

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

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Thirtieth Meeting of the Standing Committee  
Brussels (Belgium), 6 - 8 September 1993

SUMMARY REPORT

Members:

Oceania:	M.R. Hosking (New Zealand) Chairman J. Owen
South and Central America and the Caribbean:	C. James (Trinidad and Tobago) Vice-Chairman
Africa:	B.O. Sall (Senegal)
Asia:	P. Leng-ee (Thailand) C. Kanjanakesurn M. Lauprasert
Europe:	S. Johansson (Sweden)
North America:	D. Brackett (Canada)
Depositary Government:	P. Dollinger (Switzerland) M. Ambühl B. Babbitt (USA) M.P. Jones N. Daves S. Lieberman S. Wagner
Next Host Country:	M. Aihara (Japan) Y. Iida M. Komatsu Y. Natori H. Tsubata
Previous Host Country:	

Observers:

Belgium:	G. Evrard
China:	Y. Liu J. Qing W. Wang J. Xu
Colombia:	J.H. Camancho J.V. Lopera C.A. Marulanda S.P. Rubio
Czech Republic:	J. Kucera
France:	A. Bonneau
Indonesia:	W. Ramono K. Soemarna E. Sumardja
Israel:	B. Clark
Italy:	M. Lepri

Netherlands:	U. Mereu
Portugal:	M. Pani
South Africa:	C. Schürmann
United Kingdom of Great Britain and Northern Ireland:	A. Vila Nova P. Vermeulen
Commission of the European Communities:	F. MacLeoud I. Muchmore R. Sharp
United Nations Environment Programme:	A. Barile C. Stuffmann W. Wijnstekers
Secretariat:	E. Dowdeswell R. Olembo
Rapporteurs:	I. Topkov J. Berney O. Menghi
	J. G. Barzdo J. D. Gavitt

First session: 6 September 1993: 09h00 - 13h15

1. Opening Remarks by the Chairman and CITES Secretary General

The Chairman opened the meeting, welcoming all Committee members and observers. He thanked the Commission of the European Communities (CEC) for providing the necessary support to the meeting. The Secretary General then made his opening remarks, noting that there were over 150 people attending the meetings of the Standing Committee, Animals Committee and Plants Committee. He expressed his appreciation to the donors who had made the meeting possible, taking particular note of the contributions of DGXI of the Commission of the European Communities. He also thanked the Government of Japan for its contribution of USD100,000 for several CITES projects and for expenses relating to the upcoming Asian regional meeting in Israel.

The Secretary General noted that new information on several matters to be addressed by the Committee had been received by the Secretariat since documents had been distributed, and that this information would be provided to the Committee. He said that over 200 pages of documents had been passed out to each member of the Committee, and asked that the agenda move forward as rapidly as possible.

The Chairman advised the Committee that discussions on agenda items would be suspended later that morning, in order that the Executive Director of UNEP could address the meeting. The Chairman also said that there would be an opportunity for NGOs to address Committee members on rhinoceros and tiger conservation. The meeting of the Committee would adjourn at 16h45 that day so that Committee members could attend, on a voluntary basis, a meeting with NGOs. The Committee agreed to allowing a film crew to briefly film the meeting of the Committee that day, with the understanding that the film would be without sound. The representative of the Depositary Government expressed his concern about the presence of NGOs and the press during the session of the Standing Committee, which was essentially an administrative meeting.

The Chairman stated that observers from Taipei had requested to attend the meeting of the Committee when the issue of illegal trade in rhinoceros horn and tiger specimens in the Province of Taiwan was discussed. The observer from China objected to this request. The representative of the Depositary Government stated that provincial governments from party States had participated in past meetings of the Conference of the Parties. He said that he was not in a position to determine whether the officials from Taipei should attend the meeting but that he would not object if it was decided that they may attend. The observer from the United Kingdom said that it would be desirable to hear both sides of an issue, and he therefore supported the attendance by officials from Taipei at the meeting. The representative of Asia also supported this idea. The Chairman suspended the discussion on this topic until it could be further discussed with the observer from China. The Chairman later announced that, after this discussion, a decision had been made not to allow officials from Taipei to attend the Committee meeting, although the officials could attend the meeting with NGOs that evening.

## 2. Adoption of the Agenda

The Chairman introduced document Doc. SC.30.1, Provisional Agenda, which was adopted by the Committee, with the addition of the item 'The future operations of the Standing Committee', under any other business. The Chairman stated that the Committee would proceed with agenda items in the following order: 3, 4, 10, 11, 5 and 6. The Chairman stated that item 7 of the agenda would not be discussed by the Committee until it had been debated by the Animals Committee.

