

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

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Twenty-ninth Meeting of the Standing Committee  
Washington D.C. (USA), 1 - 5 March 1993

SUMMARY REPORT

Members:

|   |  |               |
|---|--|---------------|
| Oceania:  | M.R. Hosking (New Zealand)<br>J. Owen  | Chairman      |
| South and Central America<br>and the Caribbean: | C. James (Trinidad & Tobago)   | Vice-Chairman |
| Africa:   | C.O. Diop (Senegal)<br>M. Lindeque (Namibia) (alternate)   |               |
| Asia:   | P. Leng-EE (Thailand)<br>W. Kaeokamnerd<br>C. Karnjanakesorn<br>M. Lauprasert<br>U. Nimmanheminda<br>S. Sungasobuan  |               |
| Europe:   | S. Johansson (Sweden)  |               |
| North America:                                  | D. Brackett (Canada)<br>R. Campbell<br>D. Pollock  |               |
| Depositary Government:                          | P. Dollinger (Switzerland)   |               |
| Next Host Country:                              | M. Spear (USA)<br>M.P. Jones<br>K. Bourne<br>C. Carson<br>R. Chandler<br>C. Dane<br>S. Jacobsen<br>A. Lazarowitz<br>S. Lieberman<br>T. McIntyre<br>J. Smith<br>K. Stansell<br>A. Stefan<br>T. Saito<br>M. Tieger |               |
| Previous Host Country:                          | Y. Natori (Japan)<br>R. Kaminokado<br>J. Nagira<br>Y. Iida<br>S. Noto  |               |

Observers:

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| Belgium:  | G. Evrard  |
| China:  | Y. Liu<br>J. Xu                                  |
| Colombia:   | M. Rodríguez Becerra<br>J. Hernandez Camacho     |
| France:   | A. Bonneau                                       |
| Israel:   | B. Clark   |
| Italy:  | C. Bisogniero<br>M. Lepri<br>U. Mereu            |
| Mexico:   | E. Ezcurra<br>H. Salgado y Bonilla               |
| Netherlands:  | C. Schürmann                                     |
| Portugal:   | A. Vila Nova                                     |
| South Africa:   | M. Chemalcy                                      |
| United Kingdom of<br>Great Britain and<br>Northern Ireland: | S. Carter<br>M. Warr                             |
| European Community  | C. Stuffmann                                     |
| IUCN:   | S. Stuart  |
| UNEP:   | A. Brough<br>D. Harland                          |
| Secretariat:  | I. Topkov<br>J. Berney<br>J. Barzdo<br>O. Menghi |

First Session: 1 March 1992: 09h15 - 12h45

1. Opening Remarks by the Chairman and the Secretary General

Opening the meeting, the Chairman welcomed all the participants. He drew particular attention to the celebration of the 20th anniversary of the signing of the Convention that would take place on 3 March. The representative of the Next Host Country announced the arrangements for the celebration and emphasized how well supported the Convention was in the United States of America. The Secretary General added his welcome to that of the Chairman, and thanked the Next Host Country for hosting the present meeting of the Standing Committee.

In the absence of the representative of the member for Africa, the Chairman invited the representative of the alternate member to represent Africa for the time being.

## 2. Adoption of the Agenda

The observer from the European Community (EC) apologized that his Director General had been unable to attend and requested that the Gaborone amendment be discussed under 'Any other business'. This was agreed. Under the same agenda item, it was also agreed, at the request of the Secretariat, to discuss the Panel of Experts on the African Elephant and implementation problems in Colombia.

The Agenda was then adopted, as indicated in document SC.29.1/Rev.1, although it was agreed to take the items in a different order from that in which they appear.

The Chairman reminded the Committee that, after the close of the Standing Committee that day, a number of representatives of non-governmental organizations would make presentations and all participants would be welcome to stay to listen to these.

## 3. New criteria for amendment of the appendices

The Chairman welcomed the observer from IUCN who had been invited to attend the meeting for the discussions on this agenda item.

Presenting document SC. 29.2, the first draft of the new criteria for amending the appendices, the observer from IUCN stated that he believed IUCN had fulfilled the terms of reference set by the Standing Committee. The document had, he noted, been reviewed scientifically and technically but the policy and political review would take place in the next stages, as the Secretariat had agreed. Some improvements could clearly be made to the document and IUCN would itself undertake a process of validation by applying the criteria to certain species. Time constraints had precluded this from being done before. IUCN would therefore itself be recommending certain changes in due course.

The Chairman emphasized that the task of the Committee was to manage the process of producing the criteria and to ensure that the document coming from the joint committees meeting was adequate for the ninth meeting of the Conference of the Parties. But he invited comments first on the substance of the IUCN draft.

The representative of the Depositary Government thanked IUCN for its good work. He made the following points about the draft criteria: the biological criteria were very detailed but the trade criteria for Appendix-I species were not detailed enough and should refer to the level and purpose of trade; on page 11 the reference to the number of animals killed should instead be to the number taken from the wild; the use of the word 'large' on page 9 leaves too much room for interpretation; the reference to import quotas on page 17 was problematic because CITES does not require import permits for Appendix-II species, so stricter domestic measures would be necessary; with respect to the suggested need for management plans for all Appendix-II species, some levels of trade clearly did not affect such species and a management plan might be considered unnecessary if a sufficiently low quota was set, e.g. 100 specimens a year.

The representative of Oceania welcomed the IUCN draft and endorsed the previous comments. She was concerned that all range States would need to establish management programmes for all Appendix-II species although information, resources or expertise needed to compile these would not be available to all countries, or for all species. She was also concerned that the review of appendices and of the higher taxon listings would be an enormous workload, presumably for the Animals and Plants Committees.

The representative of the previous host country expressed grave concern about the references to either the species harvested as an incidental catch of, or the food species of, Appendix-II species, in relation to Article II.2.(b) and pointed out the following:

As the preamble of the Convention clearly stipulates, the function of CITES is to control international trade, not harvesting activities. Article II.2.(b) also clearly provides that species to be listed under this article must be the species whose listing is essential to the effective control of international trade in species listed in Appendix II. Trade in either the species harvested with incidental catch of, or the food species of, Appendix-II species hardly affects the effectiveness of control of international trade in the Appendix-II species in question. Evidently, the control of the trade in the former species is not essential to that of the latter species. Therefore it is not legally justifiable or proper to list the former species in Appendix II under the Convention.

In addition, to the observer from IUCN, he questioned the legal basis of the criteria concerned, pointing out that there must be a rationale for the references in the draft of the new criteria. He also stated that species to be introduced from the sea should be exempt from the requirement for management programmes.

The representative of Europe drew attention to the need to take account, in the discussion on split-listing, of the varying population densities of a species throughout its range.

The representative of North America was concerned about the practicality of the criteria and felt that focus should be on possible problems of implementing them.

The representative of Asia thanked IUCN for a tremendous job and reserved comment on the substance except to say that 'down-listing' should be more difficult than 'up-listing'.

The Secretariat stated that the views of the Committee members were to a large extent in line with its own, and expressed particular concern about the potential increase in work for the committees and the Secretariat. However, the objective had been to obtain from IUCN a working document. This had been produced and it was very useful. The need now was for the people involved in the next part of the process to consult as widely as possible on this working document before the joint meeting of the committees. The Secretariat noted that many criticisms that had been heard from outside bodies were not justified because IUCN had done what the Standing Committee had asked it to do.

In response to the concerns expressed, the observer from IUCN concurred with a number of the points and offered to produce a revised version of the draft criteria to take these into account. He said that he had tried to include a number of points that were ideal, realizing that they would probably be squeezed out in the review process. He stressed that there was no intention to suggest that a management plan was necessary for all Appendix-II species and he would try to correct the wrong impression created by the document. He added that to make down-listing more difficult than up-listing would have been contrary to the terms of reference. In the validation process for the biological criteria that IUCN was carrying out, the Species Survival Commission network of about 5000 experts was being asked to comment. In addition, the IUCN specialist groups were being asked: to categorize species using the criteria to see what changes resulted, and to comment on whether these were good or bad; and to determine whether there were any species that could not be categorized and to recommend how to deal with these. In response to the question raised by the representative of the Previous Host Country, the observer from IUCN only commented that Japan might be right.

The representative of the Next Host Country said that it appeared much attention was being paid to science but that Management Authorities should also be involved to ensure that the criteria were practical. He said that the United States of America was comfortable with the list of species currently in Appendix I and was reluctant to accept any new criteria without knowing how these species would be affected.

The representative of South and Central America and the Caribbean agreed that there had been a bias towards scientific and application considerations and that Management Authorities should have been involved in the process from the earliest stages. She felt that their views needed to be obtained before the joint meeting of the committees.

The observer from IUCN pointed out that the Standing Committee had specifically asked for scientific and objective criteria. IUCN had originally intended to hold a third workshop to consider implementation of the criteria but, after consultation with the Secretariat, had decided not to do this because the necessary review would take place in the next stage. The Secretary General added that financial constraints had also been a major consideration.

With respect to the inclusion of species in Appendix I, the observer from IUCN said that preliminary responses to the draft criteria implied that some people were prepared to accept higher levels of risk for some species (such as timber trees and marine fish) than for others (such as large mammals). If this was to be the policy there would need to be different criteria for different groups of species.

The Chairman turned the discussion to the process of completing the draft criteria. The observer from IUCN agreed to revise the first draft by mid-March to take into account, as far as possible, the comments that had been received; for reasons of time, this would not include a revision of the trade criteria relating to Appendix-I species. IUCN would continue its validation process and hoped to produce the results of this by August.

The representative of South and Central America and the Caribbean still felt there should be a workshop of representatives of Management Authorities of certain Parties with management problems to review the draft criteria. The Secretariat suggested that consultations might best be conducted at a regional level, led by the regional representatives in the Standing Committee. A meeting might not be possible in all cases but advantage could be taken of other regional meetings to get people together. For example the UNEP meeting on rhinoceros conservation, planned for June in Nairobi, would provide an opportunity for many African countries' representatives to meet. But the lack of funding was a problem for any additional meetings and funding was not yet secured for the joint committees meeting.

