

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



Fourteenth meeting of the Conference of the Parties  
The Hague (Netherlands), 3-15 June 2007

Summary record of the seventh session of Committee II

8 June 2007: 9h05-12h15

Chairman: C.S. Cheung (China)

Secretariat: J. Barzdo  
J. Sellar  
J.C. Vásquez  
M. Yeater

Rapporteurs: P. De Angelis  
S. Ferriss  
J. Grey  
W. Jackson

**Strategic matters**

11. CITES Strategic Vision: 2008-2013

The Chairman of the working group on the Strategic Vision, reported that they had considered various amendments to the draft in document CoP14 Doc. 11, as well as the Millennium Development Goals, the 2010 Biodiversity Target of the Convention on Biological Diversity, cultural and social issues and the role of civil society. She said that the working group was continuing its work.

**Administrative matters**

7. Financing and budgeting of the Secretariat and of meetings of the Conference of the Parties

The Chairman of the working group on the budget reported that the group had interviewed the Chief of the Secretariat's Scientific Support Unit, in particular regarding the cost of the scientific committee meetings and the two new scientific posts. They had also held discussions with the Chief of the Convention Support Unit, in particular regarding the costs of translation. He noted that some of their deliberations were pertinent to the discussions of the working group on the Strategic Vision and proposed liaising with the Chairman of that working group.

**Interpretation and implementation of the Convention**

**Compliance and enforcement issues**

24. National laws for implementation of the Convention (continued)

The Committee resumed discussion of document CoP14 Doc. 24 that had begun in the sixth session. Many Parties expressed appreciation of the efforts of the Secretariat.

Updates on national legislation were provided by Albania, the Bahamas, the Bolivarian Republic of Venezuela, Ecuador, Eritrea, Fiji, India, Kuwait, Liberia, Nepal, Madagascar, Mauritius, Palau, Suriname and Trinidad and Tobago. Liberia explained that government policy in that country had been reformed, and they appealed to Parties to lift the current recommendation to suspend trade.

Turning to the draft decisions in Annex 1 of the document, Germany, on behalf of the European Community and its Member States, lauded the combination of capacity building and firm deadlines. The United Republic of Tanzania, the United States of America and TRAFFIC also supported a fixed deadline of the 58th meeting of the Standing Committee, as proposed by the Secretariat.

Germany, on behalf of the European Community and its Member States, noted that the information in paragraphs 32-34 of the document, regarding a suggested approach for the future and provision of technical assistance, needed further consideration. Senegal disagreed with this view. The David Shepherd Wildlife Foundation emphasized the success of the CITES National Legislation Project. Madagascar sought clarification on the meaning of Category 1, noting that Thailand was included in this category but that adequate controls were not in place in that country. The United States, supported by Kuwait, recommended that the date of accession or ratification of CITES be included in the table in Annex 2.

Liberia, Senegal and the United Republic of Tanzania supported the draft decisions in Annex 1 to document CoP14 Doc. 24.

Regarding the draft decision directed to the Parties, Australia, supported by Albania, Chile, Guyana, Kuwait, Peru, the United States, the David Shepherd Wildlife Foundation and TRAFFIC, noted that the time-frame allotted might pose problems for recent Parties to CITES, suggesting that the text be amended to read: "...any Party or dependent territory that has been a Party to the Convention for five or more years with...". The Bolivarian Republic of Venezuela, supported by Brazil, Chile and Peru, suggested that the reference to inadequate legislation be deleted from the draft decision. This was opposed by the United States. The Secretariat suggested the text be amended to read "...with ~~inadequate~~ legislation ~~(i.e. in Category 2 or 3)~~ should...". These amendments were agreed and the draft decision directed to the Parties, as amended, was agreed by consensus.

Regarding the draft decision directed to the Standing Committee, Argentina disagreed with the reference to compliance measures. They stressed that the Convention made no provision for the taking of sanctions, and that Parties were responsible for implementing and enforcing the Convention and should not be punished. Argentina proposed that the words from "compliance measures" to the end of the sentence be replaced by measures to facilitate compliance. They were supported by Albania, Brazil, Chile, Ecuador, Guyana, Peru and Suriname, but opposed by the United States and the David Shepherd Wildlife Foundation. The Committee therefore voted on this proposal. The result was 35 in favour, 43 against and 3 abstentions (vote 1). The proposal to amend the text was thus rejected. A vote to accept the original text resulted in 51 votes in favour and 23 against, with 7 abstentions (vote 2). The draft decision directed to the Standing Committee was thus agreed.

