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

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

Fifth session: 14 October 2004: 09h20-12h25

Chairman: S. Khunkitti (Thailand)

Chairman Committee I: H. Dublin

Chairman Committee II: M. Brasher (United Kingdom)

Secretariat: W. Wijnstekers

J. Armstrong J. Barzdo D. Morgan

UNEP: M. Collins

Rapporteurs: J. Caldwell

H. CorriganT. InskippA. St. John

Interpretation and implementation of the Convention

Amendment of the Appendices

57. Criteria for the amendment of Appendices I and II

The revised listing criteria in Annex 3 to document CoP13 Doc. 57, with the addition of recommendations in paragraph B of the comments from the Secretariat in that document were adopted.

The recommendation from document CoP13 Doc. 9.2.1 regarding inclusion of species in the Appendices had been reworded in Committee I as a small addition to Resolution Conf. 8.3, as recorded in document CoP13 Com. I Rep. 10, and the proposed amendment to the Resolution was adopted.

58. Annotations for medicinal plants in the Appendices

The draft decisions in Annex 2 to document CoP13 Doc. 58, with minor amendments recorded in document CoP13 Com. I Rep. 7, were <u>adopted</u>.

Committee I had agreed that the text of paragraph 18 of document CoP13 Doc. 58 should be inserted as a new paragraph b) in the operative part of Resolution Conf. 11.21, starting "RECOMMENDS that", with consequential relettering of that part of the Resolution. This amendment was adopted.

59. Standard nomenclature

Concerning fauna, the recommendations in the Annex to document CoP13 Doc. 9.3.1, had been agreed in Committee I with two minor changes recorded in document CoP13 Com. I Rep. 7, which would be reflected in the standard reference for species included in the Appendices. These were

<u>adopted</u>. Concerning flora, the recommended amendment to Resolution Conf. 12.11 in the Annex to document CoP13 Doc. 9.3.1 was adopted.

59.1 Standard nomenclature for birds

A decision directing the Nomenclature Committee to look at this matter, as recorded in document CoP13 Com. I Rep. 10, was adopted.

59.2 Recognition of *Chamaeleo excubitor* as a separate species

It was <u>noted</u> that the delegation of Kenya would refer this matter to the Nomenclature Committee.

60. Proposals to amend the Appendices I and II

The following proposals were withdrawn: CoP13 Prop. 1, Prop. 2, Prop. 6, Prop. 16, Prop. 18, Prop. 21, Prop. 28, Prop. 29, Prop. 30, Prop. 31 and Prop. 42.

The following proposals were <u>adopted</u>: CoP13 Prop. 3, Prop. 8, Prop. 9, Prop. 10, Prop. 11, Prop. 12, Prop. 13, Prop. 15, Prop. 17, Prop. 19, Prop. 22, Prop. 23, Prop. 24, Prop. 25, Prop. 27, Prop. 34, Prop. 35, Prop. 37, Prop. 41 (as amended in Committee I), Prop. 43, Prop. 44, Prop. 45, Prop. 46, Prop. 47 and Prop. 50.

The delegation of Japan, seconded by the delegation of Qatar, proposed to reopen the debate on proposal CoP13 Prop. 4. The delegations of the Netherlands, on behalf of the 25 Member States of the European Community, and the United States of America opposed reopening the debate. The Chairman called for a vote regarding reopening the debate. The result was: 28 in favour, 67 opposed and 18 abstentions and the motion was thus <u>rejected</u> (see Annex 1). In accordance with the recommendation of Committee I, proposal CoP13 Prop. 4 was rejected.

Proposal CoP13 Prop. 5 was <u>withdrawn</u> and the draft decision as recorded in document CoP13 Com. I Rep. 13 was <u>adopted</u>.

The delegation of Namibia, seconded by the delegation of Saint Lucia, proposed to reopen the debate on proposal CoP13 Prop. 7. The delegation of Kenya opposed reopening the debate. The Chairman called for a vote regarding this motion. The result was 37 in favour, 67 opposed and 19 abstentions and the motion was accepted (see Annex 2).

The delegation of Namibia proposed that the revised annotation 5 outlined in the Annex to document CoP13 Doc. 60 Addendum be amended to read trade in individually marked and certified ekipas incorporated in finished jewellery items for non-commercial purposes. Referring to document CoP13 Inf. 33, they emphasized the non-commercial aspect of the trade and the fact that there was a strict control system in place for worked ivory in Namibia. They also stated that more than 90 per cent of the ivory to be used would be obtained from elephants that died naturally. The delegations of Botswana, Uganda and Zambia supported the proposed amendment. The delegations of Côte d'Ivoire, Israel and Togo opposed the proposal, believing that it would stimulate poaching across the continent. The delegation of Namibia requested a secret ballot, which was supported by the required number of Parties. The proposed amendment was adopted, with 71 votes in favour, 23 against and 35 abstentions, and CoP13 Prop. 7 was adopted as amended, including the amendment to annotation 4. The delegations of Liberia and the United States stated that they had voted in favour of the amended proposal. The delegations of India and Kenya stated that they had voted against the amended proposal.