The representative of Africa stated that only two Standing Committee documents were in French, and he was therefore unable to participate adequately in discussions on the documents. He said that this was a persistent problem, and that it was not appropriate or fair, in particular since he was the representative of over 40 African countries. The Secretary General replied that the Secretariat was in agreement with the representative of Africa, but that there had been significant problems for the Secretariat in preparing the large numbers of documents for this and other Committee meetings. Further, the budget of the Secretariat had never provided funding for translation, although this had been requested by the Secretariat. He noted that there were, for the first time, services provided by the CEC for simultaneous interpretation into French. Finally, the Secretary General stated that the Secretariat was doing everything possible to provide for necessary interpretation at Committee meetings.

The Chairman asked the Secretariat and members of the Committee to assist the representative of Africa with interpretation of Committee documents that had been prepared only in English.

## 3. Further Steps (Including on a Regional Basis) in the Process of Preparing a Draft Resolution on the Criteria for Listing Species

The Chairman introduced document JCM 6 to the Committee, noting that some of the proposed dates in the timetable of the document were not certain but would be determined before the end of the week. He said that the draft resolution that had been developed during the joint meeting of the Animals and Plants Committees would be sent to the Parties for comment, and would be accompanied by a cover letter and the summary of the joint meeting. The representative of North America suggested, and the Committee agreed, that the cover letter should indicate that the draft resolution was not the final draft that would be presented to the Parties for the next COP. It was later agreed that these documents would be sent to Parties as soon as possible and, as translation would require a great deal of time, the English version of the minutes would be sent as soon as it

was ready. The Chairman expressed his appreciation to Dr Susan Lieberman, who had volunteered to be the rapporteur during the joint meeting the previous week.

The representative of Africa stated that regional meetings should be convened to discuss the new draft resolution and to provide the comments of the regions to the Parties. This was supported by the Chairman and the representative of South and Central America and the Caribbean, who stated that a great deal of inaccurate information about the new criteria had been distributed, from different sources, and that regional meetings would assist greatly to reduce this problem. The Chairman noted that there would be two opportunities to address the draft resolution, the first being when it was received by the Parties, and the second after an amended resolution, based on the comments of the Parties, was sent to the Parties by the Standing Committee, for consideration at the next COP.

The representative of the Next Host Country stated that, although he was not yet in a position to announce the dates of the next meeting of the Conference of the Parties, he did not foresee any problems in the timetable proposed in the document. He said that regional meetings could possibly be organized during the next meeting of the Western Hemisphere Convention, and that he would try to explore ways in which this could be done. The observer from Israel said that the Asian regional meeting, would end on 18 March 1994. He therefore asked that the thirty-first meeting of the Standing Committee, to be held sometime in March-April 1994, be scheduled for the latest possible date. The Secretary General noted that a meeting of the Biodiversity Convention was to be held in October 1993, and that this would also provide a possibility for consultation. The finances for any regional meeting, he added, are subject to the availability of external funding.

The Chairman asked for advice from the Committee as to how comments on the draft resolution should be gathered and presented for consideration by the Committee, and the Committee then agreed that the Chairmen of the Plants and Animals Committees and the Secretariat would assist the Standing Committee in implementation of these procedures.

#### 4. Revision and Consolidation of COP Resolutions

The Secretariat introduced documents Doc. SC.30.3 and Doc. SC.30.3.1. The representative of South and Central America and the Caribbean stated that it would be much easier for the Secretariat to develop a numbering system for decisions or recommendations of limited currency that are part of a separate series. The Secretariat responded that such decisions would probably be listed in a single document and therefore such a system would be considered later but might not be required. The representative of North America said that the Committee was on the verge of creating a complex system for resolving problems that might not exist if decisions of the Parties at the COP were presented in a more clear manner and if documents were distributed more rapidly. He suggested that the terms of reference for the current work of the Secretariat on Resolutions would be best guided by direction given in the work plan of the Secretariat, which was approved by the Parties and subject to regular review by the Committee. The representative of the Next Host Country supported this viewpoint, also stating that it was very important for the Chairmen of the Committees at the COP to make sure that any decisions of the Committees were highlighted and accurately presented by the rapporteur. It was agreed that the Secretariat should develop a document for the next meeting of the Committee that further explains the procedures by which decisions of the COP that are not recorded in the Resolutions would be properly recorded. At the suggestion of the Secretariat, the Committee further agreed that the decisions should be sorted according to the body to which it is addressed rather than by subject matter.

With regard to document Doc. SC.30.3.2, the Committee determined that, although the work done by the Secretariat was of exceptional quality, the Committee had not been

given adequate time to review the proposals contained in the document and could therefore not agree to them. The observer from the CEC said that, although he had not been able to review the document in detail, he had particular concerns with regard to the ability to trace the history of Resolutions that have been repealed and the legal implications of repealing Resolutions on budget matters. The Secretariat reminded the Committee that the document currently being discussed contained much of the same information as the document presented at the last meeting of the Committee, and therefore much of the material could have been already reviewed by Committee members. The number of CITES meetings being held concurrently made it impossible to distribute the documents until recently.

