

MINUTE SEN/SCLNR/607/2017: ADOPTION OF REPORTS

- 1) The Committee unanimously adopted the report on the Petition made to the Senate by Residents of Changara Location on the exact location of Changara.
- 2) The Committee unanimously adopted the report on the Petition made to the Senate by Residents of Isiolo County on the Leasing of Buffalo Springs and Shaba Game Reserves by the Isiolo County Executive.
- 3) The Committee unanimously adopted the report on the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) COP 17 that took place in Johannesburg, South Africa from 24th September to 5th October, 2016.

MINUTE SEN/SCLNR/608/2017: BRIEFING ON THE LAND VALUE INDEX LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY NO. 40 OF 2016

The Legal Counsel briefed the Members on the Bill after which the Committee resolved to hold a public hearing on the Bill on 14th March, 2017 at 11.00 am.

MINUTE SEN/SCLNR/609/2017: AOB & ADJOURNMENT

There being no other business, the meeting was adjourned at 1.00 p.m.

SIGNATURE.....
(CHAIRPERSON: SEN. LENNY KIVUTI, M.P.)

DATE.....

MINUTES OF THE 106th MEETING OF THE STANDING COMMITTEE ON LANDS AND NATURAL RESOURCES HELD ON MONDAY, 1ST FEBRUARY, 2017 IN THE FAHARI BOARDROOM, WHITESANDS BEACH REORT FROM 3.00 P.M.

MEMBERS PRESENT

- | | |
|----------------------------|----------------|
| 1. Sen. Dawson Mwazo, M.P. | - Acting Chair |
| 2. Sen. Liza Chelule, M.P. | - Member |
| 3. Sen. Boy Juma Boy, M.P. | - Member |

MEMBERS ABSENT WITH APOLOGY

- | | |
|---------------------------------|--------------------|
| 1. Sen. Martha Wangari, M.P. | - Member |
| 2. Sen. Isaac Melly, M.P. | - Member |
| 3. Sen. Henry Ole Ndiema, M.P. | - Member |
| 4. Sen. Lenny Kivuti, M.P. | - Chairperson |
| 5. Sen. George Khaniri, M.P. | - Vice Chairperson |
| 6. Sen. Christopher Obure, M.P. | - Member |

SENATE SECRETARIAT

- | | |
|-----------------------|-----------------------------|
| 1. Ms. Mwanate Shaban | -Clerk Assistant |
| 2. Dr. Kefa Omoti | -Principal Research Officer |
| 3. Mr. Leonard Koech | -Legal Counsel |
| 4. Ms. Njeri Manga | -Media Relations Officer |
| 5. Mr. Joseph Muriuki | -Audio Officer |
| 6. Ms. Diana Munene | -Secretary |
| 7. Ms. Julia Gachoki | -Serjeant At Arms |

MINUTE SEN/SCLNR/591/2017: PRELIMINARIES

The meeting was called to order at 3.00 p.m. and this was followed by a word of prayer by Sen. Liza Chelule.

MINUTE SEN/SCLNR/592/2017: ADOPTION OF AGENDA

The agenda of the meeting was adopted after it was proposed by Sen. Liza Chelule and seconded by Sen. Dan Mwazo, M.P. as follows;

Prayer

1. Preliminaries
2. Adoption of the Agenda
3. **Adoption of Previous Minutes**
 - Minutes 103
 - Minutes 105
 - Minutes 106
4. **Matters arising from the Minutes**
5. AOB, Adjournment and Date of Next Meeting.

MINUTE SEN/SCLNR/593/2017: CONSIDERATION OF PREVIOUS MINUTES

The Minutes of the 103th Sitting of the Committee held on Wednesday 1st February, 2017 in Fahari Boardroom, Whitesands Beach Resort from 9.30 am was confirmed after being proposed by Sen. Liza Chelule and seconded by Sen. Juma Boy.

The Minutes of the 104th Sitting of the Committee held on Wednesday 1st February, 2017 in Fahari Boardroom, Whitesands Beach Resort at 12.00 noon was confirmed after being proposed by Sen. Liza Chelule and seconded by Sen. Dan Mwazo.

The Minutes of the 105th Sitting of the Committee held on Wednesday 1st February, 2017 in Fahari Boardroom, Whitesands Beach Resort at 12.50 noon was confirmed with amendments after being proposed by Sen. Liza Chelule and seconded by Sen. Dan Mwazo.

MINUTE SEN/SCLNR/594/2017: MATTERS ARISING FROM THE MINUTES

EX-MIN SEN/SCLNR/585/2017: Consideration of the Report on the Petition by Residents of Changara Location on the Erroneous Placement of Changara in Busia County

The Committee reaffirmed its recommendation on the fast-tracking of the County Boundaries Bill that will create the County Boundaries Commission to manage the county boundary issues;

EX-MIN SEN/SCLNR/589/2017: Consideration of the Report on the on the Committee's participation in the CITES COP 17 in Johannesburg, South Africa.

The Committee resolved to hold a meeting with the CECs in charge of environment in all the 47 counties to take them through the Policy of the 10% forest cover.

The recommendations were added and amended as follows:

1. The Minister should lobby for the increase of funds in the Treasury and the National Assembly for Wild Life Compensation;
2. Identify and create an inventory of indigenous plants from all counties for purposes of preservation and increasing their numbers; and also

engage the community and encourage them to preserve their environment.

3. The County Government should be mandated to allocate money for the execution and implementation of the 10% Policy of the forest cover.

MINUTE SEN/SCLNR/595/2017: AOB & ADJOURNMENT

There being no other business, the meeting was adjourned at 3.45 p.m.

SIGNATURE.....

(CHAIRPERSON: SEN. LENNY KIVUTI, M.P.)

DATE.....

MINUTES OF THE 84TH MEETING OF THE STANDING COMMITTEE ON LAND AND NATURAL RESOURCES HELD ON FRIDAY, 9TH SEPTEMBER, 2016 IN THE BARAZA CONFERENCE ROOM- PANAFRIC HOTEL FROM 7.30 AM.

MEMBERS PRESENT

1. Sen. Boy Juma Boy, M.P. - Acting Chair
2. Sen. Henry Ole Ndiema, M.P. - Member
3. Sen. Liza Chelule, M.P. - Member

MEMBERS ABSENT WITH APOLOGY

1. Sen. Lenny Kivuti, M.P. - **Chairperson**
2. Sen. George Khaniri - **Vice Chairperson**
3. Sen. Dawson Mwazo, M.P. - Member
4. Sen. Christopher Obure, M.P. - Member
5. Sen. Isaac Melly, M.P. - Member
6. Sen. Martha Wangari, M.P. - Member

SENATE SECRETARIAT

1. Ms. Mwanate Shaban -Clerk Assistant
2. Mr. Ngeno -Research Officer

IN ATTENDANCE

1. Hon. Amina Abdalla -Chairperson, Environment Committee -National Assembly
2. Hon. Sunjeev Birdi - Member, Environment Committee – NA
3. Prof. Judy Wakhungu - Cabinet Secretary, Environment & Natural Resources
4. Dr. Margaret Mwakima - Principal Secretary – Natural Resources
5. Officials from the Ministry of Environment and Natural Resources
6. Officials from the Kenya Wildlife Service
7. Civil Society organizations dealing with wildlife
8. Media

MINUTE SEN/SCLNR/490/2016: PRELIMINARIES

The Ministry of Environment and Natural Resources had invited Members of Parliament to a breakfast meeting at the Panafric Hotel to brief the members and get their support for the Country's proposals to the CITES COP 17 meeting.

The meeting was called to order at 8.30 a.m. followed with a word of prayer. Prof. Judy Wakhungu, the PS for Environment and Natural Resources welcomed everybody to the meeting and led with introductions.

The Members were then taken through the program of the meeting by the Secretary of Conservation in the Ministry of environment and Natural Resources. He then invited the PS to give her speech.

MINUTE SEN/SCLNR/493/2016: MEETING DELIBERATIONS

1) Remarks by the PS, Natural Resources

Dr. Mwakima started by thanking the PS for constituting a multi-sectoral committee in preparation to the Convention on International Trade on Endangered Species of Wild Fauna and Flora (CITES) that will take place from the 24th of September 2016 to the 5th of October 2016 in Johannesburg, South Africa.

She said that Kenya had prepared 182 documents in preparation for the CITES meeting. She invited the Members of Parliament to join them in Johannesburg and support the country in lobbying for the protection of Kenya's elephants.

She outlined the Ministry's efforts in conservation including the National Inventory of Ivory and its subsequent torching of the same. This, she added, sent a clear global message that the Country was serious about its wildlife.