In view of this, the Chairman put aside discussion of a third workshop. He also acknowledged that the Conference of the Parties had perhaps been remiss in setting up a process too heavily attached to scientists and the Animals and Plants Committees and in not providing the necessary funding. What was needed now was consultation in the short term. In the discussion that followed, the regional representatives all agreed to seek opportunities for consultation within their regions, on the first draft of the new criteria, before the joint meeting of the committees. It was agreed that the regional representatives should exchange with each other the results of any consultations and that the views obtained should be passed to the joint meeting. It was also agreed that the Secretariat should send the IUCN draft criteria to all the Parties, together with a letter from the Chairman of the Standing Committee. A working group was established to draft the letter.

Replying to a concern expressed by the observer from the United Kingdom, the Secretariat said that when the revised version of the IUCN draft is sent to all Parties they

would be free to circulate it widely and to discuss it with NGOs, so that all views could be taken into account during the joint meeting of the committees. It was agreed that international NGOs should send any comments on the criteria to the Management Authorities of the Parties in which their headquarters are based or to the Chairman of the Standing, Animals or Plants Committee.

Further discussion of this agenda item was adjourned.

5. Approval of expenditures for 1992 and estimated expenditures for 1993

Introducing document SC. 29.3/Rev.1, the Secretary General noted that the totals were not correct in the table and that there was an increase in the 'G' staff salaries. He pointed out that expenditures for 1992 were lower than had been expected. He also noted that the posts of Plants Officer and Enforcement Officer came into the budget from 1993, and he thanked the Governments of the Netherlands and the United States of America which had seconded the present incumbents in those posts, as well as the Government of Japan which has seconded a professional officer who assists the Regional Officer for Asia and Oceania. The Secretary General noted that the Secretariat might move to Geneva in 1993 but there were no funds allocated for the move. He therefore requested the Standing Committee to approve the expenditure in 1993 of funds that had been allocated for this purpose in 1992. If the Secretariat did move, the Government of Switzerland would pay CHF 345,000 towards the rent, for which the Secretary General expressed many thanks. Finally, he asked for flexibility, within the approved budget and the UN rules, to promote the support staff at the appropriate time.

On behalf of the Standing Committee, the Chairman also thanked the Governments of Japan, the Netherlands and the United States of America, the federal and cantonal authorities of Switzerland, and also UNEP for their financial support for CITES. He drew attention to the continuing problem of late payment or non-payment of contributions and to the difficulties this created for the staff of the Secretariat.

The Secretary General re-emphasized the problems caused by the late payment or non-payment of contributions. Although the Secretariat had repaid the USD 800,000 loaned by UNEP in 1992, half this had been borrowed already in 1993. Recent indications were that the Russian Federation was not prepared to pay its contributions for 1992 or 1993, amounting to some CHF 1 million. An especial problem was that the contracts for the staff of the Secretariat came late and were only valid for three months; the staff were therefore hostages of the Parties and the UN. This creates several problems for them, not least with obtaining rental leases, which is of particular importance if the Secretariat moves to Geneva. The Secretary General urged the Committee to work with UNEP to find a solution to this continuing problem.

The observer from UNEP recognized that if the staff were to move they would need to have contracts for a year. But, he said, there were currently insufficient funds from the Parties to pay for such contracts. He stressed that this was no way to run an organization, adding that, although UNEP would stand by CITES, the Governing Council is not happy about the loans that have been made.

The Secretary General pointed out that the Governing Council would be meeting in May and asked that the Parties should hold internal discussions to ensure that there were no negative consequences for CITES. The Chairman noted the need for all Parties to do what they could, also observing that Mr A. Brough, who had supported CITES in UNEP, might not be there much longer.

The observer from the Netherlands remarked that these financial problems were perennial. He suggested that for the next budget period a large budget might be adopted

to create a reserve so that, afterwards, the Secretariat would operate on the income received in the previous year. The Chairman said that the Conference of the Parties had been reluctant to accept this idea previously but it could be discussed at the next meeting.

Some participants said that their fiscal years, unlike those of CITES, were not calendar years, and contributions could not be paid until the fiscal year had begun.

The Committee agreed to the flexibility required for the grading of 'G' staff within the approved budget and the UN rules. The representative of North America proposed that the same flexibility apply to 'P' staff. The observer from UNEP said that this was no problem for UNEP but it required the agreement of the Conference of the Parties.

The Chairman noted that the Committee had approved the provisional expenditures for 1992 and the estimated expenditures for 1993 and this agenda item was closed.

#### 8. Preparation of the ninth meeting of the Conference of the Parties

The representative of the Next Host Country reported that possible sites for the next meeting were still being reviewed. Miami, Boston and other towns were under consideration. In any case the meeting would not be held before October 1994. It would probably be held in November or December but January 1995 was possible. In considering sites, preference was being given to the possibility for participants to experience a national wildlife refuge and historical and cultural sites. A decision was expected in a few weeks.

The Secretary General felt that the most important factor in deciding the venue was the cost of organizing and attending the meeting. He noted that the longer a decision was delayed the more CITES was a victim of the availability of conference centres. The representative of Asia was also concerned about timing because he would need to submit his travel budget six months in advance of the relevant fiscal year.

The Chairman thanked the Next Host Country for their efforts and wished them luck.

The Chairman closed the session at 12h45.

#### Second Session: 1 March 1992: 14h10 - 17h30

#### 9. Secretariat's initial ideas for the Delegate Project for the ninth meeting of the Conference of the Parties, in the light of Resolution Conf. 8.1

The Secretary General introduced document SC.29.13, drawing particular attention to the problem of delegates being supported by the Delegate Project but not attending sessions.

The representative of North America, in reference to page 2, paragraph 5, stated that there are no real rules of conduct and that it might be best to refer to delegates cited by the Bureau. The Secretary General agreed to change the text to take this comment into account. He added that less money was likely to be needed for the Project for the ninth meeting of the Conference of the Parties than for the eighth mainly because of lower airfares and per diems. Pledges had so far been received only from Japan, the United Kingdom and the United States of America.

Considering the difficulty for some Parties in the Oceanian region to send even one or two delegates, the representative for Oceania supported paragraph 1 of document SC.29.13.

The Chairman concluded that the guidelines proposed by the Secretariat were clear and simple and, with the agreed change, the Standing Committee approved the document.

15. Information on relocation of the Secretariat

The representative of the Depositary Government announced that the Government of Switzerland had offered to UNEP the possibility to house various agencies concerned with the environment in a modern building, the Geneva Executive Centre (GEC), in Geneva. Although no specific decision had been made about the CITES Secretariat, it was among those agencies intended to go to Geneva. This was seen as only an interim solution because, in the long term, Switzerland wished to establish the Palais Wilson, in Geneva, as a centre for environmental agencies. The rent for the CITES Secretariat in the GEC would be more than CHF 400,000. However, until 1997, the Secretariat need only pay what it is paying now and the rest, CHF 347,000, would be paid by the Swiss Government. Switzerland had provided some money for the removal costs of the agencies; UNEP had later indicated that it wished to use this for furniture and although the Swiss Government does not object to this it would not provide additional funds for the removal. Switzerland would not object if the Secretariat moved somewhere else but it would not then be part of the funding package agreed with UNEP.

The representative of UNEP stressed that the proposal of UNEP to move the Secretariat to the GEC would give it significantly more space for no increase in rent, at least for three years. UNEP was also trying to secure satellite communications for the building. The terms for a possible move to the Palais Wilson had not yet been negotiated. The GEC would provide an interim solution and would be available from 1 April 1993. However, there was a problem because the existing lease of the Secretariat had three-and-a-half years to run and it might not be possible to get out of this contract without incurring costs.

The Secretary General said that the Secretariat had decided to follow the political will of the country which hosts the Secretariat and to move to Geneva, although it was possible that suitable offices might be available elsewhere for less money. However, eight points relating to the move were still under discussion: the existing lease; the cost of removal of the office from Lausanne to Geneva, which might be covered by the Swiss Government; the cost of the removal of the staff; the refurbishment of the current premises when the Secretariat vacates them; the increased costs of maintenance, cleaning and security for bigger offices in the GEC; the installation of communications equipment; new furniture, a relatively small cost; and the possible increase in rent from 1997, to be covered by UNEP or the Parties.

The representative of the Depositary Government said that, according to its Foreign Affairs administration, Switzerland would pay for the communication costs. He strongly stressed, however, that the Swiss Government did not mind where the CITES Secretariat was located, but the grant negotiated with UNEP related only to the GEC. He added that, even without any subsidy from the Swiss Government there could be options for the Secretariat that are cheaper in the long run than moving to the GEC. He emphasised that the Swiss Government had made no commitment to continue the rental subsidy after 1997.

The observer from UNEP drew attention to the sentence, in Agenda 21, about the desirability of collocating the Secretariats of Conventions dealing with the environment.

With a view to avoiding double removal and installation costs, the representative of Oceania asked whether the Secretariat could remain in Lausanne until 1997. The Secretary General responded that this was possible but would be to the detriment of the work of the Secretariat.

When asked by the Chairman about the possibility that UNEP might pay for the new furniture and the refurbishment of the offices in Lausanne, the representative of UNEP replied that it would be easier for UNEP to fund programme activities. This might release some money from the Trust Fund to pay costs related to the move of the Secretariat.

The Standing Committee noted the advice from the Depositary Government, UNEP and the Secretariat and left them to find solutions to the remaining problems.

## 11. Special projects

### a) Approval of projects

In response to questions on points of procedure, the Chairman explained that the role of the Standing Committee in reviewing projects was to ensure that they were consistent with the Convention and that the sources of funding were acceptable. The Secretariat added: that the Secretariat could seek funds only after the project proposal was approved; that only projects for species studies were reviewed in this way; that all project proposals must also be reviewed by the Animals Committee; that, following guidelines established by the Animals Committee, the Secretariat established priorities among the project proposals received, and submitted only the priority projects for approval.

