

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



Sixteenth meeting of the Conference of the Parties
Bangkok (Thailand), 3-14 March 2013

Summary record of the 14th session of Committee II

13 March 2013: 9h00 – 11h00

Chair: R. Gabel (United States of America)
Secretariat: J. Scanlon
A. Abalos
J. Barzdo
B. Janse van Rensburg
M. Yeater
Rapporteurs: J. Caldwell
R. Parry-Jones

Interpretation and implementation of the Convention

Species trade and conservation

49. Great apes

The Secretariat presented document CoP16 Com. II. 13, prepared on the basis of document CoP16 Doc. 49 containing a draft decision directed to the Standing Committee regarding the establishment of an illegal trade reporting mechanism. The draft decision was accepted.

Trade control and marking

40. Cross-border movement of musical instruments

The United States presented document CoP16 Com. II. 25, prepared on the basis of document CoP16 Doc. 40 (Rev. 1), noting that the document should reference "musical instrument certificate" rather than "certificate of ownership" throughout, a decision of the working group that was not accurately reflected in document CoP16 Com. II. 25. The United States proposed two amendments to delete the word "must" in paragraphs e) and k), noting that Resolutions were non-binding on the Parties.

Japan, with reference to paragraphs b), c) and e) under RECOMMENDS, proposed changing "Management Authority" to 'competent authority'. Senegal suggested this be reworded to 'CITES Authority'. Ireland, on behalf of the Member States of the European Union and Croatia, suggested a compromise to competent CITES authority, which was accepted.

The International Society of Violin and Bow Makers welcomed the streamlining of the process for international movement of musical instruments, encouraged monitoring of its implementation and indicated a need for outreach efforts to build support and awareness. Australia did not oppose the document, but noted that the requirement, in paragraph g), for certificates to be stamped by border officials at export and import ports was not in keeping with the intent to simplify CITES trade systems and requirements. It emphasized that CITES needed to move towards electronic systems to align itself with Customs practices.

Document CoP16 Com. II. 25 was accepted as amended.

Strategic matters

11. Potential conflicts of interest in the Animals and Plants Committees

Ireland, on behalf the Member States of the European Union and Croatia, introduced CoP16 Com. II. 28, prepared on the basis of document CoP16 Doc. 11 (Rev. 1). It drew attention to the bracketed text, and pointed out that the Working Group had discussed a further proposal, to amend paragraph v) as follows: *interventions are ~~made in their personal capacity and not made on behalf of ...~~*.

The Chair of the Animals Committee drew attention to errors in paragraphs ii) and iv) of the Spanish version of the document, which needed to be corrected to accord with the English. The corrections would be communicated to the Secretariat.

Mexico emphasized the importance of transparency in the technical work of the Convention and, noting implementation challenges in the early stages, suggested the need to review the issue through the Standing Committee.

The United States, supported by Ireland, on behalf the Member States of the European Union and Croatia, referred delegates to the new paragraph c) beginning "A conflict of interest", and particularly to subparagraph i). It stressed the importance of clarity in defining conflict of interest, and proposed deletion of the square brackets around the word "financial", and deletion of the text "[professional, financial or other]". This was supported by New Zealand, which noted that, for consistency, the word financial should also be included before "interests" in the first line of subparagraph iv).

China suggested that the other definition proposed in the document to define the scope of a conflict of interest, namely "professional, financial or other" be used in order to be consistent with other conventions. However, in the interest of achieving a consensus, it did not press for this amendment.

Indonesia opposed the inclusion of subparagraph (iv) in its entirety. Ireland, speaking as the Chair of the Working Group, pointed out that subparagraph (iv) provided a crucial intersessional process, so that deletion of this paragraph would result in having a mechanism to identify a conflict of interests, but no mechanism for taking steps to address the situation. Indonesia therefore did not press for an amendment.

Hearing no dissenting views from the Parties on the proposed amendments to the new paragraph c) contained in document CoP16 Com. II. 28, and subparagraphs i), iv) and v) the Chair declared that the draft decisions and draft amendment to Resolution Conf. 11.1 (Rev. CoP15) in document CoP16 Com. II. 28, and the footnote, were accepted with the above amendments.

Interpretation and implementation of the Convention

Species trade and conservation

50. Asian big cats

The Secretariat presented document CoP16 Com. II. 30, prepared on the basis of document CoP16 Doc. 50 (Rev. 1). It recommended deleting the reference to reporting at the 17th meeting of the Conference of the Parties and retaining text referring to reporting at the 65th meeting of the Standing Committee. This was supported by Ireland, on behalf of the Member States of the European Union and Croatia, as well as by the United States. However, Indonesia, supported by China and Thailand, objected to the proposed amendment and favoured the opposite view.