She concluded by stating that Kenya was committed to conservation of its heritage for prosperity and development, and in the management of its natural resources, especially elephants and rhinos.

2) Remarks by the CS

The CS acknowledged the institutions which formed part of the technical team and appreciated that they met all the deadlines and submitted the proposals in time. She added that Kenya had submitted 14 proposals which will be discussed during the CITES meeting to which is an international framework that Kenya has been a signatory state since 1978. She called for the support of the law makers during the convention.

3) Briefing by the technical teams

The CITES COP 17 meeting will discuss, among other matters, the decisive measures to ensure the survival of the African elephant.

The meeting comes amidst heightened levels of elephant killing. In order to reverse this crisis, the CITES Parties in the AEC have submitted five proposals to CITES COP 17 which aim to accord elephants the highest level of international protection. The proposals are:

- a) Re-establish a complete ban on the international ivory trade by placing all African elephants on Appendix 1;
- b) Promote the closure of domestic ivory markets;
- c) Encourage the management and / or the destruction of ivory stockpiles;
- d) End the decision making mechanism for legalizing trade in ivory; and,
- e) Restrict the trade of live wild elephants.

Apart from the proposals on elephants, Kenya has also submitted proposals on other species for consideration; some jointly with other states. These include the African Pangolin, Thresher Sharks, Mt. Kenya Bush Viper, Kenya Horned Viper, Chameleons, Rosewood and Palisanders and on combating wildlife cybercrime.

4) Response from the Members of Parliament

Members raised the following concerns:

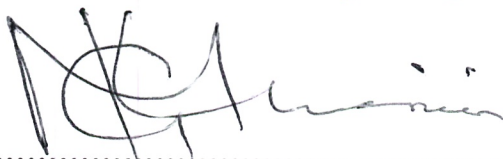
- a) That the Ministry was dealing more with conservation than addressing the issue of human wild life conflict; citing the issue of compensation
- b) Trade was not the only challenge to endangering the species; the Ministry should look at the destruction of the environment by locals, farming and development.
- c) There was need for civic education to enlighten the people on the species that they need to protect;
- d) The Ministry should consider domesticating/ farming endangered species of plants especially trees;
- e) There was need to research on how to sustain the species and new blood needed to be injected in research institutions to ensure continuity;
- f) Economic benefits should be accorded to the locals in terms of royalties;
- g) The ministry should add to their list of protection the Mountain elephants which are found in Trans Nzoia county whose numbers are currently dwindling;
- h) There are new land laws that allow for wildlife conservation on land use;
- i) The Ministry should urgently address the issue of compensation and fencing and the local people must benefit financially; and
- j) KWS has unfunded mandates.

5) Way Forward

- a) Members agreed to support the Country's position in its conservation efforts and resolved to participate in the Convention;
- b) Post CITES – the Ministry should try and bring the issue of the African elephants in to the African Union;
- c) Parliament should appropriate enough money for conservation and compensation efforts; and
- d) Parliament should fast track the amendments to the current Wildlife Conservation and Management Act.

MINUTE SEN/SCLNR/494/2016: ADJOURNMENT

There being no other business, the meeting was adjourned at 10.30 am.



SIGNATURE.....

(CHAIRPERSON: SEN. LENNY KIVUTI, M.P.)

DATE..... 19/10/2016

Text of the Convention

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Convention on International Trade in Endangered Species of Wild Fauna and Flora

Signed at Washington, D.C., on 3 March 1973

Amended at Bonn, on 22 June 1979

Amended at Gaborone, on 30 April 1983

The Contracting States,

Recognizing that wild fauna and flora in their many beautiful and varied forms are an irreplaceable part of the natural systems of the earth which must be protected for this and the generations to come;

Conscious of the ever-growing value of wild fauna and flora from aesthetic, scientific, cultural, recreational and economic points of view;

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;

Convinced of the urgency of taking appropriate measures to this end;

Have agreed as follows:

Article I

Definitions

For the purpose of the present Convention, unless the context otherwise requires:

- (a) "Species" means any species, subspecies, or geographically separate population thereof;
- (b) "Specimen" means:
 - (i) any animal or plant, whether alive or dead;
 - (ii) in the case of an animal: for species included in Appendices I and II, any readily recognizable part or derivative thereof; and for species included in Appendix III, any readily recognizable part or derivative thereof specified in Appendix III in relation to the species; and
 - (iii) in the case of a plant: for species included in Appendix I, any readily recognizable part or derivative thereof; and for species included in Appendices II and III, any readily recognizable part or derivative thereof specified in Appendices II and III in relation to the species;
- (c) "Trade" means export, re-export, import and introduction from the sea;
- (d) "Re-export" means export of any specimen that has previously been imported;
- (e) "Introduction from the sea" means transportation into a State of specimens of any species which were taken in the marine environment not under the jurisdiction of any State;
- (f) "Scientific Authority" means a national scientific authority designated in accordance with Article IX;
- (g) "Management Authority" means a national management authority designated in accordance with Article IX;
- (h) "Party" means a State for which the present Convention has entered into force.

Article II

Fundamental principles

1. Appendix I shall include all species threatened with extinction which are or may be affected by trade. Trade in specimens of these species must be subject to particularly strict regulation in order not to endanger further their survival and must only be authorized in exceptional circumstances.
 2. Appendix II shall include:
 - (a) all species which although not necessarily now threatened with extinction may become so unless trade in specimens of such species is subject to strict regulation in order to avoid utilization incompatible with their survival; and
 - (b) other species which must be subject to regulation in order that trade in specimens of certain species referred to in sub-paragraph (a) of this paragraph may be brought under effective control.
 3. Appendix III shall include all species which any Party identifies as being subject to regulation within its jurisdiction for the purpose of preventing or restricting exploitation, and as needing the co-operation of other Parties in the control of trade.
 4. The Parties shall not allow trade in specimens of species included in Appendices I, II and III except in accordance with the provisions of the present Convention.
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Article III

Regulation of trade in specimens of species included in Appendix I

1. All trade in specimens of species included in Appendix I shall be in accordance with the provisions of this Article.
2. The export of any specimen of a species included in Appendix I shall require the prior grant and presentation of an export permit. An export permit shall only be granted when the following conditions have been met:
 - (a) a Scientific Authority of the State of export has advised that such export will not be detrimental to the survival of that species;
 - (b) a Management Authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora;
 - (c) a Management Authority of the State of export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment; and
 - (d) a Management Authority of the State of export is satisfied that an import permit has been granted for the specimen.
3. The import of any specimen of a species included in Appendix I shall require the prior grant and presentation of an import permit and either an export permit or a re-export certificate. An import permit shall only be granted when the following conditions have been met:
 - (a) a Scientific Authority of the State of import has advised that the import will be for purposes which are not detrimental to the survival of the species involved;
 - (b) a Scientific Authority of the State of import is satisfied that the proposed recipient of a living specimen is suitably equipped to house and care for it; and
 - (c) a Management Authority of the State of import is satisfied that the specimen is not to be used for primarily commercial purposes.

4. The re-export of any specimen of a species included in Appendix I shall require the prior grant and presentation of a re-export certificate. A re-export certificate shall only be granted when the following conditions have been met:
 - (a) a Management Authority of the State of re-export is satisfied that the specimen was imported into that State in accordance with the provisions of the present Convention;
 - (b) a Management Authority of the State of re-export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment; and
 - (c) a Management Authority of the State of re-export is satisfied that an import permit has been granted for any living specimen.
 5. The introduction from the sea of any specimen of a species included in Appendix I shall require the prior grant of a certificate from a Management Authority of the State of introduction. A certificate shall only be granted when the following conditions have been met:
 - (a) a Scientific Authority of the State of introduction advises that the introduction will not be detrimental to the survival of the species involved;
 - (b) a Management Authority of the State of introduction is satisfied that the proposed recipient of a living specimen is suitably equipped to house and care for it; and
 - (c) a Management Authority of the State of introduction is satisfied that the specimen is not to be used for primarily commercial purposes.
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Article IV

Regulation of trade in specimens of species included in Appendix II

1. All trade in specimens of species included in Appendix II shall be in accordance with the provisions of this Article.
2. The export of any specimen of a species included in Appendix II shall require the prior grant and presentation of an export permit. An export permit shall only be granted when the following conditions have been met:
 - (a) a Scientific Authority of the State of export has advised that such export will not be detrimental to the survival of that species;
 - (b) a Management Authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora; and
 - (c) a Management Authority of the State of export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment.
3. A Scientific Authority in each Party shall monitor both the export permits granted by that State for specimens of species included in Appendix II and the actual exports of such specimens. Whenever a Scientific Authority determines that the export of specimens of any such species should be limited in order to maintain that species throughout its range at a level consistent with its role in the ecosystems in which it occurs and well above the level at which that species might become eligible for inclusion in Appendix I, the Scientific Authority shall advise the appropriate Management Authority of suitable measures to be taken to limit the grant of export permits for specimens of that species.
4. The import of any specimen of a species included in Appendix II shall require the prior presentation of either an export permit or a re-export certificate.