The Secretariat introduced document SC.29.15, turning first to project S-45, a study of the feasibility of shearing live guanacos *Lama guanicoe* in Argentina for economic utilization. The federal and provincial governments in Argentina strongly supported this study of a species included in the review of significant trade. The representative of the Depositary Government questioned why it was intended to collect information on domestication of camelidae. It was agreed that it was not desirable to support the domestication of the guanaco. In response to a question from the observer from Israel, the Secretariat and the representative of UNEP stated that when a vehicle is bought for a project, the policy is to sell it at the end of the project and to use the money for other projects. The Standing Committee approved the project with the proviso that it must not encourage the domestication of the guanaco.

The Secretariat introduced project S-65, survey of the status and distribution of psittacines in Guyana. The Secretariat pointed out that Guyana was an important source of parrots in trade and that the basis of its quotas was in question. The representative of the Next Host Country felt that a survey of psittacines in Guyana was desperately needed but he was concerned about the proposed methodology, the feasibility and the big budget. The observer from Israel concurred, stressing that a fixed-wing aircraft would be adequate and less expensive than a helicopter. The Secretariat shared these concerns but was anxious to make progress in Guyana. The representative of South and Central America and the Caribbean suggested that the assistance of the IUCN/SSC Parrot Specialist Group should be sought. The Standing Committee approved the project in principle, on the condition that it should not start until an acceptable methodology had been prepared.

At the suggestion of the representative of the Next Host Country, the Secretary General agreed that all project proposals submitted in future would include a percentage to cover the Secretariat's administrative costs.

Project S-66, on the status of *Caiman crocodilus* in the Orinoco Delta of Venezuela, was introduced by the Secretariat. The representative of the Next Host Country felt that this was an excellent project. The Standing Committee approved the project without reservation.

Introducing Project S-67, survey and monitoring of *Varanus niloticus* in the Sudan, the Secretariat stated that projects on this species had been completed in other countries and this project would help to provide a better picture of its global status. Responding to concerns of the representative of the Next Host Country, the Secretariat said that the political problems were not in the area where this species was mainly found, that the costs were high largely because of the costs of travel, and that there was a need to find out whether specimens in trade really were from the Sudan, rather than from Chad and Nigeria as some information suggested. The Committee approved the project.

Project S-68, a survey of the status of *Crocodylus niloticus* in the Sudan and development of a conservation management programme, was introduced by the Secretariat which drew attention to the long-lasting problem of stocks of skins; in principle there should be no trade in this species from the Sudan. The Secretariat questioned the feasibility of the project because of unrest in the south of the country. If the project were approved by the Standing Committee the Secretariat would discuss it with the IUCN/SSC Crocodile Specialist Group at its meeting the following week. The observer from Israel asked why the per diem in the budget for a consultant was different from that for local counterparts. The Secretariat did not know because the proposal had been prepared by the Management Authority of the Sudan. The Chairman suggested that the budget was indicative and said that the Standing Committee was not approving the budget of each project, which should, in any case, be examined by the donor agency; rather the Committee was approving the projects in principle. The observer from Israel felt that the Committee had a responsibility to comment on deficiencies in the proposals. The Committee then approved project S-68.

#### b) Approval of new donors

The Secretariat introduced document SC.29.15 Annex 6 and explained that applications to include potential donors in the list must be supported by the Management Authority of the country concerned.

There being no objections, the inclusion of the Nicaraguan Traders Association and the Conservation and Management International Foundation was approved.

The Secretariat also introduced a request from the Management Authority of Brazil to include the Permanent Committee for the Recovery of Spix's Macaw, which had been established by the Government of Brazil. The Secretariat was represented on the Committee and its inclusion on the list would allow the Secretariat to accept funds from members of the Spix's Macaw Committee to pay for the Secretariat's attendance at the meetings in Brazil. Several members of the Standing Committee were reluctant to agree to the registration of this Committee because its members, the potential donors, included traders known to have traded illegally in the past. After considerable discussion, the Standing Committee refused to approve the Spix's Macaw Committee and asked the Secretariat to find a way to receive funding for travel through the Government of Brazil.

#### 6. Fifth periodic report of the Secretariat

The Secretary General introduced document SC.29.8. He also announced the publication by IUCN, of the 'Guidelines for Legislation to Implement CITES', a new book resulting from a CITES project.

With respect to section 1, the observer from the European Community observed that Greece did have a Management Authority, although they had omitted to provide details of it to the Secretariat, and that Greece also used the Scientific Working Group of the EC. The representative of South and Central America and the Caribbean remarked that she was aware that some countries in her region had not notified the Secretariat of the details of their Scientific Authorities, but there was little that could be done until they had the legal capacity to designate authorities.

With respect to section 2, the Chairman reported that representations from the Republic of Korea had been made to the Next Host Country, the Secretariat and himself to express interest in joining the Convention and in attending the present meeting. However the Chairman had declined permission for a representative of the Republic of Korea to attend the meeting. The representative of the Next Host Country reported on their increased efforts to get the Republic of Korea to join CITES and encouraged other Parties to do the same. In the ensuing discussion the participants reported the interest in joining the Convention that had been expressed by officials from Aruba, Bhutan, Dominica, Grenada, Jamaica, the Lao People's Democratic Republic, Myanmar, the Netherlands Antilles and Viet Nam.

With respect to section 4, the Chairman noted the possibility for the Standing Committee to meet twice a year, to reduce the size of the agenda, but that this was made difficult by financial constraints. He proposed that the Committee should take advantage of the joint meeting of CITES committees in September to have a Standing Committee meeting immediately afterwards.

In view of the special interest of the Netherlands in plants, the observer from that country was happy to see the increased focus on plants and that the Plants Officer would be included in the Secretariat's budget from 1993.

The Committee noted the Secretariat's report and the Chairman thanked the Secretary General for a good and comprehensive report.

The Chairman closed the session at 17h30.

### Third Session: 2 March 1993: 09h00 - 12h30

The Secretary General announced that the Implementation Committee of the Global Environment Facility (GEF) had approved a grant of USD 2 million for a project in Indonesia and Malaysia to develop infrastructure support for conservation of rhinoceros in Southeast Asia. He was hopeful that at least half of the 65 projects submitted by the CITES Secretariat for consideration by GEF (for about USD 3.5 million) would also be approved. Projects in Mongolia, Cameroon and Mauritius were also being discussed by GEF.

#### 7. Report by the Secretariat on specific obligations resulting from resolutions of the eighth meeting of the Conference of the Parties

##### a) National Laws for Implementation of the Convention (Conf. 8.4)

The Secretariat introduced document SC.29.9. It planned to produce an inventory of national laws to implement the Convention. The IUCN Environmental Law Centre and TRAFFIC USA had been contracted to analyze the laws of Parties listed in Annex 1 to document SC.29.9. In view of the funding needed to undertake this project, the Secretariat asked the Committee to approve the

reallocation of remaining 1992 and budgeted 1993 funds intended for the project on Animal Species in Legislation to the new project A-80.

The representative of South and Central America and the Caribbean asked what were the criteria used to select the Parties listed in Annex 1. She noted that a number of Parties that were known to have problems with implementing legislation were not included. The representative of Oceania noted that New Zealand was listed even though it had adequate national implementing legislation. She suggested that the list be revised to ensure that funds were not wasted in reviewing the laws of Parties known to have adequate legislation. The representative of the Depositary Government supported this view. The Chairman added that Resolution Conf. 8.4 was directed at Parties that did not have adequate legislation and said it was inappropriate and wasteful to include Parties known to have such legislation.

The Secretariat believed, and later (after contacting the Secretariat offices) confirmed, that the main criterion for selection of countries in Annex 1 was a high volume of trade.

The Chairman asked the Committee to decide whether to approve the Secretariat's recommendation, and he proposed that the list of countries whose laws were to be reviewed could then be revised by the Secretariat to reflect the concerns expressed in the Committee. The Committee agreed to this procedure.

The representative of the Next Host Country asked whether the report of the analyses, to be presented to the next meeting of the Conference of the Parties, would identify all Parties having problems with national legislation. The Secretariat confirmed this to be the case.

The Secretariat also agreed with the suggestion by the representatives of the Next Host Country and South and Central America and the Caribbean that Parties identified as having problems with implementing legislation should normally solve this problem on their own and that funding or other assistance should be provided only to those countries with no other way of proceeding.

Several members of the Committee referred to the need, expressed in Resolution Conf. 8.4, to identify Parties that had not even the most basic legislation necessary to implement the Convention. The Chairman, supporting the representative of South and Central America and the Caribbean, felt that, in order to address this, a questionnaire should be sent to all Parties to determine whether the basic requirements were met.

The Secretariat stated that it was, of course, possible to send out a questionnaire but it was not possible to analyze the legislation of all Parties. In addition it was possible for Parties not on the list to request assistance.

The alternate representative of Africa asked how countries could legally accede to the Convention without having proper legislation. He also noted that many Parties have antiquated environmental legislation and would not be able to meet legislative obligations.

The Secretariat said that Parties whose legislation was being reviewed would only be asked to send copies of any legislation not already held by the IUCN Environmental Law Centre or TRAFFIC USA.

Finally the Committee approved the Secretariat's recommendation in paragraph 9 of document SC.29.9. It also agreed that the reports to the Standing Committee and the Conference of the Parties should be in the three working languages of the Convention but the country studies need not be translated.

b) Submission of annual reports (Conf. 8.7)

The Secretariat introduced document SC.29.10 and asked the Standing Committee to approve the recommendations in paragraph 5.

The representative of North America said that the recommendations were reasonable and he noted that, if they were approved, the list of countries that was annexed to the Secretariat's document would need to be updated to show those that had submitted annual reports.

The Committee approved the Secretariat's recommendations.

c) Trade in wild-caught animal specimens - primary recommendations of the Animals Committee (Conf. 8.9)

The Secretariat introduced its report in document SC.29.11, stressing that it addressed only the primary recommendations of the Animals Committee. Two Parties had written to the Secretariat after the preparation of the report. The Russian Federation had informed the Secretariat of its export quota for *Felis lynx* and had thus implemented the primary recommendation relating to that country which could be deleted from section 4. This quota applied only to the Russian Federation and not to other States in the CIS. China had provided some additional information, but had still not implemented the recommendation relating to *Felis bengalensis*, so remained on the list. The Secretariat asked the Committee to approve the recommendations in section 5 of document SC.29.11.