The Committee agreed that the Secretariat should distribute document Doc. SC.30.3.2 to the Parties for their comments, before the Secretariat developed a final draft of the document, which would be considered at the next COP. The Committee also agreed to the future use of the format that was used in Annex A of the document.

Document Doc. SC.30.3.3 was then introduced by the Secretariat, who noted that the document asked guidance from the Committee in how to proceed in three areas. The Committee agreed to the principle that, when consolidating the text of several Resolutions into a single draft resolution, any text taken from text previously approved by the Parties should not be re-discussed. At the suggestion of the Representative of the Depositary Government, the Committee adopted the document and agreed to send it to the Parties for their consideration at the next COP. At the suggestion of the Next Host Country, the Committee further agreed that the cover letter to accompany the document should clearly indicate that the document contains consolidations of existing Resolutions, and not new draft Resolutions.

#### 14. Any Other Business

##### a) Address by the Executive Director of UNEP

The Executive Director of UNEP thanked the Committee for the opportunity to address the Committee, advising that UNEP had stayed in very close contact with the CITES Secretariat over current issues concerning the Convention. She said that the biological diversity of the planet was disappearing at an alarming rate, and only recently were efforts being made to regain what had been lost. If we are to take effective action, the biosphere must be viewed as a whole, and we must not focus only on issues that are species-specific.

She said that a new UNEP was emerging that would focus on three priority areas: capacity building, catalyzing action to solve environmental problems and monitoring the state of the environment. UNEP was working on the development of more action-oriented programmes and with other organizations and governments to achieve results and to avoid duplicative effort. Included in these programmes was the development of a co-ordinating facility for the conservation of rhinoceros and elephant species. UNEP was working with CITES to ensure that the Global Environment Facility (GEF) finances 70 CITES projects in 45 States. She stressed the importance in particular of working with local people because governments change over the short term while local cultures do not. She said that CITES should not focus only on the wildlife trade itself, but also on social factors that influence the use of wildlife by people.

She stated that she was aware of the efforts that had been made by the Government of China on the protection of rhinoceros and tiger species, that she was still not comfortable with the degree of commitment by that Government, and that the current situation required close monitoring. However, a trade ban on specimens of CITES-listed species

should be seen as only a last resort that results from the failure of measures by governments to protect species.

In response to several questions from the Committee and from observers, the Executive Director stated that:

- a) the selection of the Head of the new facility for rhinoceros and elephant conservation would be made very soon;
- b) the relationship between CITES and the Biodiversity Convention must be a strong one, and effective communication between them should be encouraged;
- c) capacity building should not just be based on training, but should be addressed in a holistic sense; and
- d) without understanding the socio-economic aspects of trade, there is little chance of long-term success in stopping illegal trade.

The observer from China expressed his appreciation for the remarks made by the Executive Director of UNEP and indicated several positive actions that his Government had taken for the protection of rhinoceros and tiger species. Several other Committee members thanked the Executive Director for her comments on the necessity of the involvement of local people in UNEP's programmes. On behalf of the Committee, the Chairman expressed to the Executive Director his sincere appreciation for the time that she had taken to attend the meeting and address the Committee.

The Chairman adjourned the meeting at 13h15.

#### Second Session: 6 September 1993: 14h20 - 16h55

5. Trade in rhinoceros specimens and
6. Trade in tiger specimens

Having held discussions outside the session with the observer from China, and with the observer from the Province of Taiwan who had sought approval to attend the meeting, the Chairman suggested that the observer from the Province of Taiwan should be allowed to attend the evening meeting with the NGOs but not the meeting of the Standing Committee. The representative of the Depositary Government felt that the decision should depend on the outcome of the deliberations. The observer from China agreed with the Chairman's suggestion, adding that the Standing Committee could not contact the Province of Taiwan directly. The Chairman pointed out that, although the Secretariat was constrained in this way, the Standing Committee was not and that, if it made a decision affecting Taipei, as a matter of courtesy it should discuss its decisions with representatives of Taipei.

The Secretary General announced a correction to be made on page 11 of document Doc. SC.30.4, where the subtitle should be changed to The Province of Taiwan and should not be underlined.

The observer from China objected to the reference to the Republic of China, in an unofficial document circulating about activities to control rhinoceros trade in the Province of Taiwan.

Further discussion on this agenda item was adjourned.