5. The re-export of any specimen of a species included in Appendix II shall require the prior grant and presentation of a re-export certificate. A re-export certificate shall only be granted when the following conditions have been met:
 - (a) a Management Authority of the State of re-export is satisfied that the specimen was imported into that State in accordance with the provisions of the present Convention; and
 - (b) a Management Authority of the State of re-export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment.
 6. The introduction from the sea of any specimen of a species included in Appendix II shall require the prior grant of a certificate from a Management Authority of the State of introduction. A certificate shall only be granted when the following conditions have been met:
 - (a) a Scientific Authority of the State of introduction advises that the introduction will not be detrimental to the survival of the species involved; and
 - (b) a Management Authority of the State of introduction is satisfied that any living specimen will be so handled as to minimize the risk of injury, damage to health or cruel treatment.
 7. Certificates referred to in paragraph 6 of this Article may be granted on the advice of a Scientific Authority, in consultation with other national scientific authorities or, when appropriate, international scientific authorities, in respect of periods not exceeding one year for total numbers of specimens to be introduced in such periods.
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Article V

Regulation of trade in specimens of species included in Appendix III

1. All trade in specimens of species included in Appendix III shall be in accordance with the provisions of this Article.
 2. The export of any specimen of a species included in Appendix III from any State which has included that species in Appendix III shall require the prior grant and presentation of an export permit. An export permit shall only be granted when the following conditions have been met:
 - (a) a Management Authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora; and
 - (b) a Management Authority of the State of export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment.
 3. The import of any specimen of a species included in Appendix III shall require, except in circumstances to which paragraph 4 of this Article applies, the prior presentation of a certificate of origin and, where the import is from a State which has included that species in Appendix III, an export permit.
 4. In the case of re-export, a certificate granted by the Management Authority of the State of re-export that the specimen was processed in that State or is being re-exported shall be accepted by the State of import as evidence that the provisions of the present Convention have been complied with in respect of the specimen concerned.
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Article VI

Permits and certificates

1. Permits and certificates granted under the provisions of Articles III, IV, and V shall be in accordance with the provisions of this Article.

2. An export permit shall contain the information specified in the model set forth in Appendix IV, and may only be used for export within a period of six months from the date on which it was granted.
3. Each permit or certificate shall contain the title of the present Convention, the name and any identifying stamp of the Management Authority granting it and a control number assigned by the Management Authority.
4. Any copies of a permit or certificate issued by a Management Authority shall be clearly marked as copies only and no such copy may be used in place of the original, except to the extent endorsed thereon.
5. A separate permit or certificate shall be required for each consignment of specimens.
6. A Management Authority of the State of import of any specimen shall cancel and retain the export permit or re-export certificate and any corresponding import permit presented in respect of the import of that specimen.
7. Where appropriate and feasible a Management Authority may affix a mark upon any specimen to assist in identifying the specimen. For these purposes "mark" means any indelible imprint, lead seal or other suitable means of identifying a specimen, designed in such a way as to render its imitation by unauthorized persons as difficult as possible.

Article VII

Exemptions and other special provisions relating to trade

1. The provisions of Articles III, IV and V shall not apply to the transit or transshipment of specimens through or in the territory of a Party while the specimens remain in Customs control.
2. Where a Management Authority of the State of export or re-export is satisfied that a specimen was acquired before the provisions of the present Convention applied to that specimen, the provisions of Articles III, IV and V shall not apply to that specimen where the Management Authority issues a certificate to that effect.
3. The provisions of Articles III, IV and V shall not apply to specimens that are personal or household effects. This exemption shall not apply where:
 - (a) in the case of specimens of a species included in Appendix I, they were acquired by the owner outside his State of usual residence, and are being imported into that State; or
 - (b) in the case of specimens of species included in Appendix II:
 - (i) they were acquired by the owner outside his State of usual residence and in a State where removal from the wild occurred;
 - (ii) they are being imported into the owner's State of usual residence; and
 - (iii) the State where removal from the wild occurred requires the prior grant of export permits before any export of such specimens;unless a Management Authority is satisfied that the specimens were acquired before the provisions of the present Convention applied to such specimens.
4. Specimens of an animal species included in Appendix I bred in captivity for commercial purposes, or of a plant species included in Appendix I artificially propagated for commercial purposes, shall be deemed to be specimens of species included in Appendix II.
5. Where a Management Authority of the State of export is satisfied that any specimen of an animal species was bred in captivity or any specimen of a plant species was artificially propagated, or is a part of such an animal or plant or was derived therefrom, a certificate by that Management Authority to that effect shall be accepted in lieu of any of the permits or certificates required under the provisions of Article III, IV or V.

6. The provisions of Articles III, IV and V shall not apply to the non-commercial loan, donation or exchange between scientists or scientific institutions registered by a Management Authority of their State, of herbarium specimens, other preserved, dried or embedded museum specimens, and live plant material which carry a label issued or approved by a Management Authority.
 7. A Management Authority of any State may waive the requirements of Articles III, IV and V and allow the movement without permits or certificates of specimens which form part of a travelling zoo, circus, menagerie, plant exhibition or other travelling exhibition provided that:
 - (a) the exporter or importer registers full details of such specimens with that Management Authority;
 - (b) the specimens are in either of the categories specified in paragraph 2 or 5 of this Article; and
 - (c) the Management Authority is satisfied that any living specimen will be so transported and cared for as to minimize the risk of injury, damage to health or cruel treatment.
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Article VIII

Measures to be taken by the Parties

1. The Parties shall take appropriate measures to enforce the provisions of the present Convention and to prohibit trade in specimens in violation thereof. These shall include measures:
 - (a) to penalize trade in, or possession of, such specimens, or both; and
 - (b) to provide for the confiscation or return to the State of export of such specimens.
2. In addition to the measures taken under paragraph 1 of this Article, a Party may, when it deems it necessary, provide for any method of internal reimbursement for expenses incurred as a result of the confiscation of a specimen traded in violation of the measures taken in the application of the provisions of the present Convention.
3. As far as possible, the Parties shall ensure that specimens shall pass through any formalities required for trade with a minimum of delay. To facilitate such passage, a Party may designate ports of exit and ports of entry at which specimens must be presented for clearance. The Parties shall ensure further that all living specimens, during any period of transit, holding or shipment, are properly cared for so as to minimize the risk of injury, damage to health or cruel treatment.
4. Where a living specimen is confiscated as a result of measures referred to in paragraph 1 of this Article:
 - (a) the specimen shall be entrusted to a Management Authority of the State of confiscation;
 - (b) the Management Authority shall, after consultation with the State of export, return the specimen to that State at the expense of that State, or to a rescue centre or such other place as the Management Authority deems appropriate and consistent with the purposes of the present Convention; and
 - (c) the Management Authority may obtain the advice of a Scientific Authority, or may, whenever it considers it desirable, consult the Secretariat in order to facilitate the decision under subparagraph (b) of this paragraph, including the choice of a rescue centre or other place.
5. A rescue centre as referred to in paragraph 4 of this Article means an institution designated by a Management Authority to look after the welfare of living specimens, particularly those that have been confiscated.
6. Each Party shall maintain records of trade in specimens of species included in Appendices I, II and III which shall cover:
 - (a) the names and addresses of exporters and importers; and
 - (b) the number and type of permits and certificates granted; the States with which such trade occurred; the numbers or quantities and types of specimens, names of species as included

in Appendices I, II and III and, where applicable, the size and sex of the specimens in question.