Proposal CoP13 Prop. 14 was rejected.

Proposal CoP13 Prop. 20 was <u>adopted</u> with the amendment indicated in document CoP13 Com. I Rep. 15.

Proposal CoP13 Prop. 26 was $\underline{\text{withdrawn}}$ but it was $\underline{\text{noted}}$ that the delegation of Zambia would establish a voluntary export quota of 300 specimens.

Proposal CoP13 Prop. 32 was <u>adopted</u> with the amendment indicated in document CoP13 Com. I Rep. 15. The delegation of China noted their opposition to adoption of this proposal but did not request the re-opening of the debate.

Proposal CoP13 Prop. 33 was <u>adopted</u>. The delegations of Saint Lucia and Seychelles noted that they would enter a reservation with regard to the amendment.

Proposal CoP13 Prop. 36 was <u>withdrawn</u> and the three draft decisions recorded in document CoP13 Com. I Rep. 17 were adopted.

Proposal CoP13 Prop. 38 (Rev. 1) was <u>adopted</u> as amended in Committee I as noted in document CoP13 Com. I Rep. 7.

Proposal CoP13 Prop. 39 (Rev. 1) was <u>adopted</u> as amended in Committee I and noted in document CoP13 Com. I Rep. 8.

The delegation of Mexico, seconded by the delegation of Colombia, proposed to reopen the debate on proposal CoP13 Prop. 40. The delegations of the Philippines and Thailand opposed this motion. The Chairman called for a vote on the motion and the result was 35 in favour, 66 opposed and 24 abstentions (see Annex 3). The motion was thus accepted.

The delegation of Mexico was concerned that the proposal in document CoP13 Doc. 60 Addendum 2 would create significant law enforcement problems and could lead to illegal trade in wild specimens. They suggested that the exemption of certain artificially propagated hybrids be adopted in a phased process and that the current exemption for *Phalaenopsis* had not been in place long enough to determine its impact on wild populations. They suggested that the proposal be amended to include only hybrids of the genera most widely in trade. This was supported by the delegations of India, Qatar and Peru.

The delegation of the Netherlands, on behalf of the Member States of the European Community, noted their strong support for the proposal of Thailand. The delegation of Thailand reaffirmed that they would produce a non-scientific identification guide to the species covered by the proposal, for enforcement officers.

The delegation of the United States proposed an amendment to the proposal in document CoP13 Doc. 60 Addendum 2, to limit its application to only hybrids of the genera *Cymbidium*, *Vanda*, *Dendrobium* and *Phalaenopsis* and repealing the current footnote 8 for *Phalaenopsis* in the Appendices. The Secretariat pointed out that proposal CoP13 Prop. 42, which proposed an amendment of footnote 8 for *Phalaenopsis*, had been withdrawn and therefore could not be reconsidered, and so the proposed amendment by the delegation of the United States would be in contradiction with an existing footnote.

Proposal CoP13 Prop. 40 as amended in document CoP13 Doc. 60 Addendum 2 was <u>rejected</u>, with 67 votes in favour, 36 against and 27 abstentions (see Annex 4).

The proposed amendment from the delegation of the United States was supported by the delegations of Colombia, Mexico, the Netherlands on behalf of the Member States of the European Community, and Switzerland. Noting that their country was a range State for *Vanda* spp., the delegation of India opposed the inclusion of this genus in the amended annotation.

Proposal CoP13 Prop. 40 as amended in document CoP13 Doc. 60 Addendum 2, and with the additional amendment proposed by the delegation of the United States, was <u>adopted</u> by a vote, with 105 votes in favour, 3 against and 17 abstentions (see Annex 5). This included a draft decision in the document under the heading "Precautionary measures".

Proposal CoP13 Prop. 48 was <u>adopted</u> with the amendment indicated in document CoP13 Com. I Rep. 10.

Proposal CoP13 Prop. 49 was <u>adopted</u>, but the delegation of Qatar expressed their reservations about the proposal. The Chairman of Committee I drew attention to a related draft decision on

agarwood in document CoP13 Com. I. 11 and this was <u>adopted</u> with the amendment indicated in document CoP13 Com. I Rep. 16.