Responding to a question from the representative of the Next Host Country, the Secretariat said that China had implemented the Animals Committee's recommendation regarding *Felis lynx*.

The Secretariat said it had made no recommendations regarding non-Parties because Resolution Conf. 8.9, which established the procedure for implementing the recommendations of the Animals Committee, did not envisage recommendations dealing with non-Parties. However the Secretariat had sent the relevant recommendations to non-Parties and, anticipating consideration of this point, had reported on their responses in Annex 2 of document SC.29.11. The Secretariat added that the status of some countries vis-a-vis CITES was still unclear. The representative of the Next Host Country said that the same should be expected of non-Parties as of Parties and that the recommendations of the Secretariat should be accepted and extended to non-Parties that had not implemented the recommendations of the Animals Committee. This was agreed by the Standing Committee.

16. Report on the activities of the Transport Working Group

The Chair of the Transport Working Group (TWG) introduced document SC.29.20. The TWG had not yet met, but would meet in April in Senegal. She emphasized the importance of holding meetings in countries that export live specimens. The Secretariat training seminar in Trinidad and Tobago had included a session on transport of live animals and such sessions were expected to be a standard part of future Secretariat training activities. Regarding section 3 of document SC.29.20, the Chair of the TWG

said that very little correspondence had been received so far. Regarding section 4, she had worked with NGOs, zoological institutions, IATA and veterinarians to formulate recommendations. Regarding sections 5 and 6, the Senegal meeting was expected to discuss bird species with significant mortality during transport. Regarding section 7, the Chair of the TWG had, with the Secretariat, participated in an IATA airlines training workshop. She noted the need for more focus on trade in reptiles as mortality in shipments was high. Regarding section 11, representatives of Argentina and Honduras would participate in the Senegal meeting.

The representative of the Depositary Government recommended that the Chair of the TWG should contact the organisers of the symposium of zoo veterinarians scheduled for 19-22 May in Rabat, Morocco. He reported that data on bird mortality were extensive in Switzerland and that mortality was lower than for the United Kingdom, possibly because of restrictions on size of shipments (30 large psittacines or 150 small psittacines per shipment).

The representative of South and Central America and the Caribbean recommended that there be a procedure for importing countries to tell exporting countries of the condition of shipments of live animals arriving. She asked about the use made of dead animals and suggested that universities could co-operate in doing analyses. The Chair of the TWG said that this was a good idea and that, although there were some disease concerns associated with dead animals, there had been requests from avian veterinarians to analyze causes of mortality. The observer from the United Kingdom reported that her country was active in this area and was conducting a pilot programme to ascertain causes of mortality and sending this information to the exporting countries. She suggested that the IATA Live Animals Board should consider limiting the size of consignments. The Chair of the TWG concurred that the size of consignment was the most significant factor affecting mortality. But the representative of the Depositary Government felt that the real problem might be conditioning of birds before shipment.

The observer from Israel recommended that, at the Senegal meeting, the TWG might consider encouraging exporters whose shipments have high levels of mortality to participate in training seminars.

The work of the TWG was highly commended by the Chairman, the representative of South and Central America and the Caribbean and the Secretariat and the report was accepted by the Committee.

17. Guidelines for the Development and Assessment of CITES Significant-Trade Field Projects, prepared by the Animals Committee

The representative of the Next Host Country presented document SC.29.21/Rev.1 on behalf of the Chairman of the Animals Committee. The Animals Committee had recommended that recommendations resulting from field investigations should be called 'management conclusions' to prevent confusion with more formal recommendations.

Responding to a question from the representative of Oceania, the representative of the Next Host Country stated that the Secretariat always involved the relevant Management Authorities in the development of projects.

The representative of South and Central America and the Caribbean applauded the inclusion of socioeconomic factors and noted that previous failure to do this had caused problems.

The Committee approved the guidelines.

14. Standard permit form

The Secretariat explained that, although Resolution Conf. 8.5 had been adopted at Kyoto, the standard permit form was not adopted. But the old permit form was not adequate to meet the demands placed on it by the new Resolution. A draft of a new permit form had been sent to the Parties for review and the Secretariat had taken into account the comments received and had revised the form. The Secretariat asked the Committee to agree that the form was acceptable so that it could be circulated and printed by the Secretariat for use by certain Parties. It would still need to be formally adopted by the Conference of the Parties but it could be put into use now.

The representative of the Depositary Government was concerned that the Committee should not approve a standard form which did not meet the Convention requirements relating to the need to include the signature of, and a declaration by, the applicant. This generated considerable discussion about the practicality of the requirement. The Secretariat asked whether it should recommend the rejection of all export permits that do not meet this requirement. It was agreed by the Committee that rejection should only be recommended in cases where there was a space on the form for the necessary declaration or signature but the space was not completed.

A long discussion followed, in which the main points to emerge were the following. The instructions for completing the form would be printed on the back. The use of the form was not obligatory but would be recommended by the Secretariat. The EC member States had not yet formulated a view about the proposed form. The information required in blocks 6 and 13 could be combined. Block 13 would be improved by putting the spaces for the signature and the security stamp side-by-side, as the signature should overlap the stamp. Some participants felt there was insufficient space for description of specimens in block 9. However each Party could modify the standard form and it would be possible to have three instead of four items per permit. The use of the form for 'Other' purposes would require an indication of which purposes; this could be explained on the reverse. There were special problems that arose in cases where the permits were issued on computers; these needed to be tackled individually. Thailand had adopted the standard form in its regulations. There was a need to stress to Parties that they had flexibility in adjusting the standard form to national needs. It is useful to record the security stamp number in a box on the permit, not only as a double security but also because, when copies of permits are faxed to the Secretariat for verification, the number on the stamp itself is often difficult to read.

Finally, it was agreed that the Secretariat should revise the draft of the standard form, taking into account the comments that had been made; there was no need to seek any further comments from the Parties as this had been done; however, in the Secretariat's review of resolutions, the form should be incorporated into a draft resolution on the use of forms, for discussion at a future meeting of the Standing Committee.

The Chairman closed the session at 12h30.

Fourth Session: 2 March 1992: 14h15 - 18h00

7. Report by the Secretariat on specific obligations resulting from resolutions of the eighth meeting of the Conference of the Parties (continuation)

a) National Laws for Implementation of the Convention (Conf. 8.4) (continuation)

Having contacted the Secretariat offices, the Secretariat confirmed that the basis for listing countries in the annex of document SC.29.9 had been the level of trade. Trinidad and Tobago had been excluded because most of its trade of concern was of specimens in transit, not originating there. After further discussion, it was agreed that the project and the Secretariat should focus on those countries with the greatest need rather than the most trade. At the suggestion of the Secretary General it was also agreed that the Secretariat should ask UNEP for funding for this project so that the money allocated from the Trust Fund could be used to support the Secretariat's move. The representative of South and Central America and the Caribbean also stressed the need for the Secretariat to reach higher political levels, to emphasize the obligations of Parties to put national implementing legislation in place.

#### 4. Review of the resolutions of the Conference of the Parties

The Secretariat introduced documents SC.29.4, SC.29.5, SC.29.5.1, SC.29.6 and SC.29.7 to SC.29.7.5.

The Chairman congratulated the Secretariat on the work it had accomplished and asked for comments from the Committee. The alternate representative of Africa, the representatives of Oceania, South and Central America and the Caribbean and the Next Host Country, and the observer from the United Kingdom all agreed that the work done so far was excellent and should be continued.

The Standing Committee agreed that the index to resolutions in documents SC.29.7 to 29.7.5 should be distributed to the Parties as soon as possible. The observer from the Netherlands said that there were some references missing and the documents should be checked. It was expected that there would be comments and suggestions arising from the use of the documents, and it was agreed that these should be sent to the Secretariat.

Concerning document SC.29.6, on resolutions that the Secretariat proposed should be repealed, the representative of the Next Host Country thought this was a good start but felt that there was a need for a further exchange of views about resolutions or parts of resolutions considered by the Secretariat as defunct, as some Parties might disagree with this judgement. The representative of the Previous Host Country and the observer from the Netherlands concurred. After some further discussion it was agreed to establish a working group of the Standing Committee, to meet during the 29th meeting, to identify the potential problem areas. The representative of the Next Host Country agreed to chair the working group, which included the representatives of the Depositary Government, North America, and the Previous Host Country, the observer from the Netherlands and the Secretariat.

Concerning document SC.29.4, containing three drafts of consolidated resolutions, there was general agreement that the Secretariat's approach was good and that the Secretariat should continue its consolidation efforts. After some further discussion, the Standing Committee agreed that the references to resolutions that are to be repealed or amended should be kept in the preambles and, at least for the working drafts, in the operative parts. However, in the interest of keeping the operative parts as short as possible, the Conference of the Parties could be presented with a single list of all the resolutions to be amended or repealed.

The Committee endorsed the approach taken by the Secretariat in document SC.29.4. and requested the Secretariat to continue the task it had begun. The Secretariat said that there might be from fifteen to fifty consolidated resolutions, depending on how they were grouped. The representative of North America suggested that it would be best for

the Secretariat to focus on the subjects covered by the greatest number of resolutions. The Secretariat was therefore asked to present further draft resolutions to the Standing Committee, bearing in mind this focus and the practical limitations on the Committee. In the meantime, Committee members should send to the Secretariat any comments they have on the drafts that had been presented.

The Committee then considered document SC.29.5.1, regarding the need in the future for draft resolutions to take account of resolutions that had been adopted on the same subject and to repeal them where appropriate. The representative of the Depositary Government suggested that, where appropriate, draft resolutions should also include a limit on their period of currency. The Secretariat pointed out that decisions whose currency was limited were dealt with in document SC.29.5. The representative of the Next Host Country expressed concern about limiting the period of effect of resolutions generally and stressed the need to be very careful about this approach, for both legal and administrative reasons. In response, the Secretariat supported by the representative of the Depositary Government, suggested that a limitation on currency would only be necessary when there was a deadline for implementation, the Chairman adding that a resolution should normally remain current until it is implemented. The Standing Committee then approved the recommendations of the Secretariat in document SC.29.5.1, and invited the Secretariat to write an additional recommendation about the limitation of currency, for consideration at the next meeting of the Conference of the Parties, with an emphasis on the fact that the Conference of the Parties would itself decide when to use such a limitation.