7. Each Party shall prepare periodic reports on its implementation of the present Convention and shall transmit to the Secretariat:
 - (a) an annual report containing a summary of the information specified in sub-paragraph (b) of paragraph 6 of this Article; and
 - (b) a biennial report on legislative, regulatory and administrative measures taken to enforce the provisions of the present Convention.
 8. The information referred to in paragraph 7 of this Article shall be available to the public where this is not inconsistent with the law of the Party concerned.
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Article IX **Management and Scientific Authorities**

1. Each Party shall designate for the purposes of the present Convention:
 - (a) one or more Management Authorities competent to grant permits or certificates on behalf of that Party; and
 - (b) one or more Scientific Authorities.
 2. A State depositing an instrument of ratification, acceptance, approval or accession shall at that time inform the Depositary Government of the name and address of the Management Authority authorized to communicate with other Parties and with the Secretariat.
 3. Any changes in the designations or authorizations under the provisions of this Article shall be communicated by the Party concerned to the Secretariat for transmission to all other Parties.
 4. Any Management Authority referred to in paragraph 2 of this Article shall, if so requested by the Secretariat or the Management Authority of another Party, communicate to it impression of stamps, seals or other devices used to authenticate permits or certificates.
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Article X **Trade with States not party to the Convention**

Where export or re-export is to, or import is from, a State not a Party to the present Convention, comparable documentation issued by the competent authorities in that State which substantially conforms with the requirements of the present Convention for permits and certificates may be accepted in lieu thereof by any Party.

Article XI **Conference of the Parties**

1. The Secretariat shall call a meeting of the Conference of the Parties not later than two years after the entry into force of the present Convention.
2. Thereafter the Secretariat shall convene regular meetings at least once every two years, unless the Conference decides otherwise, and extraordinary meetings at any time on the written request of at least one-third of the Parties.

3. At meetings, whether regular or extraordinary, the Parties shall review the implementation of the present Convention and may:
 - (a) make such provision as may be necessary to enable the Secretariat to carry out its duties, and adopt financial provisions;
 - (b) consider and adopt amendments to Appendices I and II in accordance with Article XV;
 - (c) review the progress made towards the restoration and conservation of the species included in Appendices I, II and III;
 - (d) receive and consider any reports presented by the Secretariat or by any Party; and
 - (e) where appropriate, make recommendations for improving the effectiveness of the present Convention.
 4. At each regular meeting, the Parties may determine the time and venue of the next regular meeting to be held in accordance with the provisions of paragraph 2 of this Article.
 5. At any meeting, the Parties may determine and adopt rules of procedure for the meeting.
 6. The United Nations, its Specialized Agencies and the International Atomic Energy Agency, as well as any State not a Party to the present Convention, may be represented at meetings of the Conference by observers, who shall have the right to participate but not to vote.
 7. Any body or agency technically qualified in protection, conservation or management of wild fauna and flora, in the following categories, which has informed the Secretariat of its desire to be represented at meetings of the Conference by observers, shall be admitted unless at least one-third of the Parties present object:
 - (a) international agencies or bodies, either governmental or non-governmental, and national governmental agencies and bodies; and
 - (b) national non-governmental agencies or bodies which have been approved for this purpose by the State in which they are located.Once admitted, these observers shall have the right to participate but not to vote.
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Article XII

The Secretariat

1. Upon entry into force of the present Convention, a Secretariat shall be provided by the Executive Director of the United Nations Environment Programme. To the extent and in the manner he considers appropriate, he may be assisted by suitable inter-governmental or non-governmental international or national agencies and bodies technically qualified in protection, conservation and management of wild fauna and flora.
2. The functions of the Secretariat shall be:
 - (a) to arrange for and service meetings of the Parties;
 - (b) to perform the functions entrusted to it under the provisions of Articles XV and XVI of the present Convention;
 - (c) to undertake scientific and technical studies in accordance with programmes authorized by the Conference of the Parties as will contribute to the implementation of the present Convention, including studies concerning standards for appropriate preparation and shipment of living specimens and the means of identifying specimens;
 - (d) to study the reports of Parties and to request from Parties such further information with respect thereto as it deems necessary to ensure implementation of the present Convention;

- (e) to invite the attention of the Parties to any matter pertaining to the aims of the present Convention;
 - (f) to publish periodically and distribute to the Parties current editions of Appendices I, II and III together with any information which will facilitate identification of specimens of species included in those Appendices;
 - (g) to prepare annual reports to the Parties on its work and on the implementation of the present Convention and such other reports as meetings of the Parties may request;
 - (h) to make recommendations for the implementation of the aims and provisions of the present Convention, including the exchange of information of a scientific or technical nature;
 - (i) to perform any other function as may be entrusted to it by the Parties.
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Article XIII

International measures

1. When the Secretariat in the light of information received is satisfied that any species included in Appendix I or II is being affected adversely by trade in specimens of that species or that the provisions of the present Convention are not being effectively implemented, it shall communicate such information to the authorized Management Authority of the Party or Parties concerned.
 2. When any Party receives a communication as indicated in paragraph 1 of this Article, it shall, as soon as possible, inform the Secretariat of any relevant facts insofar as its laws permit and, where appropriate, propose remedial action. Where the Party considers that an inquiry is desirable, such inquiry may be carried out by one or more persons expressly authorized by the Party.
 3. The information provided by the Party or resulting from any inquiry as specified in paragraph 2 of this Article shall be reviewed by the next Conference of the Parties which may make whatever recommendations it deems appropriate.
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Article XIV

Effect on domestic legislation and international conventions

1. The provisions of the present Convention shall in no way affect the right of Parties to adopt:
 - (a) stricter domestic measures regarding the conditions for trade, taking, possession or transport of specimens of species included in Appendices I, II and III, or the complete prohibition thereof; or
 - (b) domestic measures restricting or prohibiting trade, taking, possession or transport of species not included in Appendix I, II or III.
2. The provisions of the present Convention shall in no way affect the provisions of any domestic measures or the obligations of Parties deriving from any treaty, convention, or international agreement relating to other aspects of trade, taking, possession or transport of specimens which is in force or subsequently may enter into force for any Party including any measure pertaining to the Customs, public health, veterinary or plant quarantine fields.
3. The provisions of the present Convention shall in no way affect the provisions of, or the obligations deriving from, any treaty, convention or international agreement concluded or which may be concluded between States creating a union or regional trade agreement establishing or maintaining a common external Customs control and removing Customs control between the

parties thereto insofar as they relate to trade among the States members of that union or agreement.

4. A State party to the present Convention, which is also a party to any other treaty, convention or international agreement which is in force at the time of the coming into force of the present Convention and under the provisions of which protection is afforded to marine species included in Appendix II, shall be relieved of the obligations imposed on it under the provisions of the present Convention with respect to trade in specimens of species included in Appendix II that are taken by ships registered in that State and in accordance with the provisions of such other treaty, convention or international agreement.
 5. Notwithstanding the provisions of Articles III, IV and V, any export of a specimen taken in accordance with paragraph 4 of this Article shall only require a certificate from a Management Authority of the State of introduction to the effect that the specimen was taken in accordance with the provisions of the other treaty, convention or international agreement in question.
 6. Nothing in the present Convention shall prejudice the codification and development of the law of the sea by the United Nations Conference on the Law of the Sea convened pursuant to Resolution 2750 C (XXV) of the General Assembly of the United Nations nor the present or future claims and legal views of any State concerning the law of the sea and the nature and extent of coastal and flag State jurisdiction.
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Article XV

Amendments to Appendices I and II

1. The following provisions shall apply in relation to amendments to Appendices I and II at meetings of the Conference of the Parties:
 - (a) Any Party may propose an amendment to Appendix I or II for consideration at the next meeting. The text of the proposed amendment shall be communicated to the Secretariat at least 150 days before the meeting. The Secretariat shall consult the other Parties and interested bodies on the amendment in accordance with the provisions of subparagraphs (b) and (c) of paragraph 2 of this Article and shall communicate the response to all Parties not later than 30 days before the meeting.
 - (b) Amendments shall be adopted by a two-thirds majority of Parties present and voting. For these purposes "Parties present and voting" means Parties present and casting an affirmative or negative vote. Parties abstaining from voting shall not be counted among the two-thirds required for adopting an amendment.
 - (c) Amendments adopted at a meeting shall enter into force 90 days after that meeting for all Parties except those which make a reservation in accordance with paragraph 3 of this Article.
2. The following provisions shall apply in relation to amendments to Appendices I and II between meetings of the Conference of the Parties:
 - (a) Any Party may propose an amendment to Appendix I or II for consideration between meetings by the postal procedures set forth in this paragraph.
 - (b) For marine species, the Secretariat shall, upon receiving the text of the proposed amendment, immediately communicate it to the Parties. It shall also consult inter-governmental bodies having a function in relation to those species especially with a view to obtaining scientific data these bodies may be able to provide and to ensuring co-ordination with any conservation measures enforced by such bodies. The Secretariat shall communicate the views expressed and data provided by these bodies and its own findings and recommendations to the Parties as soon as possible.
 - (c) For species other than marine species, the Secretariat shall, upon receiving the text of the proposed amendment, immediately communicate it to the Parties, and, as soon as possible thereafter, its own recommendations.