## 10. CITES implementation in Indonesia

In introducing document Doc. SC.30.8, the Secretariat pointed out that this was submitted not with a view to recommending sanctions against Indonesia but to give strength to recommendations made in other fora and to seek the support of the Standing Committee and a response from Indonesia. The Secretariat was pleased to see the large delegation from Indonesia and took this as a sign of the importance placed in CITES. They were also pleased by recent signs of progress. However, the Secretariat was concerned about not having received replies to its letters and about a number of problems of implementation of the Convention in Indonesia, including non-compliance with export quotas, inadequate review by the Scientific Authority, inadequate monitoring of trade, and non-implementation of the Animals Committee's recommendations on species subject to significant levels of trade. The Secretariat acknowledged the particular help of TRAFFIC in compiling information on the implementation problems that needed to be addressed in Indonesia.

The observer from Indonesia thanked the Secretariat for the help it had provided. He said that the lack of response was either because of limitations of understanding or because in Indonesia silence is taken to indicate that there is no problem. He provided information to respond to a number of specific points made in the Secretariat's report. Regarding *Cacatua sulphurea* and *Cacatua alba*, the observer from Indonesia said that the Management Authority was ready to amend the quota following the Secretariat's suggestion. He said that the population of *Macaca fascicularis* was about four million and that only a few thousand were taken and only for biomedical research. He noted the review of crocodile management currently being conducted by a task force. He agreed that species management and CITES implementation needed to be improved. He explained the administrative re-organization that was under way and that responsibility for sustainable use would be divided between the directorates of planning and conservation. He stated that the Scientific Authority did its best, but many of its recommendations were based on old reports, and outsiders who wished to help in conducting studies were therefore being made welcome. Finally, he announced the intention to produce a strategic plan for the use of resources in Indonesia.

The observer from the CEC had attended the recent consultative meeting in Indonesia and had been impressed by the level of co-operation. The Indonesian Minister responsible had promised to put the relevant recommendations of the meeting into a decree. If that happened, there was a strong probability that the EEC would again allow imports from Indonesia. In response, the observer from Indonesia said that a draft decree had been prepared but needed to be modified; meanwhile, the Management Authority was already implementing the parts that could be implemented.

The representative of the Next Host Country noted the progress that had been made in Indonesia but shared the concerns of the Secretariat and felt that the recommendations in document Doc. SC.30.8 were reasonable. He therefore proposed that they be adopted.

Responding to a question from the representative of Oceania, the observer from Indonesia stated that the status of species in trade depends on whether they are included in the list of Protected Species. No trade is permitted in specimens of species in CITES Appendix I or in the list of Protected Species. He said that if no quota had been set for a species then there was no limit to the number that could be exported. The observer from Indonesia added that the Government of Indonesia accepted the recommendations of the Secretariat and would try to produce a report by January 1994 as requested. At the Chairman's request the Committee agreed to endorse the recommendations of the Secretariat in document Doc. SC.30.8.

The observer from Indonesia announced that his Government was planning to propose the transfer to Appendix I of *Eos histrio* and of the Indonesian population of *Scleropages formosus*.

11. Information on the status of the Trust Fund as of July 1993

The Secretary General introduced document Doc. SC.30.9 and recorded the thanks of the Secretariat to Parties that had paid their contributions. He announced the following updated information as a correction to the document: on page 1, in the third paragraph, fourth line, "3.33" should be 4.20, "July" should be August and "3.08" should be 3.95; on the last page, the total of contributions received should be CHF 3,957,216, a substantial increase due to recent payments. The Secretary General also stated that, together with the GEF unit of UNEP, the Secretariat had hired a consultant to produce a document for the GEF screening process, which contained more than 70 CITES projects. They had been consolidated to form one GEF project because CITES projects were generally too small for GEF. The operational phase of GEF was expected to start by June 1994.

The Chairman welcomed this as the best financial news since he had heard during his service on the Standing Committee. The representative of North America congratulated the Secretariat for having managed the finances well, and he asked for information on the priorities for expenditure, suggesting that contracts for staff should be a high priority.

The Secretary General stated that the Secretariat was in the process of establishing electronic-mail communication and that, if money for this could not be found elsewhere, he would rather take it from the Secretariat's budget as the expenditure would provide long-term savings. As for contracts, he stated that some members of staff now had two-year contracts and that he had asked for a prolongation of three to five years for all contracts. Responding to a further question from the representative of North America, the Secretary General said that GEF may not support convention secretariats directly, so that another body might have to handle the funds of the proposed project, if it was approved. He reassured the Committee that they would continue to play a role in reviewing the projects and deciding on the management of funds for CITES projects. The Secretary General also felt that the indications about the acceptability of the CITES project to GEF were favourable.