Turning to document SC.29.5, the Secretariat suggested that certain types of decisions of the Conference of the Parties should be recorded separately from the resolutions but in a manner making them accessible to Parties. There was general agreement that this was a practical and useful idea but a lengthy discussion ensued concerning the ways in which such an idea could be implemented. The Committee finally approved the Secretariat's recommendation b) but deferred approval of recommendation a) and requested the Secretariat to provide some examples for the next meeting.

The Chairman congratulated the Secretariat on the good work done in translating the Standing Committee's intentions into actions in the papers on the review of the resolutions.

### 3. New criteria for amendment of the appendices (continuation)

The representative of North America reported that the working group drafting the Standing Committee's letter to the Parties on the new criteria, consisting of the representatives of the Next Host Country, North America, Oceania, and South and Central America and the Caribbean, had met the previous evening. The intent of the draft letter the working group had prepared was to:

- provide the context for the Management Authorities so that they would understand better the state of the production of the draft criteria;
- draw attention to the concerns about these criteria expressed by members of the Standing Committee;
- request comments from Parties; and
- open up the process for wider participation.

The representative of North America then briefly reviewed the contents of the draft letter, and reiterated the Committee's understanding that IUCN would submit a revised

draft of the criteria to the Secretariat by mid-March and the Secretariat would send it out in late March or early April, requesting comments by June.

The representative of the Previous Host Country again questioned the legal basis of the references to either the species harvested as an incidental catch of, or food species of, Appendix-II species, in relation to Article II.2.(b), and insisted that the relevant parts of the criteria should be deleted if there were no rationale for the references. The observer from IUCN replied that he would review the points raised by Japan.

After some discussion, the Standing Committee agreed that Parties should be asked to give their views on the precautionary principle and on whether the new criteria should be non-discriminatory.

After some debate on the wording of the draft letter, the Chairman directed the working group to prepare a new draft containing the changes discussed, to be taken up at 09h00 the next morning.

The meeting was adjourned at 18h00.

#### Fifth Session: 09h10 - 12h10

### 3. New criteria for amendment of the appendices (continuation)

The members of the Committee made a few comments on a revised draft of the letter to be sent to the Parties about the preparation of the new criteria and a text was agreed.

Attention turned to the arrangements for the joint meeting of the committees, and the observer from the EC made the following points. Directorate General XI of the Commission of the European Community had proposed to hold the meeting in Brussels but the resources of the Commission were under stress and priorities had to be established. Those making the decisions were not happy to include this meeting among the priorities if the Parties did not consider it important to bring the EC into CITES by accepting the Gaborone amendment. The observer from the EC apologised for having to make this link at the instruction of the Commission hierarchy. The Gaborone amendment had been adopted ten years before and, in the spirit of supporting nature conservation, the EC had adopted regulations to apply CITES throughout the Community. But they were disappointed by the slow rate of acceptance of the amendment by the Parties. There was little hope of being able to offer the meeting facilities without some positive indication by the Parties of an interest in bringing the Gaborone amendment into effect. The observer from the EC stressed that this should not be taken the wrong way and that the EC wanted to help and to take on the responsibilities of a member of the Convention. All CITES Parties within the EC except Greece had accepted the Gaborone amendment. The EC was grateful to the Secretariat for having written, at the end of 1992, to Parties that had not accepted the amendment, encouraging them to do so.

The Chairman acknowledged the past support to CITES by the European Community. The representative of the Depositary Government stated that the Swiss Management Authority no longer had any objection to the acceptance of the Gaborone amendment, although it would probably have to wait until there was a package of conservation measures to be presented to Parliament. He added that, if the EC was unable to provide meeting facilities, the Swiss Government would be happy to explore the possibility of providing them in Berne, although they would not be able to cover the costs of simultaneous interpretation. The representative for North America reported that Canada

would respond positively to an approach through diplomatic channels regarding acceptance of the Gaborone amendment. The representative of South and Central America and the Caribbean offered to provide assistance in communicating with countries in her region that had not accepted. The representative of the Next Host Country stated that the Gaborone amendment had been introduced in the US Senate and that the Management Authority would raise the issue with the Department of State. The observer from Israel offered to follow up the subject on his return to Israel.

The Secretariat encouraged the EC to take up this issue through its overseas delegations. The observer from the EC stated that the Commission would be undertaking a new campaign to encourage Parties to accept the Gaborone amendment. He had been encouraged by the responses of the participants in the meeting and would try again to secure facilities for the joint meeting of the three committees and for separate meetings afterwards.

#### 10. Reports on specific issues from the geographical regions

The representative of Europe presented information on the activities of his region. He drew particular attention to: the meeting of Nordic countries in 1992; the illegal trade in birds, especially birds of prey; the illegal trade in Eastern Europe; the efforts to train police and Customs officers in Sweden; and the discussions on a new EC regulation on the control of wildlife trade.

The representative of Asia reported on the Asian regional meeting that had taken place in Chiang Mai from 29 October to 1 November 1992, attended by the representatives of 29 countries, including several non-Parties. The conclusions were summarised in the report of the meeting. The next meeting was planned to take place in Israel, in March 1994.

The representative of Oceania presented a written report on her region. She emphasized the very useful role of TRAFFIC Oceania in the region. She also drew attention to: a number of seizures that had taken place, thanks to co-ordination of enforcement efforts between Australia, New Zealand and the United States of America; the problems of parrot eggs being smuggled into New Zealand and the resulting birds being re-exported with CITES documents; the difficulties experienced by Australia because of its use of 'personal export certificates'; similar difficulties experienced by New Zealand with its 'multiple export certificate' for artificially propagated plants; and problems in the trade in souvenirs of corals and marine shells.

The representative of South and Central America and the Caribbean also presented a written report to the Committee. She drew particular attention to: the high demand for specimens of species in the region and the high level of illegal trade; the problems of managing the wildlife populations and enforcing the trade controls; the success of the two enforcement training seminars that had taken place; the need for strategies for the Parties in the region to obtain economic benefits from the trade; the interest of several non-Parties in joining CITES; the large number of biological studies being conducted in the region; the need for a regional meeting and for funds to hold it; the problems of communication with other Parties in the region, partially because of financial constraints; and the need for a TRAFFIC office in Central America.

In discussion, the representative of Oceania and the observer from Israel stated that there were also communication problems within their regions. The representative of Africa (Senegal), having just arrived, apologised for his lateness, and said that he had been in Washington for four days but had been unable to find the meeting place. He stated that in Africa the communication problems were worse than in the other regions.

The representative of North America and the representative of the Next Host Country had both submitted written reports about activities in their own countries. The representative of North America drew especial attention to: the activities for the Standing Committee, Animals Committee and Plants Committee; the regional meeting held in February 1993; the unsuccessful attempt to table a resolution at the UN General Assembly regarding the use of funds from the sale of endangered-species stamps; the help given by the United States of America in various CITES training seminars; the financial assistance given by Canada for the review of the listing criteria and by the United States of America for elephant conservation; changes in domestic legislation in Canada; production in Canada of a guide to identification of species, for Customs officers; and discussions of the North American free-trade agreement, which required Parties to maintain their individual obligations under CITES. The observer from Mexico and the representative of the Next Host Country added a few comments, the former pointing out that the problems in his own country were similar to those in South American countries.

13. Follow-up of discussions and decisions on CITES implementation

a) Italy

Document SC. 29.17 was introduced by the Secretariat. The observer from Italy expressed his satisfaction with the procedure to date and presented a document on the actions taken to improve implementation of the Convention in Italy. He drew attention to: the reduced number of Customs offices for import; the new operations manuals that had been produced; the new operating procedures to ensure that only specimens legally imported could be legally re-exported; new legislation and sanctions; and a new Management Authority in the Ministry of Environment. He also thanked the Secretariat staff for their considerable help in making progress.

The Chairman congratulated Italy on its progress, thanked the authorities for their good work and thanked the Secretariat for its co-operation. The Secretariat confirmed its view that the recommendation of the Standing Committee to suspend trade with Italy had been correct, and the progress made by Italy had been excellent. They thanked Italy for their work and also thanked Marco Pani, of TRAFFIC Europe (Italy Office), for his help in achieving the right result. A suspension of the Standing Committee's recommendation had been agreed by postal procedures. The new law in Italy had still to be approved by the Senate, and the approval was expected before the end of the week. The Secretariat would undertake a mission to Italy in due course to determine whether the new law and procedures were being properly implemented.

The representative of the Depositary Government stated that the EFTA countries had not implemented the sanctions recommended by the Standing Committee because of a free-trade agreement with the EC, and he asked which countries had imposed sanctions. The Secretariat responded that a review of permits received in Italy had revealed that most trade was coming from Switzerland and the United States of America; most Parties had somehow implemented sanctions, notably those in South and Central America that had asked for the ban and had suffered financially as a result. The representative of South and Central America and the Caribbean thanked the authorities of Italy for their action to help stop the illegal trade from her region.

The Chairman looked forward to receiving the Secretariat's report in due course, so that the Standing Committee could decide whether to definitively withdraw its recommendation of sanctions.

## b) Thailand

The Secretariat noted that the sanctions on trade with Thailand had been lifted following the instructions of the former Standing Committee. At that time, the necessary laws had been adopted but the implementing regulations had not and, although there was no evidence of abuse of this loophole, it was important that the regulations be adopted in Thailand.

The representative of Asia summarised the developments in Thailand over the previous year. He particularly noted that trade in CITES species was completely controlled by Ministry Notification and that 13 Ministerial regulations had been submitted for approval; some had been approved and approval of the rest was expected in March 1993. The Secretariat requested copies of the regulations.