- (d) Any Party may, within 60 days of the date on which the Secretariat communicated its recommendations to the Parties under sub-paragraph (b) or (c) of this paragraph, transmit to the Secretariat any comments on the proposed amendment together with any relevant scientific data and information.
 - (e) The Secretariat shall communicate the replies received together with its own recommendations to the Parties as soon as possible.
 - (f) If no objection to the proposed amendment is received by the Secretariat within 30 days of the date the replies and recommendations were communicated under the provisions of sub-paragraph (e) of this paragraph, the amendment shall enter into force 90 days later for all Parties except those which make a reservation in accordance with paragraph 3 of this Article.
 - (g) If an objection by any Party is received by the Secretariat, the proposed amendment shall be submitted to a postal vote in accordance with the provisions of sub-paragraphs (h), (i) and (j) of this paragraph.
 - (h) The Secretariat shall notify the Parties that notification of objection has been received.
 - (i) Unless the Secretariat receives the votes for, against or in abstention from at least one-half of the Parties within 60 days of the date of notification under sub-paragraph (h) of this paragraph, the proposed amendment shall be referred to the next meeting of the Conference for further consideration.
 - (j) Provided that votes are received from one-half of the Parties, the amendment shall be adopted by a two-thirds majority of Parties casting an affirmative or negative vote.
 - (k) The Secretariat shall notify all Parties of the result of the vote.
 - (l) If the proposed amendment is adopted it shall enter into force 90 days after the date of the notification by the Secretariat of its acceptance for all Parties except those which make a reservation in accordance with paragraph 3 of this Article.
3. During the period of 90 days provided for by sub-paragraph (c) of paragraph 1 or sub-paragraph (l) of paragraph 2 of this Article any Party may by notification in writing to the Depositary Government make a reservation with respect to the amendment.

Until such reservation is withdrawn the Party shall be treated as a State not a Party to the present Convention with respect to trade in the species concerned.

Article XVI

Appendix III and amendments thereto

1. Any Party may at any time submit to the Secretariat a list of species which it identifies as being subject to regulation within its jurisdiction for the purpose mentioned in paragraph 3 of Article II. Appendix III shall include the names of the Parties submitting the species for inclusion therein, the scientific names of the species so submitted, and any parts or derivatives of the animals or plants concerned that are specified in relation to the species for the purposes of sub-paragraph (b) of Article I.
2. Each list submitted under the provisions of paragraph 1 of this Article shall be communicated to the Parties by the Secretariat as soon as possible after receiving it. The list shall take effect as part of Appendix III 90 days after the date of such communication. At any time after the communication of such list, any Party may by notification in writing to the Depositary Government enter a reservation with respect to any species or any parts or derivatives, and until such reservation is withdrawn, the State shall be treated as a State not a Party to the present Convention with respect to trade in the species or part or derivative concerned.

3. A Party which has submitted a species for inclusion in Appendix III may withdraw it at any time by notification to the Secretariat which shall communicate the withdrawal to all Parties. The withdrawal shall take effect 30 days after the date of such communication.
 4. Any Party submitting a list under the provisions of paragraph 1 of this Article shall submit to the Secretariat a copy of all domestic laws and regulations applicable to the protection of such species, together with any interpretations which the Party may deem appropriate or the Secretariat may request. The Party shall, for as long as the species in question is included in Appendix III, submit any amendments of such laws and regulations or any interpretations as they are adopted.
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Article XVII

Amendment of the Convention

1. An extraordinary meeting of the Conference of the Parties shall be convened by the Secretariat on the written request of at least one-third of the Parties to consider and adopt amendments to the present Convention. Such amendments shall be adopted by a two-thirds majority of Parties present and voting. For these purposes "Parties present and voting" means Parties present and casting an affirmative or negative vote. Parties abstaining from voting shall not be counted among the two-thirds required for adopting an amendment.
 2. The text of any proposed amendment shall be communicated by the Secretariat to all Parties at least 90 days before the meeting.
 3. An amendment shall enter into force for the Parties which have accepted it 60 days after two-thirds of the Parties have deposited an instrument of acceptance of the amendment with the Depository Government. Thereafter, the amendment shall enter into force for any other Party 60 days after that Party deposits its instrument of acceptance of the amendment.
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Article XVIII

Resolution of disputes

1. Any dispute which may arise between two or more Parties with respect to the interpretation or application of the provisions of the present Convention shall be subject to negotiation between the Parties involved in the dispute.
 2. If the dispute can not be resolved in accordance with paragraph 1 of this Article, the Parties may, by mutual consent, submit the dispute to arbitration, in particular that of the Permanent Court of Arbitration at The Hague, and the Parties submitting the dispute shall be bound by the arbitral decision.
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Article XIX

Signature

The present Convention shall be open for signature at Washington until 30th April 1973 and thereafter at Berne until 31st December 1974.

Article XX

Ratification, acceptance, approval

The present Convention shall be subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Government of the Swiss Confederation which shall be the Depositary Government.

Article XXI

Accession

1. The present Convention shall be open indefinitely for accession. Instruments of accession shall be deposited with the Depositary Government.
 2. This Convention shall be open for accession by regional economic integration organizations constituted by sovereign States which have competence in respect of the negotiation, conclusion and implementation of international agreements in matters transferred to them by their Member States and covered by this Convention.
 3. In their instruments of accession, such organizations shall declare the extent of their competence with respect to the matters governed by the Convention. These organizations shall also inform the Depositary Government of any substantial modification in the extent of their competence. Notifications by regional economic integration organizations concerning their competence with respect to matters governed by this Convention and modifications thereto shall be distributed to the Parties by the Depositary Government.
 4. In matters within their competence, such regional economic integration organizations shall exercise the rights and fulfil the obligations which this Convention attributes to their Member States, which are Parties to the Convention. In such cases the Member States of the organizations shall not be entitled to exercise such rights individually.
 5. In the fields of their competence, regional economic integration organizations shall exercise their right to vote with a number of votes equal to the number of their Member States which are Parties to the Convention. Such organizations shall not exercise their right to vote if their Member States exercise theirs, and vice versa.
 6. Any reference to "Party" in the sense used in Article I (h) of this Convention to "State"/"States" or to "State Party"/"State Parties" to the Convention shall be construed as including a reference to any regional economic integration organization having competence in respect of the negotiation, conclusion and application of international agreements in matters covered by this Convention.
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Article XXII

Entry into force

1. The present Convention shall enter into force 90 days after the date of deposit of the tenth instrument of ratification, acceptance, approval or accession, with the Depositary Government.
 2. For each State which ratifies, accepts or approves the present Convention or accedes thereto after the deposit of the tenth instrument of ratification, acceptance, approval or accession, the present Convention shall enter into force 90 days after the deposit by such State of its instrument of ratification, acceptance, approval or accession.
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Article XXIII

Reservations

1. The provisions of the present Convention shall not be subject to general reservations. Specific reservations may be entered in accordance with the provisions of this Article and Articles XV and XVI.
 2. Any State may, on depositing its instrument of ratification, acceptance, approval or accession, enter a specific reservation with regard to:
 - (a) any species included in Appendix I, II or III; or
 - (b) any parts or derivatives specified in relation to a species included in Appendix III.
 3. Until a Party withdraws its reservation entered under the provisions of this Article, it shall be treated as a State not a Party to the present Convention with respect to trade in the particular species or parts or derivatives specified in such reservation.
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Article XXIV

Denunciation

Any Party may denounce the present Convention by written notification to the Depositary Government at any time. The denunciation shall take effect twelve months after the Depositary Government has received the notification.

Article XXV

Depositary

1. The original of the present Convention, in the Chinese, English, French, Russian and Spanish languages, each version being equally authentic, shall be deposited with the Depositary Government, which shall transmit certified copies thereof to all States that have signed it or deposited instruments of accession to it.
2. The Depositary Government shall inform all signatory and acceding States and the Secretariat of signatures, deposit of instruments of ratification, acceptance, approval or accession, entry into force of the present Convention, amendments thereto, entry and withdrawal of reservations and notifications of denunciation.
3. As soon as the present Convention enters into force, a certified copy thereof shall be transmitted by the Depositary Government to the Secretariat of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

In witness whereof the undersigned Plenipotentiaries, being duly authorized to that effect, have signed the present Convention.

Done at Washington this third day of March, One Thousand Nine Hundred and Seventy-three.