14. Any other business

b) Report of the Chairman of the Working Group on the Transport of Live Specimens

Document Doc. SC.30.11 was presented by the Chairman of the Working Group on the Transport of Live Specimens (TWG). She stated that the minutes of the recent meeting of the TWG in Senegal would be sent out with a Notification to the Parties. She sought the opinions of the Standing Committee on: 1) the procedure that the TWG should follow to make decisions; 2) whether a working group of the Standing Committee comprises Parties only or whether NGOs are also members; and 3) how Resolution Conf. 8.12 should be dealt with.

In response to a question from the Chairman, the Chairman of the TWG said that the recommendations of the TWG are directed to the Standing Committee. The representative of North America suggested that the TWG should follow the same procedures as those adopted at the recent joint meeting of the Committees; they should try to reach a consensus and, where this was impossible, they should report this to the Standing Committee, which should try to reconcile any conflict.

The observer from France commented that there had been a complete absence of consensus at the meeting in Senegal and many arguments about the statistics presented there. He complained that estimates of 100% mortality could be based on a single specimen. He had asked the inspectors at Roissy airport to provide their mortality statistics, and these averaged 0.5% to 2.0%. The observer from Belgium agreed with these comments, noting that checks for the previous two months in Belgium had indicated a mortality of 1% to 2%. He noted that there had been improvements in shipments from traders who had attended the seminar in Dakar. He also recalled that the Secretariat had undertaken to send to Parties a questionnaire on mortality, and he asked what progress had been made. The Chairman of the TWG said that the questionnaire had not been sent out because of the workload of the Secretariat.

The representative of South and Central America and the Caribbean felt that mortality before shipment was an important problem and that attention should also be paid to this. The Chairman of the TWG concurred.

The representative of Africa commented that the widespread ban by airlines on carrying birds was a problem that increased mortality, although the view had been expressed at the meeting in Senegal that this was not a CITES problem. The Chairman of the TWG said this point would be addressed in the questionnaire.

Regarding the procedures of the TWG, the observer from the United Kingdom agreed with the suggestion of the representative of North America. Regarding the second question of the Chairman of the TWG, he felt there were lessons to be learnt from the meetings of the Conference of the Parties and that, although NGOs had a clear role to play, they should have no vote.

The Chairman stated that the TWG should continue to try to achieve consensus and that, if there were difficulties in implementing Resolution Conf. 8.12, these should be referred to the next meeting of the Conference of the Parties. The Chairman of the TWG said she would accept the guidance of the Standing Committee and that, at its next meeting, the TWG would reconsider the issues she had raised.

c) Conduct of business by the Standing Committee

The representative of the Depositary Government made the following points. Resolution Conf. 6.1 says that the Standing Committee acts within the policy agreed by the Conference of the Parties and lists what the Committee must do. During the last two or three meetings of the Committee, there seems to have been a shift from administrative to political issues, perhaps starting with the discussion of problems of implementing CITES in Thailand and Italy. This raises questions about the role of the Committee vis-à-vis the Conference of the Parties. Some regional representatives on the Committee have problems with communication within their regions. But the movement of the Committee into the political field means that the regional representatives need to be able to consult widely so that they can really represent their regions, and not just their own States. Unfortunately money for these consultations is not available. Many NGOs, however, do have money to communicate and to travel and the Committee is giving them the opportunity to speak to the Committee. Moreover, information that is revealed in Committee meetings is being leaked from the meeting room to NGOs even though it is not being made available to Parties.

The Chairman recalled that the Conference of the Parties had directed the Standing Committee to take a greater part in the implementation of the Convention. At the eighth meeting of the Conference, the Committee had been given the mandate to seek solutions to the problem of continuing trade in rhinoceros horn. The Chairman felt that the tiger

could be seen in the same light and asked who would act if the Standing Committee did not.

The representative of the Next Host Country agreed with the comments of the Chairman on the role of the Standing Committee and he undertook to seek financial assistance to enable the regional representatives on the Committee to consult more widely. He felt that it did not matter if NGOs made representations to the Committee.

The observer from Israel made a plea for more openness, noting that all debates in the Israeli Parliament were broadcast on television. But the representative of North America pointed out that, although Parliament was open to public scrutiny, cabinet was not. He wished not to say that the Committee was a cabinet but that it was an administrative body. He stressed that, if the Committee was going to deal with issues other than administration, the representatives in the Committee needed to have information more in advance in order to be able to consult other countries within the region. He suggested that the Standing Committee should acknowledge which decision of the Conference of the Parties provided the mandate for each issue dealt with by the Committee.

With respect to NGOs, the Chairman recognized that they may not address the Standing Committee but that they had useful information and played a prominent role in the CITES forum. Having decided to allow certain NGOs to make a presentation to the Committee out of session in Washington, D.C., he felt that this had led to a healthy exchange of views; and, having created a precedent, he felt that the meetings scheduled for the previous week and today flowed from it. The representative of Oceania added that the Standing Committee could invite representatives of Parties, non-Parties and NGOs to present information and views.