India highlighted the measures taken for tiger conservation in its country, noting an increase in tiger populations since 2007, and proposed adding and organizations after the words "other experts" in draft decision 16.C.

Seeing no consensus regarding whether reporting should be at SC65 or CoP17, the Chair put the matter to a vote. 64 Parties supported the reference to SC65; 20 Parties were against, and 28 abstained (see the Annex). Thus the motion to refer to SC65 was carried. With this amendment, and that proposed by India, the draft decisions in document Com. II. 30 were thus accepted, as was the deletion of Decisions 15.46, 15.47, 15.48 and 15.49. The draft revision of Resolution Conf. 12.5 (Rev. CoP15) in Annex 2 to document CoP16 Doc. 50 (Rev. 1) was also accepted.

The Philippines stated that it was not able to cast its vote on this matter owing to a technical problem with its voting apparatus.

Administrative matters

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

Switzerland, as chair of the Budget Working Group, presented the draft resolution in document Com. II. 31 (Rev. 1) that had been prepared on the basis of documents CoP16 Doc. 8.3 (Rev. 1) and CoP16 Doc. 8.4. It reported that the budget recommended by the group was a compromise between zero real and zero nominal growth, and indicated that individual Party contributions could be found in Annex 4 of the document. It further explained that the increase in contributions to CITES would differ from Party to Party depending on the revised UN Scale of Contributions, and welcomed reference to fundraising for the *African Elephant Action Plan* in the draft resolution in document CoP16 Com. II.17, believing that this was better treated separately from a budget resolution.

Greece announced that it was not in a position to pay an increased contribution owing to the present financial situation, thus it objected to an increase in its expected contribution.

The draft resolution in document CoP16 Com. II. 31 (Rev. 1) was accepted.

The Chair noted that there were no objections to the draft decisions in document CoP16 Com. II. 32 regarding accessing the Global Environment Facility (GEF) as a potential funding mechanism for CITES implementation, and they were accepted.

The Bahamas, speaking on behalf of the Caribbean subregion, expressed their unequivocal support for engagement with the GEF as a financial instrument for CITES, emphasizing the challenges facing least developed countries and countries with economies in transition. It also noted that 2014 was the year of Small Island Developing States and thus access to financial resources was of particular relevance for these.

Interpretation and implementation of the Convention

Compliance and enforcement

28. National laws for implementation of the Convention

The United States presented new text agreed through consultation with China and Ireland, on behalf of the Member States of the European Union and Croatia. It had been prepared on the basis of the draft decisions in document CoP16 Doc. 28 concerning national legislation, as follows:

Decision 16.B

For any Party affected by Decision 16.A that has been party to the Convention for less than 20 years, should exceptional circumstances prevent them ~~any Party affected by Decision 16.A~~ from adopting appropriate measures for effective implementation of the Convention, that Party should advise the Secretariat in writing of those exceptional circumstances by SC66.

Decision 16.E

At its 66th meeting, the Standing Committee shall recommend a suspension of commercial trade in specimens of CITES-listed species with those Parties affected by Decision 16.A that have failed to adopt appropriate measures for the effective implementation of the Convention. This recommendation shall take effect 60 days after the conclusion of SC66. Should exceptional circumstances prevent a Party ~~any Party affected by Decision 16.A that has been Party to the Convention for less than 20 years~~ from enacting legislation by SC66, the Standing Committee shall review the situation and determine appropriate measures for addressing it. Any Party affected by Decision 16.A that has been Party to the Convention for 20 years or more and has failed to adopt appropriate measures or agree an appropriate legislative timetable with the Secretariat by SC66 will be subject to recommendations to suspend trade. The Standing Committee will not make recommendations to suspend trade where a Party has submitted its final draft or an appropriate legislative timetable to the Secretariat by the SC66 deadline and it is pending action from the Secretariat.

The United States also proposed the insertion of a new paragraph e) following paragraph d) in draft decision 16.F, and changing the existing paragraph e) to paragraph f), with text taken from Decision 15.41, paragraph e), so that the new paragraph would read:

- e) *Identify for the Standing Committee any countries that require attention as a priority under the National Legislation Project; and*

The draft decisions in document CoP16 Doc. 28, as amended by the drafting group, were accepted, as was deletion of Decisions 15.38-15.41.