Regarding the draft decision directed to the Secretariat, Germany, on behalf of the European Community and its Member States, proposed the deletion of paragraph c) ii), as they believed training of CITES authorities went beyond the remit of the Secretariat. Fiji supported the retention of this text, noting the importance of CITES training, particularly in Small Island Developing States. Nepal also supported the retention of this text. A vote was taken on this proposed amendment. The result was 42 in favour and 38 against, with 3 abstentions (vote 3). The proposal to delete the text was therefore rejected.

The Bahamas proposed adding the following text to paragraph c) iii): "...and also consider assisting Parties requesting it to assist implementing agencies with advising their governments of the need to enact adequate national laws". This amendment was agreed by consensus.

In paragraph d), Brazil, supported by Chile and Suriname, proposed deleting the words "guidance" and "origin or". Germany, on behalf of the European Community and its Member States, opposed this deletion. On a vote this proposal was rejected, with 28 in favour, 50 against and 6 abstentions (vote 4).

In paragraph e), Argentina proposed deleting the words “and, if necessary, recommend the adoption of appropriate compliance measures, including suspension of trade”. This proposal was put to a vote and, with 34 in favour, 52 against and 3 abstentions (vote 5) was therefore rejected.

The draft decision directed to the Secretariat, as amended, was agreed.

## 25. Enforcement matters

The Secretariat introduced document CoP14 Doc. 25. Regarding paragraph 6, it reported that the number of Parties having submitted contact details for enforcement authorities had increased from 59 to 64. With reference to paragraph 27, the Secretariat withdrew its proposal to amend Resolution Conf. 11.3 (Rev. CoP13), as Interpol had only appointed an officer on a temporary basis and re-appointment of an officer may be recommended at CoP15. It announced various upcoming publications: one on controlled deliveries; a book on forensic sciences and wildlife crime; an article in an international journal for police chiefs; and an interactive CD-ROM on enforcement. The Secretariat added that, if Committee II adopted two draft decisions on reconvening the CITES Enforcement Expert Group – contained in separate documents – it would undertake to consolidate them.

Nigeria, while noting that paragraph 4 of the document was accurate, announced that draft CITES legislation was proceeding through their National Assembly, and that they had created an agency dedicated to environmental law enforcement.

Brazil, Cameroon, Germany on behalf of the European Community and its Member States, India, Indonesia, Israel, Nigeria, the United States and Zimbabwe expressed general support for document CoP14 Doc. 25.

India outlined recent steps they had taken towards improving wildlife trade law enforcement. Israel advised delegates that their country could be contacted for an instructional package on the use of the Ecomessage system. Indonesia referred to the new resolution on international cooperation in preventing and combating illicit international trafficking in forest products, recently adopted in the United Nations Economic and Social Council, and to the Wildlife Law Enforcement Network of the Association of Southeast Asian Nations (ASEAN-WEN). In this context, they proposed that the Conference explore the possibility of synergy between CITES and the United Nations Office on Drugs and Crime.

The United States called for better linkages between enforcement items for discussion by the Parties, as this could be a cost-saving device. Malaysia supported the draft decision to the Secretariat, but stressed that funding for the Expert Group meeting must be made available. Brazil suggested inserting subject to external funding after “convene” in the first line of the draft decision directed to the Secretariat, and deleting the second sentence. With regard to the draft decision directed to the Standing Committee, Brazil believed that the Parties should have a chance to approve any relevant recommendations made by the CITES Enforcement Expert Group before the Standing Committee considered endorsement of such recommendations. Argentina, China and Malaysia supported the draft decisions as amended by Brazil.