The representative of the Depositary Government emphasised that he had no objection to hearing the information and views of NGOs, but he was concerned that their presentations made to the Committee were regionally unbalanced, with a particular bias toward Europe and the United States. The Chairman agreed.

The need to have documents well in advance, to facilitate consideration and consultation, and to have up-to-date information, was acknowledged by the observer from the United Kingdom. He also felt that, if the rule of the Standing Committee was to treat documents or discussions as confidential, the participants should stick to it. He recalled that the newspapers in the United Kingdom had misreported the actions of the United Kingdom observer at the 29th meeting of the Standing Committee, and he felt that the participants should be able to discuss the issues and formulate their views without being exposed to public pressure.

With respect to the need for equitable representation, the observer from Israel complained that IUCN had not invited any Asian person to its workshop in November 1992 to discuss new criteria for amending the appendices, and that CITES surveys were always carried out by the same people.

The representative of South and Central America and the Caribbean shared the concerns expressed by the representative of the Depositary Government. She re-emphasised the need for money to correct the imbalance of representation at CITES meetings. She added that, after the IUCN workshop, the Species Survival Network had distributed a document to all the Management Authorities in her region, putting pressure on them to act. She had wished to produce documentation to send to the same Management Authorities in response but she had not had the resources to make this possible.

The Chairman, recalling that the problem of consultation had been discussed at a previous meeting of the Standing Committee, asked the Secretariat to provide a report to the

Committee on communications and representations. The Secretary General agreed to this. He also pointed out that, in preparing for the present meeting, the Secretariat had delayed the circulation of some key papers because it was receiving information up to the last moment and it wanted the documents to be as up-to-date as possible. He requested that any regional reports for the next meeting be submitted by 31 December 1993.

The Chairman agreed that information for meetings should be sent out in advance. He adjourned the meeting at 16h55.

Third session: 7 September 1993 09h15 - 12h30

9. Information from the Host Country and the Secretariat about the Preparation of COP9

The Secretary of the US Department of the Interior stated that he was pleased to announce that the next meeting of the Conference of the Parties would be held from 7 - 18 November 1994, in Fort Lauderdale, Florida. He stated that Fort Lauderdale was an ideal location for the meeting, as the State of Florida had a very diverse environment that was similar to tropical environments in other countries. It was also a very troubled environment, and there were restoration efforts under way for a variety of native endangered species.

Both the Chairman and the Secretary General welcomed the announcement by the representative of the Next Host Country, echoing the sentiment that Fort Lauderdale would be an excellent location for the meeting and that they had every expectation that it would be a great success. The Secretary General also said that any contributions from the Parties for the Delegates Project would be greatly appreciated, noting that over USD 800,000 had been required for this project for the previous meeting.

5. Trade in rhinoceros specimens (continuation) and  
6. Trade in tiger specimens (continuation)

The Committee agreed to combine agenda items 5. and 6. for the discussion. Document Doc. SC 30.4 was introduced by the Secretariat, who stated that it was important to recognize the efforts that had been made by the Republic of Korea, China, including Taiwan and Yemen. The Secretariat noted however that there had been no official answer received by the Secretariat from Yemen in response to the Chairman's enquiry on the matter. The Secretariat said that China had taken certain legal measures and that it remained to be seen whether they would be implemented. However, it was important to remember that implementation is often difficult. Although some of the information sent to the Secretariat on the illegal trade in specimens of rhinoceros and tiger had been vague, some of the information presented to Committee members at the meeting with NGOs the day before had been very detailed, and the Secretariat hoped that immediate measures would be taken by the Government of China to investigate the allegations. The Secretariat emphasized that NGOs should send information on illegal trade to the Secretariat and the Management Authorities of the countries concerned as rapidly as possible.

The Secretariat pointed out that producer countries were not involved in the discussion, although they may be part of the cause of the reduction of the populations of rhinoceros and tiger species. As an example, citizens from Zambia were responsible for high levels of rhinoceros poaching in Zimbabwe. Hong Kong was also mentioned as a possible area of focus for illegal trade. The Secretariat stated that perhaps another look should be taken at the situation before any strong actions such as trade bans were taken by the Parties, as trade bans should only be considered as a last solution.