Species trade and conservation

52. Leopard quotas

Ireland, on behalf of the Member States of the European Union and Croatia, presented the draft decisions in document CoP16 Com. II. 33, prepared on the basis of CoP16 Doc. 52 (Rev. 1), noting that they reflected agreed text regarding reporting by the Parties and the Secretariat in implementing the new system in preparation for the 66th meeting of the Standing Committee.

The draft decisions in document CoP16 Com. II. 33 were accepted

Adoption of summary records

The Committee reviewed the summary records in documents CoP16 Com. II Rec. 6, Rec. 7, Rec. 8 and Rec. 9.

In CoP16 Com. II Rec. 6, under agenda item 53.1, in the first paragraph, IUCN requested the deletion of "and indicated no change since 2007" because comparison with the 2007 figures was not advised. In the second paragraph, Ireland, on behalf of the Member States of the European Union and Croatia, proposed replacing "but that ways needed to be found to continue the programme after that" with and encouraged Parties to provide funding to ensure its sustainability. It further requested that, in the final paragraph of agenda item 53.2, wording be changed from "nominated Germany to be on the drafting group" to proposed Germany to participate in the Ivory Enforcement Task Force.

In CoP16 Com. II Rec. 7, under agenda item 32, in the third paragraph, Ireland, on behalf of the Member States of the European Union and Croatia, requested deletion of "and further proposed amendments to the Resolutions". In the fifth paragraph of this agenda item, first sentence, China requested inserting , noting the difficulty of making non-detriment findings, and the complexity of the procedure for permit issuance after "in the document and". Argentina requested that each intervention it had made regarding this agenda item be recorded in the revised summary record.

In CoP16 Com. II Rec. 8, under agenda item 38, third paragraph, at the end of the first sentence, after the word "match", Australia requested the addition of where import permits were issued as a stricter domestic measure. Under agenda item 39, as a new subparagraph in between the subparagraph regarding Annex 1 and the subparagraph regarding Annex 3, Ireland, on behalf of the Member States of the European Union and Croatia, requested the addition of:

In Annex 2 in Block 5 of the "Standard CITES form", it should read:

"If for live animals, this permit or certificate is valid only if the transport conditions comply with the IATA Live Animals Regulations; if for live plants, with the IATA Perishable Cargo Regulations; or, in the case of non-air transport, the CITES Guidelines for the Non-Air Transport of Live Wild Animals and Plants;

In CoP16 Com. II Rec. 9, under agenda item 54.2, last paragraph, Ireland, on behalf of the Member States of the European Union and Croatia, requested changing "drafting group" to working group.

With the above amendments, the summary records in documents CoP16 Com. II Rec. 6, Rec. 7, Rec. 8 and Rec. 9 were adopted.

The Committee concluded its business at 11h00.

VOTE TO SUPPORT THE REFERENCE TO SC65 IN
DOCUMENT COP16 COM. II. 30 (ASIAN BIG CATS)

List provided in English only. Key of abbreviations:

ABST = Abstain

NA = not allowed to vote

NV = did not vote and not present (or card not inserted into the microphone unit)

NVP = did not vote, but present (card inserted into the microphone unit but did not vote)

1	Afghanistan	0	NA
2	Albania	0	NA
3	Algeria	1	NVP
4	Antigua and Barbuda	1	NV
5	Argentina	1	NVP
6	Armenia	1	YES
7	Australia	1	YES
8	Austria	1	YES
9	Azerbaijan	1	NV
10	Bahamas	1	NO
11	Bahrain	1	YES
12	Bangladesh	0	NA
13	Barbados	0	NA
14	Belarus	1	ABST
15	Belgium	1	YES
16	Belize	1	NV
17	Benin	1	NO
18	Bhutan	1	NO
19	Bolivia (Plurinational State of)	0	NA
20	Bosnia and Herzegovina	1	NV
21	Botswana	1	ABST
22	Brazil	1	ABST
23	Brunei Darussalam	1	YES
24	Bulgaria	1	YES
25	Burkina Faso	1	YES
26	Burundi	1	YES
27	Cambodia	1	NO
28	Cameroon	1	ABST
29	Canada	1	ABST
30	Cape Verde	0	NA
31	Central African Republic	1	ABST
32	Chad	0	NA
33	Chile	1	YES
34	China	1	NO
35	Colombia	1	ABST
36	Comoros	1	NVP
37	Congo	1	YES