61. Inclusion of species in Appendix III

The Chairman of Committee I noted that document CoP13 Doc. 61 had been withdrawn.

Other themes and issues

62. Bushmeat

62.1 Bushmeat Working Group

The Chairman of Committee II referred to a draft resolution in Annex 1, and two draft decisions in Annex 2 of document CoP13 Doc. 62.1 (Rev. 1). The draft resolution and the first draft decision were <u>adopted</u> with the amendments indicated in document CoP13 Com. II Rep. 14 and the second draft decision was adopted.

62.2 Bushmeat

The draft decision in the Annex to document CoP13 Doc. 62.2 was adopted.

Species trade and conservation issues

65. Conservation of and trade in sturgeons and paddlefish

The Chairman of Committee II reported that the Committee had agreed to four draft decisions in document CoP13 Com. II. 30, and a draft revision of Resolution Conf. 12.7 of which the final text was presented in document CoP13 Com. II. 31 (Rev. 1). These were <u>adopted</u>. The delegation of Bulgaria stated that the summary record in document CoP13 Com. II Rep. 14 should be corrected by removing "indents i), ii) and iii) be deleted;" from the sixth paragraph under this agenda item.

The delegation of the Russian Federation expressed disagreement with the result of the discussion on this agenda item, noting that they preferred the wording in document CoP13 Doc. 65. This statement was supported by the delegation of China, adding that it would not be possible to complete their legal trade requirements within the agreed time-frame. The delegation of Ukraine requested that the deadlines for the submission of documents be respected.

Conclusion of the meeting

63. Determination of the time and venue of the next regular meeting of the Conference of the Parties

The delegation of the Netherlands, noting that the European region had not hosted the Conference of the Parties for many years, offered to host its 14th meeting (CoP14) in the Netherlands. This offer was <u>accepted</u> by acclamation. The delegation of the Netherlands expressed their appreciation for the decision of the Parties and looked forward to welcoming the delegations and observers. They acknowledged the excellent arrangements for the meeting in Thailand and then presented a short video about the Netherlands.

The Chairman thanked the delegation of the Netherlands and noted that CoP14 would be held in the Netherlands in 2007, the exact dates to be determined in due course, and presented a short video of events during CoP13.

64. Closing remarks

The delegation of Kuwait expressed their gratitude to the Government and people of Thailand for their hospitality and to the Secretariat for the smooth running of the meeting.

The delegation of the Netherlands, on behalf of the Member States of the European Community, commended the spirit of cooperation and compromise that had characterized the meeting and

thanked the Government of Thailand, the Chairmen of all the Committees and of the plenary, and the Secretariat.

The Vice-Chairman of the meeting from the delegation of Argentina thanked all the delegations, in particular those of Central and South America and the Caribbean, for assisting her in her work. She also acknowledged the excellent work of the Chairmen of the meeting and of Committees I and II. These latter remarks were echoed by the delegation of Switzerland, as the Depositary Government, and by the Chairman of the Plants Committee, who particularly welcomed the open approach of the Parties to proposals from her Committee.

The delegations of India, Malaysia, Uganda, the United Republic of Tanzania and the United States also expressed their appreciation of the spirit of cooperation in which the meeting had been conducted and thanked everyone involved. This was echoed by the delegation of Viet Nam, who urged participants to attend the fifth meeting of the Global Tiger Forum.

Expressing their appreciation of everyone involved in the meeting, the observer from WWF, also speaking on behalf of TRAFFIC, stated that they remained strongly committed to working with the Parties. This appreciation was echoed by: the observer from IWMC-World Conservation Trust, who was pleased by the trend towards monitoring the effects of decisions taken by CITES on local peoples; by the observer from SSN, who believed that whilst CITES was a science-based convention it had shown at the present meeting that it also had a heart; and by the observer from Defenders of Wildlife, who noted that CoP13 had been a victory for the environment but thought that observers had been given inadequate opportunities to participate in the debate.

The representative of UNEP, on behalf of the Executive Director, congratulated all Parties, observers, Chairmen, committees and working groups in completing a heavy programme of work. He noted that carefully considered and important advances have been made in tackling over-exploitation of commercially threatened species, in facilitating wildlife management as well as protection, in strengthening enforcement nationally, regionally and internationally, and in building linkages and synergies with other instruments and organizations.