The observer from South Africa advised that page 5 of the document being discussed contained some discrepancies concerning the draft Lusaka Agreement. Paragraph 2 indicated that the meeting of Working Group II had been attended by "representatives of" several countries. The correct language should indicate that the meeting was attended by law enforcement representatives from the countries concerned, because the officials attending the meeting were not official representatives of their governments with regard to the negotiation of the Agreement. This was agreed by the Committee. At the suggestion of the observer from South Africa, the Committee also agreed that on page 5, the third sentence of the third paragraph would read as follows: "That improvement, and those made during the meeting, made the text of the Agreement more acceptable to South Africa, and its representative no longer saw difficulties in his country's further participation in the development of the Agreement, provided that UNEP undertook a coordinating role in finalizing the negotiating text of the draft Agreement."

The observer from Japan noted that, in the table on page 6 of the document, the contribution by the Government of Japan should be changed to USD 7.7 bn.

The representative of the Depositary Government stated that on page 12 of the document, in paragraph 6, the number of rhinoceros horns confiscated should be changed from "50" to 63. He referred to the statement by the EIA on page 13, last paragraph, where it was stated that a person who had placed an order for rhinoceros horns in December 1992 had not been prosecuted. He said that prosecutions from that investigation had indeed taken place. Finally, he said that it should be noted that Switzerland was providing strong financial support for a rhinoceros project in Namibia.

The representative of Africa congratulated the Secretariat on the document presented. He urged the Secretariat to assist in the inventorying of rhinoceros horn. He asked that regional co-operation be developed and urged that progress be made with the draft of the Lusaka Agreement. The Secretariat replied that there had been no official inquiry by CITES into stocks of rhinoceros horn, although inquiries had been conducted in some countries by certain NGOs such as TRAFFIC. The Secretariat was aware of large stocks in some countries, including Zimbabwe, and that the monitoring of stocks was one matter, while their destruction was another. The Secretariat was aware that most stocks had not been destroyed. The Secretariat also advised the Committee that the financial aid available from the UNEP Conference for the conservation of the rhinoceros was limited as much of the money was already committed for conservation projects.

Document Doc. SC.30.5 (Rev.) on the tiger was introduced by the Secretariat, who noted that the revised version of the text did not provide all the information available, and that the Committee should refer to the annexes from the original version of Doc. SC.30.5. The Secretariat stated that several non-party range States for the species had indicated their intention to join the Convention, but that certain details needed to be worked out. The Secretary General said that a particular problem existed concerning the Siberian tiger, which was becoming increasingly threatened by poaching and habitat destruction.

The Chairman reminded the Committee that the issue of rhinoceros and tiger protection was to be one of high priority, and that the challenge to the Committee was to make positive recommendations to change the trend in the decline of the species. The representative of the Depositary Government stated that the issue of destruction of stocks of rhinoceros horn was one that needed to be explored further. If strictly implemented, this recommendation would result in the destruction of stocks held in museums and other scientific institutions. The recent article by the special envoy of UNEP and others provided arguments against such destruction.

The Secretary General emphasized that the Secretariat had on several occasions invited non-Parties from Indochina to join the Convention, but had been for the most part unsuccessful. The important thing was for Parties not just to have adequate CITES legislation, but to implement it. He noted the situation in the former Soviet Union with regard to the decline of the Siberian tiger as an example of the lack of controls that lead to massive poaching.

The representative of Asia stated that, at the last Asian regional meeting, there had been agreement that non-party range States for the tiger should join the Convention, but that such action takes time. The observer from Israel said that representatives of nine non-Parties would attend the next Asian regional meeting, and that there had been indications that at least some of those States would soon join the Convention. He said that it was essential to take action to save tiger populations before they were eliminated and that reintroduction of tigers into the wild was always more difficult than trying to save any existing populations. The observer from Israel also asked about the status of rhinoceros horn stocks in China, in particular with regard to their pre-Convention status. The observer from China responded by providing to the meeting a comprehensive report on the actions that had been taken for rhinoceros and tiger conservation. The observer said that the information that had been received from TRAFFIC Taipei and the Environmental Investigation Agency was very important, and he assured the Committee that investigations would be carried out as a result of that information. He said that China was a very large country and therefore needed time to implement the provisions of new legislation. He said that several measures had been taken by the government for rhinoceros and tiger conservation, as follows:

- a prohibition on trade in rhinoceros horn and tiger bone, effective 29 May 1993;
- a three-year nationwide investigation on the enforcement of environmental laws was to be carried out by high-level officials for the purpose of monitoring the implementation of the prohibition noted above, as well as other environmental legislation;
- the drafting of an East Asia Protocol on the control of the wildlife trade. Negotiations were also proceeding with the Government of India to sign a protocol for the conservation of tiger species;
- ongoing research for the development of a substitute for rhinoceros horn for medicinal use; and
- improvement of anti-poaching and anti-smuggling measures, using China's success in conservation of the giant panda as an example.