38	Costa Rica	1	YES
39	Côte d'Ivoire	1	ABST
40	Croatia	1	YES
41	Cuba	1	NVP
42	Cyprus	1	YES
43	Czech Republic	1	YES
44	Democratic Republic of the Congo	1	NO
45	Denmark	1	YES
46	Djibouti	0	NA
47	Dominica	0	NA
48	Dominican Republic	1	YES
49	Ecuador	1	YES
50	Egypt	1	YES
51	El Salvador	1	YES
52	Equatorial Guinea	0	NA
53	Eritrea	1	NVP
54	Estonia	1	YES
55	Ethiopia	1	YES
56	Fiji	1	YES
57	Finland	1	YES
58	France	1	YES
59	Gabon	1	ABST
60	Gambia	1	NVP
61	Georgia	1	NV
62	Germany	1	YES
63	Ghana	1	NV
64	Greece	1	YES
65	Grenada	1	NV
66	Guatemala	1	NO
67	Guinea	1	NO
68	Guinea-Bissau	0	NA
69	Guyana	1	NO
70	Honduras	1	NVP
71	Hungary	1	NO
72	Iceland	1	YES
73	India	1	YES
74	Indonesia	1	NO
75	Iran (Islamic Republic of)	0	NA
76	Ireland	1	YES
77	Israel	1	YES
78	Italy	1	YES
79	Jamaica	1	NV
80	Japan	1	YES
81	Jordan	1	ABST
82	Kazakhstan	0	NA
83	Kenya	1	NVP
84	Kuwait	1	NV
85	Kyrgyzstan	1	YES

86	Lao People's Democratic Republic	1	YES
87	Latvia	1	YES
88	Lesotho	0	NA
89	Liberia	1	YES
90	Libya	1	NV
91	Liechtenstein	1	NV
92	Lithuania	1	YES
93	Luxembourg	1	YES
94	Madagascar	1	NVP
95	Malawi	0	NA
96	Malaysia	1	NO
98	Mali	1	ABST
99	Maldives	1	ABST
100	Malta	1	YES
101	Mauritania	1	ABST
102	Mauritius	0	NA
103	Mexico	1	YES
104	Monaco	1	NV
105	Mongolia	0	NA
106	Montenegro	1	ABST
107	Morocco	1	NV
108	Mozambique	1	YES
109	Myanmar	1	ABST
110	Namibia	1	NO
111	Nepal	1	NO
112	Netherlands	1	YES
113	New Zealand	1	YES
114	Nicaragua	0	NA
115	Niger	1	YES
116	Nigeria	0	NA
117	Norway	1	YES
118	Oman	1	NV
119	Pakistan	1	NO
120	Palau	0	NA
121	Panama	1	NV
122	Papua New Guinea	1	ABST
123	Paraguay	1	NVP
124	Peru	1	NVP
125	Philippines	1	NVP
126	Poland	1	YES
127	Portugal	1	YES
128	Qatar	1	NV
129	Republic of Korea	1	NVP
130	Republic of Moldova	1	NV
131	Romania	1	YES
132	Russian Federation	1	NVP
133	Rwanda	0	NA
134	Saint Kitts and Nevis	1	NV

135	Saint Lucia	1	NV
136	Saint Vincent and the Grenadines	1	NV
137	Samoa	1	ABST
138	San Marino	0	NA
139	Sao Tome and Principe	1	ABST
140	Saudi Arabia	0	NA
141	Senegal	1	YES
142	Serbia	1	YES
143	Seychelles	1	YES
144	Sierra Leone	1	YES
145	Singapore	1	NO
146	Slovakia	1	YES
147	Slovenia	1	YES
148	Solomon Islands	0	NA
149	Somalia	1	NO
150	South Africa	1	ABST
151	Spain	1	YES
152	Sri Lanka	1	ABST
153	Sudan	1	ABST
154	Suriname	1	NV
155	Swaziland	1	YES
156	Sweden	1	YES
157	Switzerland	1	ABST
158	Syrian Arab Republic	0	NA
159	Thailand	1	NO
160	The former Yugoslav Republic of Macedonia	0	NA
161	Togo	1	ABST
162	Trinidad and Tobago	0	NA
163	Tunisia	1	NO
164	Turkey	1	YES
165	Uganda	1	YES
166	Ukraine	1	ABST
167	United Arab Emirates	1	ABST
168	United Kingdom	1	YES
169	United Republic of Tanzania	1	ABST
170	United States	1	YES
171	Uruguay	1	YES
172	Uzbekistan	0	NA
173	Vanuatu	1	NVP
174	Venezuela (Bolivarian Republic of)	1	NV
175	Viet Nam	1	ABST
176	Yemen	1	YES
177	Zambia	1	NO
178	Zimbabwe	1	ABST