In response to questions from the observer from Israel, the Secretariat stated that it had already organized an Asian training seminar in association with the Asian Regional Meeting, and summarized the known interest of Asian non-Parties in joining the Convention. The observer from the United Kingdom noted that Parties have a part to play in training and announced that her country was planning to bring someone from Thailand to the United Kingdom for training on plants.

The representative of the Next Host Country stated that his country had not yet lifted its sanctions on trade with Thailand, but was in discussion with the Thai authorities about this.

Responding to a question from the observer from Israel about the utility of sanctions, the representative of Asia said that they were useful, and the observer from Italy said that this was difficult to assess and that there were alternatives, such as intensified communication with the Secretariat.

The session was closed at 12h10.

## Sixth Session: 4 March 1993: 09h05 - 12h30

The representative of the Next Host Country announced that a revised version of 'Mammal Species of the World' was available. He added that his country would work with the Chairman of the Nomenclature Committee to consolidate the Resolutions dealing with nomenclature.

With respect to the results of the working group discussing document SC.29.6, on proposals to repeal certain Resolutions, the Chairman stated that it was not necessary for the group to report back but rather the Secretariat could simply circulate a modified version of the paper in due course.

12. Rhinoceros conservation issues

The Secretary General introduced document SC. 29.16, thanking UNEP for its initiatives.

The representative of UNEP said that the recommendations of the Standing Committee had been taken seriously. He reported on the activities of UNEP, particularly in: supporting field projects in Africa and Asia; appointing a Special Envoy to learn about the rhinoceros horn trade, encourage non-Parties to join CITES, and generate public concern about rhinoceros conservation; and organizing meetings between rhinoceros range States and donors. An informal preparatory meeting had taken place in December 1992 and the main meeting was due to take place in June 1993. The Special Envoy had prepared a 15,000-word report; it had not yet been cleared for release but would be ready in one month.

Some discussion followed on the arrangements for the forthcoming UNEP meeting, and on the need for time to prepare. Several participants felt that the dates should not overlap those of the Ramsar meeting in June.

The observer from Namibia thought that the meeting would only provide short-term assistance and not long-term solutions for the range States of rhinoceros. The representative of UNEP shared this concern but stressed that such meetings do help to secure funds that might not otherwise be available.

Turning to document SC. 29.16, the observer from Namibia, denied the suggestion, on page 4, that there exists an agreed mechanism for co-ordination of African elephant conservation.

The Chairman turned the attention of the Committee to section 8 of document SC. 29.16. The Committee noted and endorsed point a), understanding the need for the Secretariat to help UNEP. The Committee endorsed the proposed missions of the Secretariat to the Republic of Korea, Myanmar, Swaziland and Yemen and requested the Secretariat to seek the necessary funding. The observer from the EC suggested that the Secretariat's initiative be complemented by diplomatic missions.

With respect to paragraph c), the Secretary General stated that, although IUCN had been encouraged to co-ordinate rhinoceros conservation activities of NGOs, it had declined to do so after seeking the opinions of the organizations most concerned. The representative of UNEP agreed to ask the UNEP authorities whether UNEP would provisionally take on the role of co-ordinator, and the Secretary General proposed that the co-ordination be done in consultation with the Secretariat.

With regard to paragraph d), a long discussion took place on the acceptability of trade in hunting trophies from rhinoceroses, particularly trophies obtained from animals de-horned in sport darting. The representative of the Next Host Country and the observers from Israel and Mexico felt that it was inappropriate or premature for the Committee to give any endorsement in principle to such trade. Finally, the Standing Committee noted that trophies of Appendix-I species may be traded under the provisions of Article III of the Convention, in accordance with Resolutions Conf. 2.11 and Conf. 6.10. The Committee had previously urged that investigation be carried out of de-horning and of other innovative means of assisting rhinoceros conservation. The Committee urged all Parties to share information relevant to de-horning and to trophies derived from de-horning. The representative of the Next Host Country believed that the statement, in document SC. 29.16, that the Animals Committee had endorsed de-horning, was incorrect.

With respect to paragraph e), the Standing Committee strongly endorsed, in principle, the adoption of an agreement along the lines of the draft Lusaka Agreement.

The observer from Israel urged the Committee to take further action for rhinoceros conservation and to live up to the statements made in its resolution adopted at its 28th meeting. He drew particular attention to China (including Taiwan), the Republic of Korea, and Yemen, as the main countries consuming rhinoceros horn, and to the level of illegal trade in rhinoceros horn products into the United States of America, including commercial shipments.

The representative of South and Central America and the Caribbean stated that the problems for rhinoceroses had increased rather than diminished. She felt that all reasonable efforts to find solutions had failed and she urged the Committee to recommend a ban on all trade with the principal rhinoceros-horn-consuming countries. The observer from Mexico concurred.

The representative of Europe was hesitant to support such a ban, seeing little similarity between this case and those in which bans had been recommended by the Committee. He also drew attention to the lack of control of China over events in Taiwan. The observer from the EC added that there was no EC position.

The representative of the Depositary Government noted that many of the illegal shipments arriving in the United States of America had been in passenger traffic and by post, forms of trade that were virtually impossible to control adequately. He pointed out that a large proportion of the illegal shipments had been from Hong Kong, but there was no call for a ban on trade with the United Kingdom. As the problems in the rhinoceros-horn consuming countries were related to illegal trade, rather than to administrative or legislative problems, he agreed that they could not be compared with the problems in Italy. He did not feel that the implementation of a ban on trade with China would be effective or appropriate but that rather the Committee should make positive proposals, for example to destroy stocks of horn.

The representative of UNEP stressed that under UN rules Taiwan was a province of China and any solution should bear this in mind.

The observer from the United Kingdom reported that she had not received much criticism of the control of rhinoceros-horn trade in Hong Kong. Her country had supported trade-monitoring work in Asia by TRAFFIC. She felt that a ban should not be seen as the only measure that could be taken by CITES Parties. Her country had put diplomatic pressure on the countries concerned and she asked what measures had been taken by other Parties.

The representative of the Next Host Country believed that the underlying problem was the continued existence of products containing rhinoceros horn. As long as they were manufactured they would continue to enter markets and fuel demand. In the United States of America, there had been an application to invoke the Pelly Amendment (to bring sanctions against countries that are undermining an international agreement) against China, the Republic of Korea, Taiwan and Yemen. The application was under review. The representative of the Next Host Country felt that further action was needed and that the Standing Committee should find a way to inform the countries concerned that their actions were contributing to the demise of the rhinoceroses and they should comply with the international norms established by CITES. He felt that, although the political status of Taiwan might create problems for UNEP and the Secretariat, the same problems might not exist for individual Parties and the political status of Taiwan should not stop the Committee from making recommendations about it.

The representative of North America generally supported the views of the Next Host Country but for practical reasons did not support a ban, which he felt would not achieve the Committee's objectives.

The representative of Oceania felt that there was a need for the Standing Committee to take action that would achieve a solution in the short term.

The representative of Asia read aloud the conclusions of the discussion on rhinoceroses in the Asian Regional Meeting.

The representative of Africa felt that no decision could be made until the views of the range and consumer States and of the Animals Committee had been sought.

The observer from the Previous Host Country supported the views of the representative of the Depository Government. He added that, before Japan joined CITES, rhinoceros horn had been used in traditional medicine. But in 1980 such horn had been deleted from the list of approved pharmaceutical products. This had been effective.

The observer from China drew attention to the paper he had submitted to the Committee, stating the position of his country. He reported that China's past exports had been from legal pre-Convention stocks but there was no longer any legal international trade in rhinoceros horn. He said that the idea of a ban on trade with the province of Taiwan was not acceptable or workable. China was not planning to destroy its legal stockpiles although it was planning to stop pharmaceutical use of rhinoceros horn.

The representative of South and Central America and the Caribbean felt that the Standing Committee was not taking its responsibility seriously. She understood that it might be difficult to agree to bans, as the trade going on was illegal. But she stressed that the Committee would be judged on this issue.

The meeting was adjourned at 12h30.

#### Seventh Session: 14h00 - 16h30

#### 19. Any other business

##### Implementation of the Convention in Colombia and the Netherlands Antilles

The Secretariat reported that the problems of enforcement of CITES in Colombia had been raised by Parties in Latin America and Italy. While the project for breeding caimans in captivity in Colombia had been very successful, illegal trade was flourishing and shipments that had been seized had been found to be covered by legitimate export permits. Skins of captive-bred animals exported from Colombia were supposed to be not more than 1.2 m long but illegally obtained skins had been cut to that length. The Secretariat said that importers should check to see whether skins imported were actually what they were claimed to be, and that Colombia needed to enforce its own controls.

The observer from Colombia said that his country was deeply concerned, that they had the will to try to solve the problem, and that the General Manager of Natural Resources and a representative of the Bank of Colombia were present at the meeting. Enforcement measures already taken had included firing 2400 out of the 3600 Customs employees, for corruption, and replacing them by selected, well trained officers. The transition had been difficult. Technical assistance had been requested from the Secretariat and from

other Parties that had had similar experiences. INDERENA had developed a working manual and training courses and planned to double its staff over the following two years. A national commission on captive breeding had been created. Regulations were being replaced, research on national populations of caiman undertaken, and new funding found. Additional measures would include: restricting exit ports to three; strengthening training; restricting destination points; persuading the private sector to agree to international auditing; and doubling funding. The observer from Colombia asked the Secretariat to evaluate the success of these measures.

The representative of South and Central America and the Caribbean considered the steps taken by Colombia to be strong, supported their efforts, and offered to work with them. She supported the suggestion that the Secretariat should send a mission to Colombia and also supported efforts to close conduits for illegal trade in the Caribbean.

The representative of the Next Host Country congratulated Colombia on its efforts and said his country would be happy to assist. There was some discussion about the difficulty of enforcing the 1.2 m length restriction, and the observer from Colombia confirmed that the size limit was established by regulation.

The observer from the Netherlands reported on progress to bring CITES into force in Aruba and the Netherlands Antilles. They could not be covered by the Netherlands ratification of the Convention until they had adequate legislation in force. It was agreed that the Chairman should write to the Management Authority of the Netherlands to encourage the Netherlands to take all possible measures to accelerate the process of bringing Aruba and the Netherlands Antilles into the Convention.