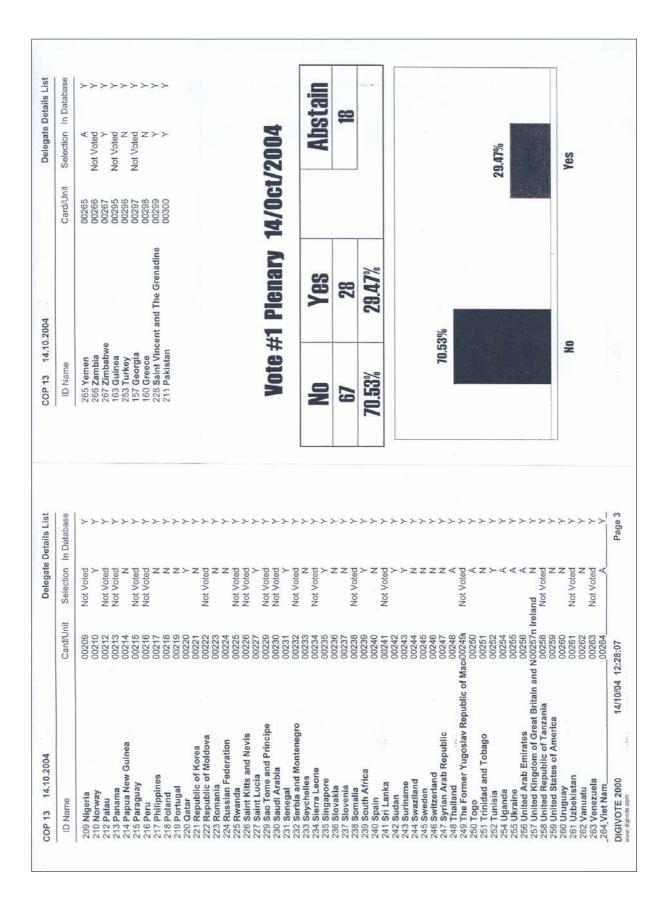
The Secretary-General thanked all of those who had been involved in the meeting and praised the professionalism and hard work of the Secretariat. He presented gold CITES pins to the Chairmen of the meeting and of Committees I and II.

The Chairman offered his congratulations and thanks to all those involved in the meeting. He noted the sense of compromise that had prevailed and, on behalf of the Government of Thailand, presented gifts to the Chairmen of Committees I and II and the Secretary-General. He was deeply moved by the degree of commitment shown by all participants.

He closed the meeting at 12h25.

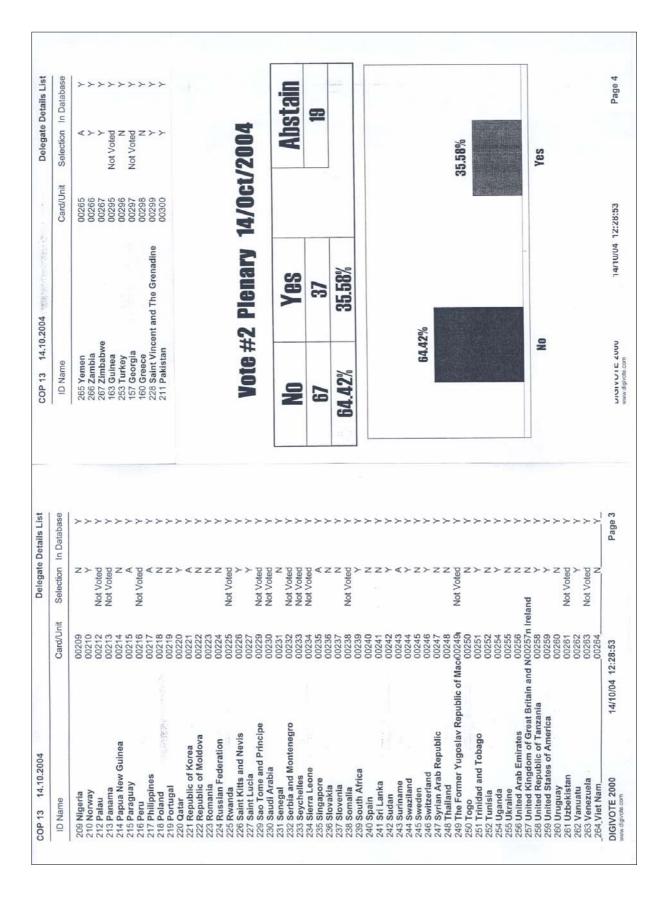
Agenda item 60 – Result of the vote to re-open the debate on proposal CoP13 Prop. 4, as proposed by the delegation of Japan.

