

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES  
OF WILD FAUNA AND FLORA

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Thirteenth meeting of the Conference of the Parties  
Bangkok (Thailand), 2-14 October 2004

Ninth session: 8 October 2004: 09h08-12h00

Chairman: H. Dublin

Secretariat: T. De Meulenaer  
D. Morgan  
M. Schmidt  
G. van Vliet

UNEP: N. Rotich

Rapporteurs: H. Gillett  
T. Inskipp  
A. Stattersfield  
A. St. John

## Interpretation and implementation of the Convention

### Amendment of the Appendices

#### 60. Proposals to amend Appendices I and II

The delegation of China introduced proposal CoP13 Prop. 47, jointly proposed by China and the United States of America, to amend the annotation for *Taxus wallichiana* to exclude seeds and pollen, and finished pharmaceutical products. The delegation of the United States of America explained that the proposal had been discussed in the Plants Committee prior to CoP13 and circulated to all the range States: no negative comments had been received.

The delegations of India, Indonesia, Nepal and Qatar supported the proposal. The delegation of the Netherlands, on behalf of the 25 Member States of the European Community, supported the proposal in principle. However, they wished to make an amendment to exclude artificially propagated horticultural specimens and proposed some text. The Chairman of the Plants Committee and the delegations of China and the United States supported this, although the latter preferred to use the term 'cultivars' rather than 'specimens' and noted that this amendment was also relevant to proposal CoP13 Prop. 48. The Secretariat expressed concern as to whether the text would be understandable to enforcement officers. The delegation of the Netherlands, on behalf of the Member States of the European Community, requested more time to revise the text appropriately; this was agreed and consideration of proposals CoP13 Prop. 47 and 48 were postponed accordingly.

The delegation of Indonesia introduced proposal CoP13 Prop. 49, to include *Aquilaria* spp. and *Gyrinops* spp. in Appendix II, noting that the #1 annotation should have been included. The delegation of the United Arab Emirates, supported by the delegations of Kuwait, Qatar and Yemen, opposed the proposal, stating that it would create enforcement problems. They suggested that a registration system comparable to that used in the caviar trade would be more effective. The delegations of India, the Netherlands, on behalf of the Member States of the European Community, and Viet Nam supported the proposal. The delegation of the Netherlands, on behalf of the Member States of the European Community, did not consider the absence of a stated annotation in the original proposal to be problematic, noting that the appropriate annotation for an Appendix-II plant listing was often agreed during meetings of the Conference of the Parties at which such proposals

were discussed. The delegation of the United States, supported by the delegation of the United Arab Emirates, believed that this would violate the Rules of Procedure as it would expand the scope of the proposal and suggested that including the species in Appendix III might provide an interim solution, however the Secretariat explained that annotation #1 was considered to apply by default unless it was specifically excluded.

The Chairman established a working group comprising Indonesia, Jordan, the Netherlands on behalf of the Member States of the European Community (Chairman), the United Arab Emirates, the United States, Viet Nam and the Secretariat, to find a way forward, considering in particular enforcement and implementation issues.

The delegation of Indonesia presented proposal CoP13 Prop. 50 regarding the inclusion of *Gonystylus* spp. in Appendix II, with annotation #1, noting that the listing needed to cover all wood products because they were the primary commodities in trade. The proposal was supported by the delegations of Brazil, Fiji, the Netherlands on behalf of the Member States of the European Community, Nigeria, Norway, Philippines, the United States of America, and the observers from Born Free Foundation, Telapak Indonesia, and TRAFFIC, speaking also on behalf of WWF. The delegation of the United States drew attention to helpful additional information provided in document CoP13 Inf. 56 and offered to find ways to share expertise with range States. The delegation of the Netherlands, on behalf of the Member States of the European Community, stressed that, as a major importer of this species, the European Community had a strong interest in ensuring sustainable trade. Additionally, they noted that since almost all imports were of finished or semi-finished wood products, the proposed annotation was essential.

Although they supported efforts to promote conservation of forest species, the delegation of Malaysia noted that they would prefer an Appendix-II listing that included annotation #5, which would restrict control to logs, sawn wood and veneer sheets. They suggested that this annotation would be preferable owing to the difficulties of distinguishing ramin wood from other light-coloured tropical woods. They noted that following a workshop in April 2004 on the illegal trade in ramin, facilitated by TRAFFIC, a Tri-National Task Force had been established on ramin trade law enforcement. Following additional discussion, the delegation of Malaysia agreed to support the original proposal and the proposal was accepted.

#### **Species trade and conservation issues**

##### **34. Conservation of hawksbill turtle**

The Secretariat introduced the draft decisions in document CoP13 Com. I. 1. The delegation of the United States referred to paragraph b) in the draft decision directed to the Parties and requested that and be added after "the species,". This document was accepted as amended.

#### **Trade control and marking issues**

##### **51. Review of the Resolutions on plants and plant trade and the definition of 'artificially propagated'**

The Chairman of the Plants Committee pointed out that the IUCN criteria referred to in the decision adopted at the sixth session of Committee I should be changed from "2000" to Version 3.1. This was accepted. The Secretariat noted that the change would be reflected in the final version of the draft decision.

The summary report of the sixth session (document CoP13 Com. I Rep. 6) was reviewed.

In agenda item 56.1, the delegation of Argentina wished to correct the first sentence in the third paragraph to read Supported by the delegations of Argentina, India and Israel, the delegation of Mexico expressed concerns regarding the comments made by the Secretariat in document CoP13 Doc. 56.1 on the need for a registration process, because they considered it inappropriate for the Secretariat to have provided comments. This change was confirmed by the delegations of India, Israel and Mexico.

The summary report was adopted as amended and the session closed at 12h00.