The Standing Committee also asked the observers from Colombia and the Secretariat to report on progress to the next meeting of the Committee.

#### Panel of Experts on the African Elephant

The Secretariat reported that Gabon might make a proposal to transfer its African elephant population from Appendix I to II. However there were no funds in the 1992 budget for the activities of the Panel of Experts.

The representative of the Depositary Government, having been in the Panel of Experts, noted that the main problems for the Panel arose in obtaining and reviewing information on trade controls and legislation. He therefore suggested that, if the Secretariat receives a proposal, it should ask for a full set of documents including legislation, copies of permits, instructions to Customs, etc., for review by the Panel before making any country visit. The Secretariat accepted this suggestion.

The observer from the United Kingdom reported on an EC fact-finding mission to southern Africa in October/November 1992, including a meeting with SACIM officials, and on the interest expressed in southern Africa in maintaining a dialogue.

The observer from Namibia reported that there was still widespread poaching, that the market for ivory was thriving in West and Central Africa, and that confiscations of illegal shipments in South Africa were close to the pre-1989 level. The observer from Israel said that there was evidence that the level of poaching was only 10-15 per cent of that existing four years previously. The Secretariat confirmed that there was some poaching in West Africa and there was a strong feeling there that the elephant should remain in Appendix I. Even so, ivory was still seen on sale in hotels and airports. In Central Africa there was an increasing problem of conflicts between elephants and humans.

#### The tiger

The observer from Israel drew attention to the deterioration in the status of the tiger, highlighted by a report from the Chairman of the IUCN/SSC Cat Specialist Group that was available to participants.

The Secretariat added that the conservation problems for tigers may be worse than for rhinoceroses. In particular, there was an increase in poaching of Siberian tigers and there might be only 30-40 remaining in China. The observer from China stated that it was intended to re-introduce specimens to the wild from the tiger farm in China. The Secretariat noted that China had applied to register the farm but also pointed out the difficulties faced by the farm and those of re-introducing tigers to the wild. Many products from tigers are used throughout East Asia, including India. It was unclear whether tiger-bone wine would be considered as a specimen of a species in CITES terms. The Secretariat suggested that action be co-ordinated with IUCN and suggested the need for range States to take stronger conservation measures than they had to date.

The observer from Namibia agreed, and suggested that a press release be issued to raise public awareness of the problem.

Regarding the legal status of tiger-bone wine, the observer from the EC stated that it was considered as a specimen under EC law. The representative of the Next Host Country added that their forensic laboratory could detect essence of tiger in wine.

The representative of South and Central America and the Caribbean suggested that the Committee should express its concern and refer the matter to the Animals Committee.

The representative of the Depository Government pointed out that if the 2500 to 3000 tigers in captivity could be bred without restriction, they could produce as many as 4000 to 5000 cubs a year.

The Chairman acknowledged the need for the Committee to recognise the plight of the tiger and to express its deep concern. He felt that the Animals Committee and the IUCN/SSC Cat Specialist Group should be asked to report and to make recommendations on measures that might be taken within the context of CITES. He suggested that the Secretariat should ask the range States what measures they are taking for the conservation of the tiger and what help they need, and that the Secretariat could give greater publicity to the trade problems affecting the tiger. He then adjourned debate on this subject.

#### United Nations stamps

The Secretary General reported that co-sponsors were still needed for a UN Resolution to require the UN Postal Administration (UNPA) to pay to the CITES Secretariat part of the funds from the sale of its stamps on endangered species. The Secretariat had initiated the idea of the stamps and had put much effort into supporting their preparation; if there were no return, the CITES Secretariat would have been subsidising the UNPA. The Secretariat could be allocated up to 45% of the funds from the sale.

The observer from Israel offered to help if he could.

The observer from the United Kingdom said that, when the United Kingdom had previously tried to support a Canadian Resolution along the lines required, it had been told that funds would need to be found to replace money that would go from the general UN budget to the CITES budget. The representative of North America added that the problem appeared to have been between the missions in New York and in his own country. The representative of Oceania stated that, when offering support for the

Canadian Resolution, her office had also been told that New Zealand could not suggest that funds be given away from the general budget, leaving it short of funds.

The Secretary General agreed to sort out this apparent misunderstanding with UNPA. The representative of Oceania added that Parties should continue to push their missions to the UN to take action to benefit CITES.

#### Identification Manual

A summary of Identification Manual sheets that were ready, or soon would be, was presented by the representative of the Depositary Government, in document Doc. SC. 29.22. He said that it was intended to extend the contract of the editor for another year. He also asked why the Secretariat had not distributed sheets that had been ready since mid-1992. The Secretariat explained that the delay was occasioned by the Secretariat's workload. The Standing Committee requested the Secretariat to distribute the sheets as soon as possible.

The representative of South and Central America and the Caribbean acknowledged that the cost of translation into Spanish had been covered by Spain. The observer from France said that his country had paid for the translation of sheets into French, and for editing and printing, and would pay again next year. The Chairman thanked Spain and France on behalf of the Committee.

#### 10. Reports on specific issues from the geographical regions (continuation)

The representative of Africa (Senegal) said that he did not know very much about CITES activities in his region. Senegal had serious communication problems that hampered their ability to act as the regional representative. However, Senegal had been preparing for a meeting of the Working Group on Transport of Live Specimens.

The observer from Namibia also drew attention to the missions to southern Africa, by the United Kingdom and the EC, to obtain facts about elephants and ivory trade, and to the CITES training seminar that had been held in Malawi. He added that, from the point of view of co-ordination for CITES, Africa did not seem to be a natural region and that there were no apparent solutions to the problems of intra-regional co-operation.

The Secretariat also pointed out that there had been meetings in southern Africa, Central Africa and West Africa on co-operation in and co-ordination of elephant conservation. A fourth meeting had been planned for May, in East Africa. This series of meetings had not been specifically for CITES but CITES had been discussed. The Secretariat was planning, as a priority, to hold a training seminar for francophone African countries in 1993.

The meeting was adjourned at 16h30.

#### Eighth Session: 5 March 1993: 09h10 - 13h15

#### 12. Rhinoceros conservation issues (continuation)

The Chairman announced that a group of participants in the meeting had prepared a paper outlining three options for the Committee. The paper was introduced by the representative of the Next Host Country. In essence, the first option was for the Committee to recommend that CITES Parties should not authorise trade in CITES species with the countries (or territories) identified as the main consumers of rhinoceros horn. The second option was to recommend a ban on trade in CITES species with non-party

consumer States, and to notify China of the action required before the next meeting of the Standing Committee. The third option was for the Chairman of the Standing Committee to write to the main consumer countries (or territories) to bring to their attention the plight of the rhinoceroses, remind them of past recommendations, and inform them that the Committee would consider sanctions at its next meeting if they did not take the necessary action.

The representative of South and Central America and the Caribbean stated that she saw no choice but to adopt the first option if the rhinoceroses were to be saved. The representative of Asia, however, favoured the third option, as did the representative of Africa.

The observer from Namibia pointed out that his was one of several African countries that had tried to address the issue in an innovative way and had not been supported by the Conference of the Parties. He urged that the southern African Parties concerned be consulted before any ban is recommended and that the Standing Committee take into account the position of the range States as well as their rights relating to their own species. He was not convinced that it was beneficial to continually address the problem of stocks in consumer States. Of the options presented, he felt that the third one was closest to the philosophy of his country.

Believing that the consumer countries had already had plenty of time to act, the representative of Oceania felt there was a need for strong action and supported the first option, but could accept the second. She felt that any decision of the Committee should take into account the concerns of the range States. The representative of South and Central America and the Caribbean agreed but emphasized the need to focus on consumer countries. She added that she could also accept the second option in the interests of achieving a consensus.

The representative of Europe supported the statement of the observer from Namibia and the third option.

The Chairman noted that two regional representatives had indicated that they would accept more than one option; two supported the first option, three the second and three the third. He therefore proposed to set aside the first option and to hold a vote on the second and third options. But first he invited general debate.

In the ensuing discussion the following were the main points to emerge. The observer from Israel felt that the lack of intra-regional consultation by regional representatives was inexcusable. The representative of UNEP said that the UNEP Special Envoy had stressed that the one country that had made progress was Yemen. The representative of the Depositary Government pointed out the inconsistency of looking at trade in four places but not Hong Kong, the source of a large proportion of the rhinoceros horn products seized by authorities in the United States of America; he disagreed with the Committee's previous statement that non-compliance with a resolution was an infraction; he pointed out the legal difficulty that the problem addressed by the Committee was not non-compliance with the Convention but non-compliance with non-binding resolutions; and he urged the Committee to address the problem in a positive way, and call on the co-operation of the countries concerned. The representative of Africa wanted time to consult the range States. He also complained that the documents were in English and there was no interpretation into French; the Chairman apologised, adding that the Management Authority of Senegal had informed the Committee that their representative had a working knowledge of English. The observer from Namibia believed that too little consideration had been given to actions other than trade bans. The representative of the Next Host Country felt that the continuing problems were the existence of: government-sanctioned industries using rhinoceros horn; and stockpiles of illegally obtained horn

which could, if the trade were permitted in future, be mixed with legally obtained horn. He said that horns seized in the United States of America in the past were not considered to be covered by the previous resolution of the Committee and were used in education and research. The observer from China expressed serious concern about the Committee's wish that all stockpiles of rhinoceros horn should be destroyed, and asked whether pre-Convention stocks were considered to be legal in the terms of the Convention. He also said that some stock was needed to carry out research on substitutes.

After a short adjournment, the Chairman put the second option to the vote. It was rejected by three votes in favour to three against. The Committee then adopted the third option by a vote of three in favour to none against, there being three abstentions.

The Chairman then directed a discussion of the wording of the text to be adopted by the Committee. This consisted of a Decision of the Standing Committee and a letter from the Chairman of the Committee to the competent authorities in China, the Republic of Korea and Yemen and the local authorities in Taipei. The Committee agreed on the text of a decision and on the text of a letter to be sent to China. The Secretariat was requested to make any necessary corrections and to prepare the letters to the authorities in the Republic of Korea, Yemen and Taipei on the basis of the agreed text. The decision and the letter to China are attached to these minutes.