Responding to the proposal from Indonesia, the Secretariat explained that the CITES Secretariat and the United Nations Office on Drugs and Crime already had a good working relationship. Indonesia therefore withdrew their proposal. Responding to the proposal of Brazil regarding the draft decision directed to the Standing Committee, the Secretariat cautioned that acceptance of the proposed amendment could result in a long delay in the implementation of recommendations from the Enforcement Expert Group. Brazil withdrew its proposal and instead proposed to substitute and for “or” at the end of paragraph a)..

Wildlife Conservation Nepal, speaking also on behalf of the International Tiger Coalition, urged that Enforcement Expert Group focus on tigers and supporting tiger range States in establishing anti-crime units. TRAFFIC supported interagency cooperation, noting initiatives such as ASEAN-WEN, the Coalition Against Wildlife Trafficking and EU-TWIX. They also stressed the benefits of partnerships between producer and consumer countries. The David Shepherd Wildlife Foundation, speaking also on behalf of the IFAW, supported TRAFFIC’s intervention and urged Parties to give the Secretariat enhanced capacity for dealing with enforcement matters.

With Brazil's amendments to the draft decisions, document CoP14 Doc. 25 was agreed.

## 26. Compliance and enforcement

Germany, on behalf of the European Community and its Member States, stressed the importance of effective enforcement. They ceded the floor to the United Kingdom of Great Britain and Northern Ireland, who provided more information on document CoP14 Doc. 26 (Rev. 1) and emphasised that both producer and consumer countries must work together on enforcement, regional enforcement plans were a valuable tool, and penalties for wildlife infractions should be commensurate with the severity of the crime. To improve effectiveness, they recommended that Management Authorities establish interagency committees, non-governmental organizations be involved as appropriate, and higher priority be allocated to enforcement of CITES. They also supported convening the CITES Enforcement Expert Group on an *ad hoc* basis to assess progress on enforcement, examine the merits of regional plans, and report at CoP15.

The United Kingdom proposed two amendments to the draft resolution in Annex 1 of the document: in the preambular paragraph starting "ACKNOWLEDGING", insert enforcement before "measures"; and in the final preambular paragraph, replace "undermine legal trade and threatens sustainable development" with undermine and threaten legal and sustainable trade. China and Japan opposed the recommendations as outlined by the United Kingdom, while the United States supported them.

Referring to the section of the draft resolution entitled *Regarding compliance, control and cooperation*, recommendation b), Mexico, supported by Brazil, proposed deletion of the words "and Parties where sanctions imposed are significantly lower than existing laws provide for". Malaysia, with Argentina, Brazil and Japan, emphasized that regional action plans should be voluntary. Argentina added that regional action plans should be adopted, if deemed appropriate, at an appropriate time, and opposed references to specific interagency cooperation mechanisms. Brazil questioned how meetings of the Expert Group would be funded.

The draft decisions proposed by the Secretariat in its comments on pages 2 and 3 of the document, were opposed by Malaysia, but supported by China and Japan. Brazil proposed deleting "if necessary" in paragraph b) of the draft decision directed to the Secretariat.

Mexico observed that there had been insufficient exchange of information between implementing organizations. Malaysia outlined increases in its enforcement work, especially in terms of regional and interregional cooperation.

The Chairman requested Parties that wished to propose amendments to meet with the United Kingdom, so that they could report back at a later session.

The Chairman closed the session at 12h15.

**Result on the votes on agenda item 24 (National laws for implementation of the Convention)**

Vote 1: Replacement of the words from "compliance measures" to the end of the sentence with measures to facilitate compliance. in the draft decision directed to the Standing Committee

Vote 2: acceptance of the original text of the draft decision directed to the Standing Committee

Vote 3: deletion of paragraph c) ii) of the draft decision directed to the Secretariat

Vote 4: Deletion of the words "guidance" and "origin or" in paragraph d) of the draft decision directed to the Secretariat

Vote 5: Deletion of the words "and, if necessary, recommend the adoption of appropriate compliance measures, including suspension of trade" in paragraph e) of the draft decision directed to the Secretariat

