



Commentary: Think Before You Act: Improving the Conservation Outcomes of CITES Listing Decisions

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Think Before You Act: Improving the Conservation Outcomes of CITES Listing Decisions

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Cooney et al. (2021) argue that the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) fails conservation by excluding socio-economic factors from its listing process. We believe their arguments are fundamentally flawed. Their recommendations, if adopted, could fatally undermine CITES' ability to carry out its purpose, which is to protect wild species from overexploitation through international trade.

Embedding socio-economic factors in CITES listing criteria would disrupt the scientific basis of the listing process without truly addressing the economic inequalities and inequities of the wildlife trade. The CITES Criteria for Amendment of Appendices I and II [Resolution Conf. 9.24 (Rev. CoP17)] are rooted in Articles II, III and IV of the treaty text (CITES, n.d.). They are based on the biology and status of species in the wild, as well as on factors related to international trade. Parties have repeatedly rejected attempts to add socio-economic factors not included in the treaty to the listing criteria (Favre, 1993), most recently at CoP18 in 2019 (IISD Reporting Services, 2019). Incorporating socio-economic concerns into the CITES listing process, when economic interests are the drivers of the very over-exploitation that CITES was drafted to address, would be in direct conflict with the treaty's intent.

It is difficult to imagine how Parties would reasonably weigh scientific information against economic factors. Commercial interests that stand to gain from continued unregulated or poorly regulated commercial trade in wildlife routinely seek to block species inclusions in the Appendices even when trade is demonstrably unsustainable. Integrating socio-economic considerations into the official listing criteria would make it even harder to list commercially valuable species on the CITES Appendices, undermining the Convention's ability to protect species from over-exploitation. Socio-economic considerations are best addressed not in the listing criteria but in species management at the national level, based on each country's social, economic, cultural and legal situation.

Cooney et al. advocate for "formal recognition and meaningful support" of representatives of Indigenous Peoples and local communities (IPLCs) in CITES deliberations. The increased participation of IPLCs as registered observers at CITES meetings is already welcomed, and should be encouraged. Further, Parties should address the knowledge, interests and input of IPLCs through

consultations at the national level, as indeed many do. The CITES Parties have already agreed “that implementation of CITES-listing decisions should take into account potential impacts on the livelihoods of the poor” (CITES, 2004) and is “better achieved with the engagement of rural communities” (CITES, 2019).

Addressing the systemic imbalance borne by local communities involved in the international wildlife trade, an issue not addressed by the authors, would benefit such communities far more than would changes to the CITES listing criteria. Trade interests generally make little to no effort to ensure that rural communities truly benefit from international trade in wild species. One study estimates that local communities receive just 0.5% of the final value of a high-end python skin handbag (Kasterine et al., 2012).

Cooney et al. assume that for CITES listings to have had a “positive” impact, they must address conservation concerns outside the reach of the treaty text. The treaty, however, deals only with the threat of international trade. Threatened species are subject to multiple threats. Many of these are addressed under other treaties, including the Convention on Biological Diversity, the Convention on the Conservation of Migratory Species of Wild Animals, and the UN Framework Convention on Climate Change.

The authors’ examples of CITES “failures” are misleading. They cite the African elephant (*Loxodonta africana*) as an example of illegal trade thriving after inclusion in Appendix I, but poaching fell significantly after the Appendix I listing of all populations in 1990. Multiple factors contributed to later poaching increases, but only after some populations had been returned to Appendix II. The steepest rise in poaching occurred after a 2008 legal one-off sale of ivory to China and Japan (Orenstein, 2013). Inclusion in Appendix I could not have caused an increase in poaching and trafficking almost two decades later.

The authors use seizure information as a measure of illegal trade without factoring in the enhanced enforcement and data collection that should follow CITES listings. This error significantly skews discussions of the extent of illegal trade. Increased seizures of pangolin scales in Nigeria since 2017, for example, have been linked to improved enforcement efforts (Emogor et al., 2021). Both increased enforcement effort and improved reporting of trade of pangolin parts from stockpiles have occurred since all pangolin species were listed on Appendix I.

Finally, the authors fail to recognize changes in international wildlife trade since CITES entered into force, including the

increasing role of transnational criminal syndicates (Van Uhm, 2019; Alden and Harvey, 2021) and the shift to online trade (UNODC, 2020). As economies have expanded in Asia, along with increased overall trade globalization, trade in wildlife products has also increased. Direct exploitation of wild animals and plants has been identified as one of the major drivers of the biodiversity crisis (IPBES, 2019), and large-scale unsustainable trade in wildlife, both legal and illegal, threatens not only species extinction and ecosystem collapse but also the loss of the resources on which many IPLCs depend (Kassa et al., 2019; Guynup et al., 2020).

CITES, when it is adequately implemented and enforced, has proven to be effective in safeguarding wild species from over-exploitation from international trade. While the authors argue that the treaty requires updating, the fact that 184 national governments are now party to CITES (the most recent signatory, Andorra, joined in 2021) attests to its continued relevance and the validity of its science-based approach.

CITES has evolved with the times, and not shied from addressing contemporary issues. Though implementation and enforcement of the Convention at the national level could be strengthened, CITES has remained a leading international wildlife conservation convention, with demonstrable and tangible results, in no small measure because it has retained its foundation in sound science.