Final decisions made at CoP17 on the proposals to amend CITES Appendices

No, Species, Proponents	Proposal	Result
1 - <i>Bison bison athabasca</i> Canada	Delete <i>Bison bison athabasca</i> from Appendix II	Accepted by consensus. [Rec. 1]
2 - <i>Capra caucasica</i> European Union and Georgia	Include <i>Capra caucasica</i> in Appendix II, with a zero quota for wild-taken <i>Capra caucasica caucasica</i> exported for commercial purposes or as hunting trophies	Accepted by consensus, as amended [deletion of "with a zero quota for wild-taken <i>Capra caucasica caucasica</i> exported for commercial purposes or as hunting trophies"] [Rec. 1]
3- <i>Vicugna vicugna</i> Peru	Amendment to the CITES Appendices referring to annotations 1, 2, 3, 4 and 5 of the populations of <i>Vicugna vicugna</i> in Appendix II	Accepted, as amended and on the understanding that the English and French versions would be accurately aligned with the original Spanish version. The text of the amended annotations can be found in document COM.I.7 (Rev.1)
4 - <i>Panthera leo</i> Chad, Côte d'Ivoire, Gabon, Guinea, Mali, Mauritania, Niger, Nigeria and Togo	Transfer all African populations of <i>Panthera leo</i> from Appendix II to Appendix I	The amendment to proposal CoP17 Prop. 4 and the draft decisions contained in document CoP17 Com. I. 29 were accepted by consensus. [Rec.12]
5 - <i>Puma concolor coryi</i> and <i>Puma concolor cougar</i> Canada	Transfer <i>Puma concolor coryi</i> and <i>Puma concolor cougar</i> from Appendix I to Appendix II	Accepted by consensus. [Rec. 6] The Committee agreed that the Annex to Resolution Conf. 12.11 (Rev. CoP16) on <i>Standard nomenclature</i> be amended to reflect the fact that the taxonomic reference for <i>Puma concolor</i> would henceforth be Wilson and Reader (2005).
6 - <i>Equus zebra zebra</i> South Africa	Transfer the Cape mountain zebra, <i>Equus zebra zebra</i> , from Appendix I to Appendix II	Accepted by consensus. [Rec. 6]
7 - <i>Ceratotherium simum simum</i> Swaziland	To alter the existing annotation on the Appendix II listing of Swaziland's white rhino, adopted at the 13th Conference of Parties in 2004, so as to permit a limited and regulated trade in white rhino horn which has been collected in the past from natural deaths, or recovered from poached Swazi rhino, as well as horn to be harvested in a non-lethal way from a limited number of white rhino in the future in Swaziland	Rejected by vote in a secret ballot [with 26 Parties in favour, 100 against and 17 abstentions]. [Rec. 13]
8 - <i>Manis crassicaudata</i> Bangladesh	Transfer <i>Manis crassicaudata</i> from CITES Appendix II to CITES Appendix I	Withdrawn

Final decisions made at CoP17 on the proposals to amend CITES Appendices

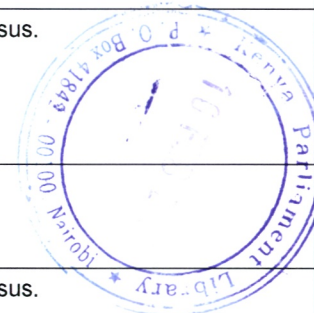
No, Species, Proponents	Proposal	Result
9 - <i>Manis crassicaudata</i> India, Nepal, Sri Lanka and United States of America	Transfer <i>Manis crassicaudata</i> from CITES Appendix II to CITES Appendix I	Accepted by consensus. [Rec. 6]
10 - <i>Manis culionensis</i> Philippines and United States of America	Transfer <i>Manis culionensis</i> from Appendix II to Appendix I	Accepted by consensus. [Rec. 6]
11 - <i>Manis javanica</i> and <i>M. pentadactyla</i> United States of America and Viet Nam	Transfer <i>Manis javanica</i> and <i>M. pentadactyla</i> from CITES Appendix II to Appendix I	Accepted [with 114 Parties voting in favour, one against and five abstaining. [Rec. 6]
12 - <i>Manis gigantea</i> , <i>M. temminckii</i> , <i>M. tetradactyla</i> , <i>M. tricuspis</i> Angola, Botswana, Chad, Côte d'Ivoire, Gabon, Guinea, Kenya, Liberia, Nigeria, Senegal, South Africa, Togo and United States of America	Transfer <i>Manis tetradactyla</i> , <i>M. tricuspis</i> , <i>M. gigantea</i> and <i>M. temminckii</i> from CITES Appendix II to Appendix I	Accepted by consensus. [Rec. 7]
13 - <i>Macaca sylvanus</i> European Union and Morocco	Transfer <i>Macaca sylvanus</i> from Appendix II to Appendix I	Accepted by consensus. [Rec. 7]
14 - <i>Loxodonta africana</i> Namibia	Delete the annotation to the listing of the Namibian African elephant population in Appendix II by deleting any reference to Namibia in that annotation	Amended proposal rejected after vote in a secret ballot, with 27 Parties in favour, 100 against and 9 abstaining. [Rec. 13]
15 - <i>Loxodonta africana</i> Namibia and Zimbabwe	Amend the present Appendix II listing of the population of Zimbabwe of <i>Loxodonta africana</i> by removing the annotation in order to achieve an unqualified Appendix II listing	Amended proposal rejected after vote in a secret ballot, with 21 Parties in favour, 107 against and 11 abstaining. [Rec. 13]
16 - <i>Loxodonta africana</i> Benin, Burkina Faso, Central African Republic, Chad, Ethiopia, Kenya, Liberia, Mali, Niger, Nigeria, Senegal, Sri	Include all populations of <i>Loxodonta africana</i> (African elephant) in Appendix I through the transfer from Appendix II to Appendix I of the populations of Botswana, Namibia, South Africa and Zimbabwe	Rejected after vote in a secret ballot, with 62 Parties in favour, 71 against and 12 abstaining. [Rec. 14]

Final decisions made at CoP17 on the proposals to amend CITES Appendices

No, Species, Proponents	Proposal	Result
Lanka and Uganda		
17 - <i>Falco peregrinus</i> Canada	Transfer <i>Falco peregrinus</i> from Appendix I to Appendix II	Rejected after vote with 52 in favour, 57 against and 12 abstentions. [Rec. 9]
18 - <i>Lichenostomus melanops cassidix</i> Australia	Transfer <i>Lichenostomus melanops cassidix</i> from Appendix I to Appendix II	Accepted by consensus. [Rec. 10]
19 - <i>Psittacus erithacus</i> Angola, Chad, European Union, Gabon, Guinea, Nigeria, Senegal, Togo and United States of America	Transfer <i>Psittacus erithacus</i> from Appendix II to Appendix I	Accepted after vote, in a secret ballot, with 95 in favour, 35 against and 5 abstentions. [Rec. 10]
20 - <i>Ninox novaeseelandiae undulata</i> Australia	Transfer <i>Ninox novaeseelandiae undulata</i> from Appendix I to Appendix II	Accepted by consensus. [Rec. 10]
21 - <i>Crocodylus acutus</i> Colombia	Transfer from Appendix I to Appendix II of the population of <i>Crocodylus acutus</i> (Cuvier, 1807) of the « Distrito Regional de Manejo Integrado del Área de Manglar de la Bahía de Cispata y Sector Aledaño del Delta Estuarino del Río Sinú », located in the department of Cordoba, Republic of Colombia, in accordance with Resolution Conf. 11.16 (Rev. CoP15) on ranching and trade in ranched specimens	Accepted by consensus. [Rec. 11]
22 - <i>Crocodylus moreletii</i> Mexico	Delete the “zero quota for wild specimens traded for commercial purposes” from the Appendix-II listing of the population of Mexico of <i>Crocodylus moreletii</i>	Accepted by consensus. [Rec. 11]
23 - <i>Crocodylus niloticus</i> Madagascar	Maintain the Malagasy population of <i>Crocodylus niloticus</i> in Appendix II subject to the following annotations: <ol style="list-style-type: none"> 1. No skins or products within the artisanal industry from wild <i>C. niloticus</i> less than 1 m or greater than 2.5 m total length will be permitted for national or international trade 2. An initial wild harvest ceiling of 3000 animals per year for the artisanal industry will be imposed for the first three years of operation (2017-2019) 3. No export of raw or processed skins harvested from the wild will be permitted for the first 3 years 4. Farm production shall be restricted to ranching and/or captive breeding, with national skin production quotas 5. Management, wild harvest ceiling and national skin production quotas will be 	Withdrawn. [Rec. 11]