Key: 0 = did not vote, 1 = yes, 2 = no, 3 = abstain

Parties	Vote 1	Vote 2	Vote 3	Vote 4	Vote 5
Afghanistan AF	0	0	0	0	0
Albania AL	0	0	0	0	0
Algeria DZ	0	0	0	0	0
Antigua and Barbuda AG	1	3	2	1	1
Argentina AR	1	2	1	1	1
Australia AU	2	1	2	2	2
Austria AT	2	1	1	2	2
Azerbaijan AZ	0	0	0	0	0
Bahamas BS	1	1	2	0	2
Bangladesh BD	0	0	0	0	0
Barbados BB	0	0	0	0	0
Belarus BY	0	0	0	0	0
Belgium BE	2	1	1	2	2
Belize BZ	0	0	0	0	0
Benin BJ	0	0	0	0	0
Bhutan BT	0	0	0	0	0
Bolivia BO	0	0	0	0	0
Botswana BW	1	1	2	1	2
Brazil BR	1	2	2	1	1
Brunei Darussalam BN	0	0	0	0	0
Bulgaria BG	1	3	1	2	2
Burkina Faso BF	3	3	3	1	3
Burundi BI	3	1	1	2	1
Cambodia KH	2	1	2	2	1
Cameroon CM	0	1	0	0	2
Canada CA	2	1	2	2	2
Cape Verde CV	0	0	0	0	0
Central African Republic CF	0	0	0	0	0
Chad TD	0	0	0	0	0
Chile CL	1	2	1	1	1
China CN	1	2	1	1	1

Parties	Vote 1	Vote 2	Vote 3	Vote 4	Vote 5
Colombia CO	1	2	2	1	1
Comoros KM	0	0	0	0	0
Congo CG	0	0	0	0	0
Costa Rica CR	1	1	1	2	2
Côte d'Ivoire CI	1	2	1	2	1
Croatia HR	2	1	1	2	2
Cuba CU	0	0	0	0	0
Cyprus CY	0	0	0	0	0
Czech Republic CZ	2	1	1	2	2
Democratic Republic of the Congo CD	0	0	0	0	0
Denmark DK	2	1	1	2	2
Djibouti DJ	0	0	0	0	0
Dominica DM	0	0	0	0	0
Dominican Republic DO	0	0	0	0	0
Ecuador EC	1	2	2	1	1
Egypt EG	0	0	0	0	0
El Salvador SV	0	0	0	0	0
Equatorial Guinea GQ	0	0	0	0	0
Eritrea ER	1	1	1	1	2
Estonia EE	2	1	1	2	2
Ethiopia ET	0	0	0	0	0
Fiji FJ	2	1	2	2	2
Finland FI	2	1	1	2	2
France FR	2	1	1	2	2
Gabon GA	0	0	0	0	0
Gambia GM	0	0	0	0	0
Georgia GE	0	0	0	0	2
Germany DE	2	1	1	2	2
Ghana GH	0	0	0	0	0
Greece GR	2	1	1	2	2
Grenada GD	1	0	2	2	1
Guatemala GT	0	0	0	0	0
Guinea GN	0	0	0	0	0
Guinea-Bissau GW	0	0	0	0	0
Guyana GY	1	2	2	3	1
Honduras HN	1	2	2	2	1
Hungary HU	2	1	1	2	2
Iceland IS	0	0	0	0	0
India IN	2	1	1	2	1
Indonesia ID	2	3	2	1	1
Iran (Islamic Republic of) IR	0	0	0	0	0
Ireland IE	2	1	1	2	2
Israel IL	2	1	1	1	2
Italy IT	2	1	1	2	2
Jamaica JM	1	2	2	3	1
Japan JP	1	2	1	2	1
Jordan JO	1	2	1	1	1