19. Any other business (continuation)

The tiger (continuation)

The Chairman introduced a draft decision of the Committee, which he had prepared. After a short discussion, the Committee agreed on the text of a decision and the Chairman asked the Secretariat to make any essential corrections. The decision is attached to these minutes.

11. Special projects (continuation)

a) Approval of projects (continuation)

The Secretariat introduced project S-69, on the status and management of certain species of psittacine in Nicaragua, and apologised for the late arrival of the document (SC. 29.15 Annex 7). Nicaragua had set export quotas for many species but without any scientific basis. The aim of the project was to provide a basis to establish export quotas. The budget was to be revised but not to exceed USD 26,000. This was in effect an extension of the study done in Honduras, many of the species being the same, and taking into account that there is illegal trade between the two countries.

The representative of the Next Host Country felt that the Animals Committee needed particularly to review the methodology and that species not among the priorities in the review of significant trade might best be excluded if funds were limited. The representative of South and Central America and the Caribbean agreed with the first point but not with the second, as the priorities could change with developments in trade.

The Committee then approved project S-69.

19. Any other business (continuation)

Regional communications

The representative of the Next Host Country had noted the repeated references to problems of regional co-ordination and the need for funds. He had consulted George Furness, who would find out whether the Conservation Treaty Support Fund might be able to help. If they could, the United States of America might be able to provide matching funds. The representative of the Next Host Country also asked other Parties to provide what help they could and this request was endorsed by the Committee.

The observer from the EC pointed out that some of the countries needing assistance could be covered by the Lomé Convention and they should consult the EC delegates in their countries, who might be able to help. The representative of South and Central America and the Caribbean said she had tried this in the past but, because of the bureaucracy in her country, it had proved too difficult to obtain EC funds.

20. Closing remarks

On behalf of all participants, the Chairman thanked the United States of America, particularly the staff of the US Fish and Wildlife Service, for hosting the meeting and providing technical support and for the opportunity to participate in the celebration of the 20th anniversary of the signing of the Convention. The Chairman also thanked all the participants and asked the representative of the Next Host Country to convey the Committee's thanks to the non-governmental organizations that had provided hospitality during the week. He also thanked the Secretariat for its support. Finally he noted that the Committee's decisions could have far-reaching consequences and he stressed the need to prepare well for the next meeting and for the regional representatives to be cognizant of the views held within their regions.

The Secretary General thanked the Chairman for his efficient handling of the meeting, the United States of America for hosting the meeting and the 20th anniversary, and UNEP for its support.

The representative of the Next Host Country accepted the kind words on behalf of the US Fish and Wildlife Service, the Department of State and the National Marine Fisheries Service.

The meeting closed at 13h15.

Decision of the Standing Committee on the Tiger  
Washington, D.C., 1-5 March 1993

The Standing Committee:

1. Acknowledging that the most recent population estimates for all remaining populations of *Panthera tigris* give rise to the most serious concern, due to poaching and smuggling of tigers and tiger parts and derivatives to sustain markets for traditional medicines;
2. Expressing its deep concern over the critical problem of tiger conservation;

decided to:

3. Call upon all Parties to the Convention, and on consumers, whether Parties or non-Parties, to take such measures as are required to halt the illegal trade in tigers and tiger parts and derivatives;
4. Ask the relevant authorities to provide full reports to the Standing Committee through the Secretariat, by July, on the measures they are taking to stop the illegal trade in tigers and tiger parts and derivatives;
5. Ask the Animals Committee and the IUCN/SSC Cat Specialist Group to report to the Secretariat before the next meeting of the Standing Committee on the plight of the tiger and on further measures that may be taken in the context of CITES to halt the decline in this species;
6. Ask the Secretariat to refer the matter of tiger conservation to range States, with a request to know what action is being taken to conserve tiger populations, and what assistance CITES might be able to provide;
7. Ask the Secretariat, having taken advice from the IUCN/SSC Cat Specialist Group, to give information on the plight of the tiger to the news media so as to bring world attention to bear on this matter;
8. Review progress in tiger recovery at its next meeting and to make recommendations for concerted action by CITES Parties if there is no evidence that range and consumer States are taking the action necessary to improve tiger conservation.

Decision of the Standing Committee on Rhinoceros  
Washington, D.C., 1-5 March 1993

The Standing Committee:

1. Acknowledges the desperate situation faced by African and Asian rhinoceros populations;
2. Acknowledges repeated calls for action by various resolutions of the Conference of the Parties and by the Standing Committee on the need for strengthened enforcement measures to reverse the downward trend in rhinoceros populations;
3. Is conscious that the Conference of the Parties in Resolution Conf. 6.10 urges all Parties to:
  - prohibit all internal and international sales of, and commercial trade in, rhinoceros parts and derivatives;
  - destroy all government and parastatal stocks of rhinoceros horn;
  - take firm action against middlemen and poachers involved in trafficking in horn;
4. Notes that the Conference of the Parties in Resolution Conf. 6.10 recommends that Parties:
  - use all appropriate means (including economic, political and diplomatic) to exert pressure on countries continuing to allow trade in rhinoceros horn (including the 'passive' allowance of such trade), to take the necessary action to prohibit such trade and to enforce such a prohibition;
5. Acknowledges that Annex 2 of the Summary Report of the 28th meeting of the Standing Committee stated that it:

"regards the existence of substantial illegal stockpiles of rhinoceros horn in some countries, including Parties to the Convention, as totally unacceptable to and incompatible with implementation of the Convention, and accordingly calls for direct action to acquire and destroy rhinoceros horn on the part of government agencies responsible for CITES matters. It notes that failure to take such action would be viewed as a serious infraction, likely to result in a call for trade bans or other appropriate actions";
6. Reviewed the report of the Secretariat (document SC.29.16 and its annexes), and findings of the UNEP Special Envoy as reported by the UNEP Representative at the 29th meeting of the Standing Committee, in particular information that several governments and entities:
  - a) continue to tolerate imports and/or engage in internal commercial trade in rhinoceros horn;
  - b) have not, in accordance with the recommendations of Resolution Conf. 6.10 and Annex 2 of the Summary Report of the 28th meeting of the Standing Committee:
    - i) enacted, enforced and implemented prohibitions on all sales of, and commercial trade, internal and international, in rhinoceros parts and derivatives;

- ii) destroyed all government and parastatal stocks of rhinoceros horn; and
  - iii) taken firm action against middlemen involved in trafficking in horn;
7. Is convinced that the failure to implement measures pursuant to the above is a serious threat to the survival of rhinoceros species and undermines: the effectiveness of the Convention; the efforts of range states to protect their rhinoceros populations; and the development of alternative conservation measures for the species; and
8. Directs the Chairman to send letters to the Governments of China, the Republic of Korea, and Yemen, informing them of the concerns of the Standing Committee noted above, and of the decision taken by the Standing Committee; urges all Parties to strengthen their enforcement and implementation efforts to conserve rhinoceros species; and strongly encourages Parties to immediately take stricter domestic measures in this regard. The Chairman is also directed to send a letter to the authorities issuing CITES-equivalent documents in Taipei.

To: **Peoples Republic of China** from the Chairman of the Standing Committee

At the meeting of the Standing Committee held in Washington, D.C., 1-5 March 1993, the Standing Committee received information from the CITES Secretariat and the United Nations Environment Programme (UNEP) and discussed the desperate situation facing African and Asian rhinoceros populations. The Standing Committee wishes to draw your attention to repeated calls for action by various resolutions of the Conference of the Parties and the Standing Committee on the need for strengthened enforcement measures to reverse the downward trend in populations for these species. The Standing Committee reminds you that Resolution Conf. 6.10 urges all Parties to:

prohibit all sales of, and commercial trade, internal and international, in rhinoceros parts and derivatives;

destroy all government and parastatal stocks of rhinoceros horn; and

take firm action against middlemen and poachers involved in trafficking in horn.

In Annex 2 of the Summary Report of the 28th meeting of the Standing Committee, the Standing Committee stated that it:

"regards the existence of substantial illegal stockpiles of rhinoceros horn in some countries, including Parties to the Convention, as totally unacceptable to and incompatible with implementation of the Convention, and accordingly calls for direct action to acquire and destroy rhinoceros horn on the part of government agencies responsible for CITES matters. It notes that failure to take such action would be viewed as a serious infraction, likely to result in a call for trade bans or other appropriate actions."

The Report of the Secretariat to the Standing Committee (document Doc. SC.29.16 and its annexes), and findings of the UNEP Special Envoy as reported by the UNEP Representative to the Standing Committee, informed us that your Government continues to engage in internal commercial trade in rhinoceros parts and derivatives, and has not, in accordance with the recommendations of Resolution Conf. 6.10 and Annex 2 of the Summary Report of the 28th meeting of the Standing Committee: enacted, enforced and implemented prohibitions on all sales of and commercial trade, internal and international, in rhinoceros parts and derivatives; or destroyed all government and parastatal stocks of rhinoceros horn.

The Standing Committee has taken note of China's position paper on rhinoceros, presented at the 29th meeting of the Standing Committee. It acknowledges that certain measures have been taken by the Government of China, but feels that these measures are not sufficient to meet the concerns expressed by the Parties and to bring the poaching of rhinoceros to an end.

Therefore, the Standing Committee wishes to advise you that it has requested the Secretariat to report to it by July 1993 on actions taken pursuant to the above. The Standing Committee will consider the report and further developments at its next meeting, planned for September 1993 and, if it considers the action taken inadequate, the Standing Committee will direct the Secretariat to notify the Parties that they should not accept or issue documents for trade with China in specimens of CITES-listed species.

The Standing Committee wishes to emphasize that the failure to implement measures pursuant to the above is a serious threat to the survival of rhinoceros species and undermines: the effectiveness of the Convention; the efforts of range States to protect their rhinoceros populations; and the development of alternative conservation measures for the species.