Final decisions made at CoP17 on the proposals to amend CITES Appendices

No, Species, Proponents	Proposal	Result
	audited and reviewed annually by international experts for the first three years to ensure sustainability and national skin production quotas will be audited and reviewed annually by international experts for the first three years to ensure sustainability	
24 - <i>Crocodylus porosus</i> Malaysia	Transfer the Saltwater crocodile (<i>Crocodylus porosus</i>) in Malaysia from Appendix I to Appendix II, with wild harvest restricted to the State of Sarawak and a zero quota for wild specimens for the other States of Malaysia (Sabah and Peninsular Malaysia), with no change in the zero quota unless approved by the Parties	Accepted by consensus. [Rec. 11]
25 - <i>Abronia anzuetoii</i> , <i>A. campbelli</i> , <i>A. fimbriata</i> , <i>A. frosti</i> , <i>A. meledona</i> , <i>A. aurita</i> , <i>A. gaiophasma</i> , <i>A. montecristoi</i> , <i>A. salvadorensi</i> , <i>A. vasconcelosii</i> Guatemala	Include <i>Abronia anzuetoii</i> (Campbell & Frost, 1993); <i>Abronia campbelli</i> (Brodie & Savage, 1993); <i>Abronia fimbriata</i> (Cope, 1884); <i>Abronia frosti</i> (Campbell, Sasa, Acevedo & Mendelson, 1998); and <i>Abronia meledona</i> (Campbell & Brodie, 1999), in Appendix I and <i>Abronia aurita</i> (Cope, 1869); <i>Abronia gaiophasma</i> (Campbell & Frost, 1993); <i>Abronia montecristoi</i> (Hidalgo, 1983); <i>Abronia salvadorensis</i> (Hidalgo, 1983); and <i>Abronia vasconcelosii</i> (Bocourt, 1871), in Appendix II Annotation: a) 0 (zero) export quota for wild specimens b) 0 (zero) export quota for specimens bred in non-range countries of the species	Annotation b) withdrawn, then accepted by consensus. [Rec. 11]
26 - <i>Abronia</i> spp. European Union and Mexico	Include the genus <i>Abronia</i> (29 species) in Appendix II	Reduced scope by deleting <i>Abronia anzuetoii</i> , <i>A. campbelli</i> , <i>A. fimbriata</i> , <i>A. frosti</i> , <i>A. meledona</i> , <i>A. aurita</i> , <i>A. gaiophasma</i> , <i>A. montecristoi</i> , <i>A. salvadorensi</i> , <i>A. vasconcelosii</i> . Then accepted by consensus. [Rec. 11]
27- <i>Rhampholeon</i> spp., <i>Rieppeleon</i> spp. Central African Republic, Chad, Gabon, Kenya, Nigeria and United States of America	Include the genera <i>Rhampholeon</i> spp. and <i>Rieppeleon</i> spp. in Appendix II	Accepted by consensus. [Rec. 12]
28 - <i>Rhampholeon</i> spp., <i>Rieppeleon</i> spp. Kenya	Include the genera <i>Rhampholeon</i> spp. and <i>Rieppeleon</i> spp. in Appendix II	Withdrawn. [Rec.12]
29 - <i>Cnemaspis psychedelica</i> European Union and Viet Nam	Include <i>Cnemaspis psychedelica</i> in Appendix I	Accepted by consensus. [Rec. 12]



Final decisions made at CoP17 on the proposals to amend CITES Appendices

No, Species, Proponents	Proposal	Result
30 - <i>Lygodactylus williamsi</i> European Union and United Republic of Tanzania	Include <i>Lygodactylus williamsi</i> in Appendix I	Accepted by consensus. [Rec. 12]
31 - <i>Paroedura masobe</i> European Union and Madagascar	Include <i>Paroedura masobe</i> in Appendix II	Accepted by consensus. [Rec. 12]
32 - <i>Lanthanotidae</i> spp. Malaysia	Include <i>Lanthanotidae</i> spp. in Appendix I	Amended proposal [inclusion in Appendix II with a zero quota for wild specimens for commercial trade], accepted by consensus. [Rec. 12]
33 - <i>Shinisaurus crocodilurus</i> China, European Union and Viet Nam	Transfer <i>Shinisaurus crocodilurus</i> (Ahl, 1930) from Appendix II to Appendix I	Accepted by consensus. [Rec. 12]
34 - <i>Atheris desaixi</i> Kenya	Include <i>Atheris desaixi</i> in Appendix II	Accepted by consensus. [Rec. 14]
35 - <i>Bitis worthingtoni</i> Kenya	Include <i>Bitis worthingtoni</i> in Appendix II	Accepted by consensus. [Rec. 14]
36 - <i>Cyclanorbis elegans</i> , <i>C. senegalensis</i> , <i>Cycloderma aubryi</i> , <i>C. frenatum</i> , <i>Trionyx triunguis</i> , <i>Rafetus euphraticus</i> Burkina Faso, Chad, Gabon, Guinea, Liberia, Mauritania, Nigeria, Togo and United States of America	Include the following six species of the Family Trionychidae in Appendix II: <i>Cyclanorbis elegans</i> , <i>Cyclanorbis senegalensis</i> , <i>Cycloderma aubryi</i> , <i>Cycloderma frenatum</i> , <i>Trionyx triunguis</i> and <i>Rafetus euphraticus</i>	Accepted by consensus. [Rec. 14]
37 - <i>Dyscophus antongilii</i> Madagascar	Transfer <i>Dyscophus antongilii</i> from Appendix I to Appendix II	Accepted by consensus. [Rec. 14]
38 – <i>Dyscophus guineti</i> , <i>D. insularis</i> Madagascar	Include <i>Dyscophus guineti</i> and <i>D. insularis</i> in Appendix II	Accepted by consensus. [Rec. 14]
39 – <i>Scaphiophryne marmorata</i> , <i>S. boribory</i> , <i>S. spinosa</i>	Include <i>Scaphiophryne marmorata</i> , <i>Scaphiophryne boribory</i> and <i>Scaphiophryne spinosa</i> in Appendix II	Accepted by consensus. [Rec. 14]

Final decisions made at CoP17 on the proposals to amend CITES Appendices

No, Species, Proponents	Proposal	Result
Madagascar		
40 - <i>Telmatobius culeus</i> Bolivia (Plurinational State of) and Peru	Include <i>Telmatobius culeus</i> (Garman, 1876) in Appendix I	Accepted by consensus. [Rec. 14]
41 - <i>Paramesotriton hongkongensis</i> China	Include <i>Paramesotriton hongkongensis</i> (Myers and Leviton, 1962) in Appendix II	Accepted by consensus. [Rec. 14]
42 - <i>Carcharhinus falciformis</i> Bahamas, Bangladesh, Benin, Brazil, Burkina Faso, the Comoros, Dominican Republic, Egypt, European Union, Fiji, Gabon, Ghana, Guinea, Guinea-Bissau, Maldives, Mauritania, Palau, Panama, Samoa, Senegal, Sri Lanka and Ukraine	Include Silky shark <i>Carcharhinus falciformis</i> in Appendix II	Accepted with 12 months implementation delay [with 111 Parties voting in favour, 30 against and 5 abstaining]. [Rec. 14]
43 - <i>Alopias</i> spp. Bahamas, Bangladesh, Benin, Brazil, Burkina Faso, the Comoros, Dominican Republic, Egypt, European Union, Fiji, Gabon, Ghana, Guinea, Guinea-Bissau, Kenya, Maldives, Mauritania, Palau, Panama, Samoa, Senegal, Seychelles, Sri Lanka and Ukraine	Include the genus <i>Alopias</i> spp. in Appendix II	Accepted with 12 months implementation delay [with 108 Parties voting in favour, 29 against and 5 abstaining]. [Rec. 14]
44 - <i>Mobula</i> spp. Bahamas, Bangladesh, Benin, Brazil, Burkina Faso, the Comoros, Costa Rica, Ecuador, Egypt, European Union, Fiji, Ghana, Guinea, Guinea-Bissau, Maldives, Mauritania, Palau, Panama, Samoa, Senegal, Seychelles,	Include the genus <i>Mobula</i> spp. in Appendix II	Accepted with 6 months implementation delay [with 110 Parties voting in favour, 20 against and 3 abstaining]. [Rec. 14]