Parties	Vote 1	Vote 2	Vote 3	Vote 4	Vote 5
Kazakhstan KZ	0	0	0	0	0
Kenya KE	2	1	2	2	2
Kuwait KW	0	0	0	0	0
Lao People's Democratic Republic LA	2	1	2	2	2
Latvia LV	2	1	1	2	2
Lesotho LS	0	0	0	0	0
Liberia LR	0	0	0	0	0
Libyan Arab Jamahiriya LY	0	0	0	0	0
Liechtenstein LI	0	0	0	0	0
Lithuania LT	0	0	1	2	2
Luxembourg LU	0	0	1	2	2
Madagascar MG	2	1	2	2	2
Malawi MW	0	0	0	0	0
Malaysia MY	1	3	2	1	1
Mali ML	0	0	0	0	0
Malta MT	0	1	1	2	2
Mauritania MR	0	0	0	0	0
Mauritius MU	1	1	2	1	1
Mexico MX	2	1	2	2	2
Monaco MC	0	0	0	0	0
Mongolia MN	0	0	0	0	0
Montenegro ME	0	0	0	0	0
Morocco MA	0	0	0	0	0
Mozambique MZ	1	2	2	1	1
Myanmar MM	0	0	0	0	0
Namibia NA	1	2	2	1	1
Nepal NP	1	0	2	2	1
Netherlands NL	2	1	1	2	2
New Zealand NZ	2	1	2	2	2
Nicaragua NI	0	0	0	0	0
Niger NE	0	0	0	0	0
Nigeria NG	0	0	0	0	0
Norway NO	3	3	3	3	3
Pakistan PK	0	0	0	0	0
Palau PW	1	3	0	3	3
Panama PA	0	0	0	0	0
Papua New Guinea PG	0	0	0	0	0
Paraguay PY	0	0	0	0	0
Peru PE	0	0	0	0	0
Philippines PH	0	0	0	0	0
Poland PL	0	0	0	0	0
Portugal PT	2	1	1	2	2
Qatar QA	2	1	3	2	1
Republic of Korea KR	0	2	1	1	1
Republic of Moldova MD	0	0	0	0	2
Romania RO	2	1	1	2	2
Russian Federation RU	2	2	2	1	2

<b>Parties</b>	<b>Vote 1</b>	<b>Vote 2</b>	<b>Vote 3</b>	<b>Vote 4</b>	<b>Vote 5</b>
Rwanda RW	0	0	0	0	0
Saint Kitts and Nevis KN	1	2	2	3	1
Saint Lucia LC	0	0	0	0	1
Saint Vincent and the Grenadines VC	0	0	0	0	0
Samoa WS	0	0	0	0	0
San Marino SM	0	0	0	0	0
Sao Tome and Principe ST	0	0	0	0	0
Saudi Arabia SA	0	0	0	0	0
Senegal SN	0	0	0	0	0
Serbia RS	0	0	0	0	0
Seychelles SC	0	0	0	0	0
Sierra Leone SL	0	0	0	0	0
Singapore SG	1	2	2	2	1
Slovakia SK	2	1	1	2	2
Slovenia SI	2	1	1	2	2
Solomon Islands SB	0	0	0	0	0
Somalia SO	0	0	0	0	0
South Africa ZA	1	2	2	1	2
Spain ES	2	1	1	2	2
Sri Lanka LK	0	0	0	0	0
Sudan SD	0	0	0	0	0
Suriname SR	1	2	0	1	2
Swaziland SZ	2	1	2	1	1
Sweden SE	2	1	1	2	2
Switzerland CH	2	1	2	2	2
Syrian Arab Republic SY	0	0	0	0	0
Thailand TH	1	2	1	2	2
The former Yugoslav Republic of Macedonia MK	0	0	0	0	0
Togo TG	1	1	2	2	1
Trinidad and Tobago TT	2	1	2	1	2
Tunisia TN	0	0	0	0	0
Turkey TR	2	1	1	2	2
Uganda UG	1	0	2	2	1
Ukraine UA	0	0	0	0	0
United Arab Emirates AE	0	0	0	0	0
United Kingdom of Great Britain and Northern Ireland GB	2	1	1	2	2
United Republic of Tanzania TZ	2	1	2	1	2
United States of America US	2	1	2	1	2
Uruguay UY	1	2	1	1	1
Uzbekistan UZ	0	0	0	0	0
Vanuatu VU	0	0	0	0	0
Venezuela (Bolivarian Republic of) VE	1	2	2	1	1
Viet Nam VN	1	1	1	1	1
Yemen YE	0	0	0	0	0
Zambia ZM	0	0	0	0	0
Zimbabwe ZW	2	1	2	3	2