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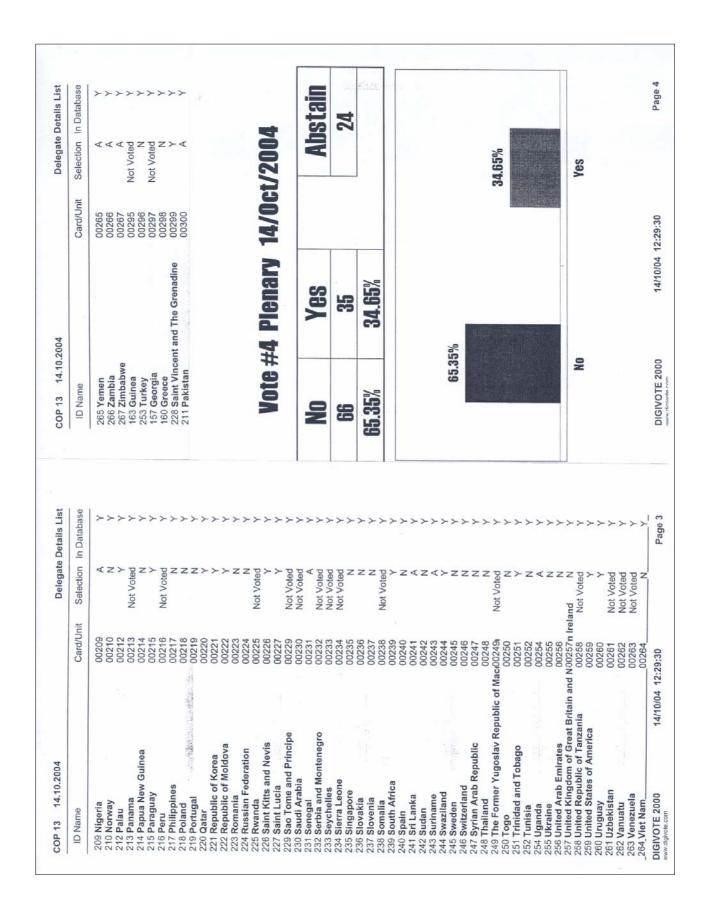
Agenda item 60 – Result of the vote to re-open the debate on proposal CoP13 Prop. 7, as proposed by the delegation of Namibia.

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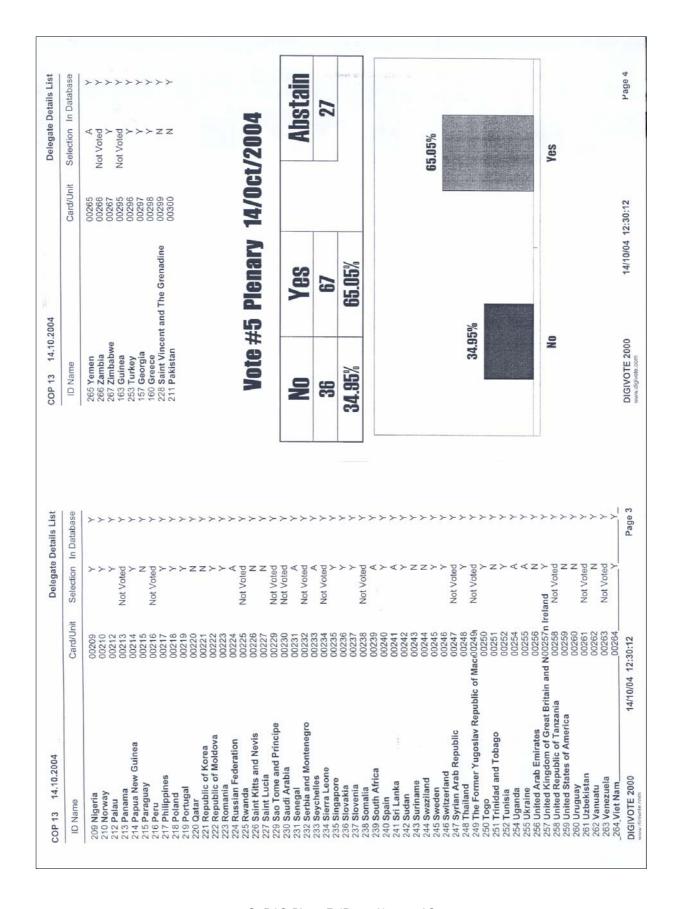
Agenda item 60 – Result of the vote to re-open the debate on proposal CoP13 Prop. 40, as proposed by the delegation of Mexico.

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Agenda item 60 - Result of the vote on proposal CoP13 Prop. 40 as amended in document CoP13 Doc. 60 Addendum 2.

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Agenda item 60 – Result of the vote on proposal CoP13 Prop. 40 as amended in document CoP13 Doc. 60 Addendum 2, and with the additional amendment proposed by the delegation of the United States.

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