Final decisions made at CoP17 on the proposals to amend CITES Appendices

No, Species, Proponents	Proposal	Result
Sri Lanka and United States of America		
45 - <i>Potamotrygon motoro</i> Bolivia (Plurinational State of)	Include Ocellate river stingray <i>Potamotrygon motoro</i> in Appendix II	Withdrawn. [Rec.14]
46 - <i>Pterapogon kaudemi</i> European Union	Include <i>Pterapogon kaudemi</i> in Appendix II	Withdrawn. I Instead five draft decisions, contained in CoP17 Com. I. 32 were agreed by consensus. [Rec.14]
47 - <i>Holacanthus clarionensis</i> Mexico	Include <i>Holacanthus clarionensis</i> in Appendix II	Accepted [with 69 Parties voting in favour, 21 against and 15 abstaining]. [Rec.14]
48 - <i>Nautilidae</i> spp. Fiji, India, Palau and United States of America	Include the Family Nautilidae (Blainville, 1825) in Appendix II	Accepted [with 84 Parties voting in favour, 9 against and 10 abstaining]. [Rec.14]
49 - <i>Polymita</i> spp. Cuba	Inclusion of the genus <i>Polymita</i> in Appendix I in accordance with Article II, paragraph 1 of the Text of the Convention, as it meets Annex I criteria B and C of Resolution Conf. 9.24 (Rev. CoP16) for <i>Polymita picta</i> , <i>P. muscarum</i> , <i>P. venusta</i> , <i>P. sulphurosa</i> , <i>P. brocheri</i> and <i>P. versicolor</i>	Accepted by consensus. [Rec. 14]
50 - <i>Beaucamea</i> spp. Mexico	Include genus <i>Beaucamea</i> in Appendix II	Accepted, with 69 Parties in favour, 8 against and 27 abstentions. [Rec. 7]
51 – <i>Tillandsia mauryana</i> Mexico	Delete <i>Tillandsia mauryana</i> from Appendix II	Accepted by consensus. [Rec. 7]
52 - <i>Sclerocactus cloverae</i> , <i>S. sileri</i> , <i>S. spinosior blainei</i> United States of America	Transfer fishhook cacti <i>Sclerocactus spinosior</i> ssp. <i>blainei</i> (= <i>Sclerocactus blainei</i>), <i>Sclerocactus cloverae</i> (CITES-listed synonym of <i>Sclerocactus parviflorus</i>), and <i>Sclerocactus sileri</i> from Appendix II to Appendix I	Accepted by consensus. [Rec. 7]
53 - <i>Dalbergia cochinchinensis</i> Thailand	Amend the annotation to the listings of <i>Dalbergia cochinchinensis</i> as follow: Delete the current annotation #5 Logs, sawn wood and veneer sheets. Replace it with annotation #4 that reads as follows: #4 All parts and derivatives, except: a) Seeds (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported	Accepted by consensus. [Rec. 8]

Final decisions made at CoP17 on the proposals to amend CITES Appendices

No, Species, Proponents	Proposal	Result
	<p>from Mexico, and to seeds from <i>Beccariophoenix madagascariensis</i> and <i>Neodypsis decaryi</i> exported from Madagascar</p> <p>b) Seedling or tissue cultures obtained in vitro, in solid or liquid media, transported in sterile containers;</p> <p>c) Cut flowers of artificially propagated plants;</p> <p>d) Fruits, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genus <i>Vanilla</i> (Orchidaceae) and of the family Cactaceae;</p> <p>e) Stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera <i>Opuntia</i> subgenus <i>Opuntia</i> and <i>Selenicereus</i> (Cactaceae); and</p> <p>f) Finished products of <i>Euphorbia antisyphilitica</i> packaged and ready for retail trade.</p>	
<p>54 - <i>Dalbergia calderonii</i>, <i>D. calycina</i>, <i>D. congestiflora</i>, <i>D. cubilquitzensis</i>, <i>D. glomerata</i>, <i>D. longepedunculata</i>, <i>D. luteola</i>, <i>D. melanocardium</i>, <i>D. modesta</i>, <i>D. palo-escrito</i>, <i>D. rhachiflexa</i>, <i>D. ruddae</i>, <i>D. tucurensis</i> Mexico</p>	<p>Include 13 timber species of genus <i>Dalbergia</i> (native to Mexico and Central America) in Appendix II:</p> <ol style="list-style-type: none"> 1) <i>Dalbergia calderonii</i> 2) <i>Dalbergia calycina</i> 3) <i>Dalbergia congestiflora</i> 4) <i>Dalbergia cubilquitzensis</i> 5) <i>Dalbergia glomerata</i> 6) <i>Dalbergia longepedunculata</i> 7) <i>Dalbergia luteola</i> 8) <i>Dalbergia melanocardium</i> 9) <i>Dalbergia modesta</i> 10) <i>Dalbergia palo-escrito</i> 11) <i>Dalbergia rhachiflexa</i> 12) <i>Dalbergia ruddae</i> 13) <i>Dalbergia tucurensis</i> 	<p>Accepted by consensus as amended [inclusion of annotation #6] [Rec. 8]</p>
<p>55 - <i>Dalbergia</i> spp. Argentina, Brazil, Guatemala and Kenya</p>	<p>Include the genus <i>Dalbergia</i> in CITES Appendix II with exception to the species included in Appendix I</p>	<p>Accepted by consensus as amended, by including the annotation proposed by Guatemala as amended by Mexico. This proposal superseded proposals CoP17 Props. 53 and 54. [Rec. 8]</p>
<p>56 - <i>Guibourtia demeusei</i>, <i>G. pellegriniana</i>,</p>	<p>Include <i>Guibourtia tessmannii</i>, <i>Guibourtia pellegriniana</i> and <i>Guibourtia demeusei</i> in Appendix II</p>	<p>Accepted with the annotation accepted for proposal CoP17 Prop. 55.</p>



Final decisions made at CoP17 on the proposals to amend CITES Appendices

No, Species, Proponents	Proposal	Result
<i>G. tessmannii</i> European Union and Gabon		[Rec. 9]
57 - <i>Pterocarpus erinaceus</i> Benin, Burkina Faso, Chad, Côte d'Ivoire, European Union, Guinea, Guinea-Bissau, Mali, Nigeria, Senegal and Togo	Include <i>Pterocarpus erinaceus</i> in Appendix II, without annotation	Accepted by consensus. [Rec. 9]
58 - <i>Adansonia grandidieri</i> Madagascar	Include <i>Adansonia grandidieri</i> in Appendix II only for seeds, fruits, oil and live plants and annotate the listing to this effect	Accepted by consensus. [Rec. 9]
59 - <i>Abies numidica</i> Algeria	Include <i>Abies numidica</i> in Appendix I	Withdrawn. [Rec.10]
60 - <i>Aquilaria</i> spp., <i>Gyrinops</i> spp. United States of America	Amend the listings of <i>Aquilaria</i> spp. and <i>Gyrinops</i> spp. in Appendix II: Amend Annotation #14 with the underlined text: "All parts and derivatives except: a) seeds and pollen; b) seedling or tissue cultures obtained in vitro, in solid or liquid media, transported in sterile containers; c) fruits; d) leaves; e) exhausted agarwood powder, including compressed powder in all shapes; and f) finished products packaged and ready for retail trade, this exemption does not apply to <u>wood chips</u> , beads, prayer beads and carvings"	Accepted by consensus. [Rec. 9]
61 - <i>Siphonochilus aethiopicus</i> South Africa	Include <i>Siphonochilus aethiopicus</i> (populations of Mozambique, South Africa, Swaziland and Zimbabwe) in Appendix II	Accepted by consensus. [Rec. 9]
62 - <i>Bulnesia sarmientoi</i> United States of America	Amend the listing of <i>Bulnesia sarmientoi</i> in Appendix II Amend Annotation #11 with the underlined text: Logs, sawn wood, veneer sheets, plywood, powder and extracts. <u>Finished products containing such extracts as ingredients, including fragrances, are not considered to be covered by this annotation</u>	Accepted by consensus. [Rec. 9]





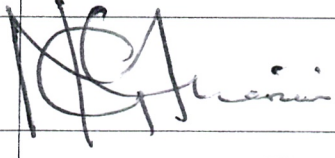




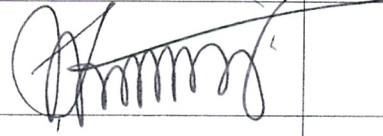





THE SENATE
ATTENDANCE REGISTER

STANDING COMMITTEE ON LAND AND NATURAL RESOURCES

Purpose..... *House Keeping & Adoption of Reports &*.....

Venue..... *Nao kling Small Dining Room*.....

Date..... *1 March 2017*..... **Time**..... *11:30am*.....

No.	NAME	SIGNATURE	REMARKS
1.	Sen. Lenny Kivuti		
2.	Sen. George Khaniri		<i>Missing</i>
3.	Sen. Danson M. Mwazo		
4.	Sen. Martha Wangari		
5.	Sen. Christopher Obure		
6.	Sen. Isaac Melly		
7.	Sen. Liza Chelule		
8.	Sen. Boy Juma Boy		
9.	Sen. Henry Ndiema		

Committee Clerk

Ms. Mwanate Shaban - 0726953257

Shaban