Parties have repeatedly reinforced the key value of science-based decision making in CITES. It is time to stop relitigating their decisions, and the importance of the treaty’s basis in sound science, in the academic literature. Instead, we should work toward strengthening the implementation and enforcement of CITES by such measures as improving transparency and accountability, seeking broader compliance with the treaty’s provisions, and increasing funding and technical support. Socio-economic factors are both difficult to quantify at the global level and potentially subject to manipulation by commercial interests. Introducing them through Cooney et al.’s proposals would weaken or even destroy the treaty’s ability to fulfill its core purpose: namely, to protect species over-exploited by international trade.

AUTHOR CONTRIBUTIONS

All authors listed have made a substantial, direct, and intellectual contribution to the work and approved it for publication.

REFERENCES

- Alden, C., and Harvey, R. (2021). Chinese transnational criminal organisations and the illegal wildlife trade in Tanzania. *Euro. Rev. Organ. Crime* 5, 10–35.
- CITES (2004). *Resolution Conf. 8.3 (Rev. CoP 13) on Recognition Of The Benefits Of Trade In Wildlife*. Available online at: <https://cites.org/sites/default/files/document/E-Res-08-03-R13.pdf>
- CITES (2019). *Resolution Conf. 16.9 (Rev. CoP 18) on CITES and Livelihoods*. Available online at: <https://cites.org/sites/default/files/document/E-Res-16-06-R18.pdf>
- CITES (n.d.). *Text of the Convention*. Available online at: <https://cites.org/eng/disc/text.php>
- Cooney, R., Challender, D. W. S., Broad, S., Roe, D., and Natusch, D. J. D. (2021). Think before you act: improving the conservation outcomes of CITES listing decisions. *Front. Ecol. Evol.* 9, 631556. doi: 10.3389/fevo.2021.631556
- Emogor, C. A., Ingram, D. J., Coad, L., Worthington, T. A., Dunn, A., Imong, I., et al. (2021). The scale of Nigeria’s involvement in the trans-national illegal pangolin trade: temporal and spatial patterns and the effectiveness of wildlife trade regulations. *Biol. Conserv.* 264, 109365. doi: 10.1016/j.biocon.2021.109365

- Favre, D. (1993). Debate within the CITES community: what direction for the future. *Nat. Resources J.* 33, 875–918.
- Guynup, S., Shepherd, C. R., and Shepherd, L. (2020). The true costs of wildlife trafficking. *Georgetown J. Int. Affairs* 21, 28–37. doi: 10.1353/gia.2020.0023
- IISD Reporting Services (2019). *Summary of the 18th Meeting of the CITES Conference of the Parties: 17–28 August 2019*. Earth Negotiations Bulletin 21 No. 101. IISD Reporting Services.
- IPBES (2019). *Summary for Policymakers of the Global Assessment Report on Biodiversity and Ecosystem Services of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services*, eds S. Diaz, J. Settele, E. S. Brondizio E.S., H. T. Ngo, M. Guèze, J. Agard, A. Arneth, P. Balvanera, K. A. Brauman, S. H. M. Butchart, K. M. A. Chan, L. A. Garibaldi, K. Ichii, J. Liu, S. M. Subramanian, G. F. Midgley, P. Miloslavich, Z. Molnár, D. Obura, A. Pfaff, S. Polasky, A. Purvis, J. Razzaque, B. Reyers, R. Roy Chowdhury, Y. J. Shin, I. J. Visseren-Hamakers, K. J. Willis, and C. N. Zayas (Bonn: IPBES secretariat).
- Kassa, S., Costa, J., and Camargo, C.-B. (2019). *Corruption and Wildlife Trafficking: Exploring Drivers, Facilitators and Networks Behind Illegal Wildlife Trade in East Africa*. Working Paper 30. Basel Institute on Governance. Available online at: https://www.baselgovernance.org/sites/default/files/2019-07/WP30_CorruptionandIWT_0.pdf
- Kasterine, A., Arbeid, R., Caillabet, O., and Natusch, D. (2012). *The Trade in South-East Asian Python Skins*. Geneva: International Trade Centre (ITC). <https://www.intracen.org/uploadedFiles/intracenorg/Content/Publications/The%20Trade%20in%20Southeast%20Asian%20Python%20Skins%20for%20web.pdf>
- Orenstein, R. I. (2013). *Ivory, Horn and Blood: Behind the Elephant and Rhinoceros Poaching Crisis*. Toronto, ON: Firefly Books.
- UNODC (2020). *World Wildlife Crime Report 2020: Trafficking in Protected Species*. Available online at: https://www.unodc.org/documents/data-and-analysis/wildlife/2020/World_Wildlife_Report_2020_9July.pdf
- Van Uhm, D. (2019). “Chinese wildlife trafficking networks along the silk road,” in *Organized Crime and Corruption Across Borders: Exploring the Belt and Road Initiative*, eds T. Wing Lo, D. Siegel, and S. Kwok (London; New York, NY: Routledge), 114–133. doi: 10.4324/9780429031045-7 Available online at: https://d1wqtxts1xzle7.cloudfront.net/67447447/1_ChineseTOCv2-with-cover-page-v2.pdf

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