The observer from China said that any wildlife trade sanctions imposed on the country would be a heavy blow to the determination of China to conserve endangered species, and that it would be considered as both unfair and unacceptable. With regard to the registration and/or destruction of stocks of rhinoceros horn, he asked why the stocks that were currently being held in other States including range States had not been addressed, as these were significant. He emphasized that the stocks in China were pre-Convention and were therefore totally legal.

The Chairman noted that Resolution Conf. 6.10 recommends to the Parties to destroy stocks of rhinoceros horn, and that this recommendation was not being implemented in the majority of cases. He said that, with the recent prohibition on trade in rhinoceros horn, it was unclear why China was continuing to hold such stocks, and that the stocks in China were not being held in one location and under strict control, as they were in Zimbabwe.

The representative of the Depositary Government said that the destruction of stocks should not be emphasized. Rather, the Committee should request a transfer of the stocks in China to a single location, where they would be marked and secured. This view was later supported by the observer from Belgium and the representative of the Previous Host Country. The representative of the Depositary Government later recommended that, in addition to asking the countries concerned to register and consolidate stocks of rhinoceros horn the Committee should form a small task force of experts to investigate the implementation of CITES in both consumer and producer countries for the species. This was supported by the representative of Asia.

The Secretary of the US Department of the Interior stated that the United States of America had taken action for rhinoceros and tiger conservation by enacting stricter domestic measures through the Pelly Amendment. He explained that, under this Amendment, the Secretary of the Interior is required to certify countries that are not adequately implementing international agreements, and that the President of the United States would inform Congress of any actions deemed necessary with regard to the countries concerned, including trade sanctions. He stated that Taiwan, China, Yemen and the Republic of Korea had previously been notified of his intent to certify them within sixty days, in the absence of an adequate response. That sixty-day period was over and, based upon the information received, he had concluded that:

- the Republic of Korea had taken some effective steps in response to the CITES resolutions including its accession to the Convention;
- Yemen was also taking appropriate action, particularly with regard to the use of substitutes for rhinoceros horn in dagger handles; and
- China and Taiwan had not taken sufficient action, and should therefore be certified.

He stated that China and Taiwan had been certified on 6 September 1993, and that the President of the United States must, within sixty days, inform Congress of any action he intended to take. He said that this matter was one of great concern to the people of the United States. He said that there was a growing sense of incredulousness and frustration by the people of his country that the species concerned were standing on the brink of extinction in the wild, and it was unacceptable to let this happen. The United States felt that trade sanctions were not unusual and that there was growing pressure to proceed in that direction. The President of the United States was not eager that sanctions be imposed, and he preferred the United States to work together with the countries concerned for the conservation of the species. However, if the course of events did not change, there would be a unilateral response by his government to impose trade sanctions. Finally, he stated that it was very important that the members of the Committee leave the meeting with recommendations that indicate that the Committee is not standing by while the species concerned become extinct.

The observer from China responded by saying that the statement of the Secretary of the United States Department of the Interior was unacceptable, considering the actions that China had taken for species protection. Also, the announcement of certification by the United States violated the sovereign principle of international law. He said that the actions taken by the United States would not only have no positive results but would also make the situation worse. In spite of this, he said that China would continue to do its best for the protection of the species and to work with CITES.

The observer from Israel applauded the action taken by the United States, as the measures taken by China including Taiwan, had not been adequate. He said that any concern over the destruction of rhinoceros horns in museums and other scientific

institutions as a result of the implementation of Resolution Conf. 6.10 was unwarranted. He said that the Convention provided an exemption for such specimens and that the text of the Convention took precedence over a Resolution. He urged the Committee to focus on the destruction of stocks of rhinoceros horn and not their registration and movement to a central location.

The observer from the United Kingdom stated that it was gratifying to hear of the action taken by several countries for the protection of the rhinoceros and the tiger, and that these and similar actions must continue. He stated that it was unfortunate that the other countries mentioned in the report being discussed were not present to make statements. He said that it would be helpful to know if China would be willing to consolidate its stocks of rhinoceros horn in one location, for inspection by the Secretariat.

The observer from China said that the registration of stockpiles of rhinoceros horn was being done. Concentration of such stockpiles was desirable, but he was not certain as to the extent to which this could be implemented. He said that, as Hong Kong was named in the report as a place where there was illegal trade in rhinoceros horn, the United Kingdom should also be taking action in this regard. (The observer from the United Kingdom later agreed to take such action). Responding to the statement by the observer from Israel, the observer from China said that an important point is that all production of pharmaceutical products that contained rhinoceros horn had been stopped, and that China was trying to resolve its problems arising from the presence of stocks, as many were in private ownership and compensation would be required if the stocks were to be seized by the government.

The representative of the Previous Host Country stated that Japan had concerns regarding the intent of actions taken by the United States by means of the Pelly Amendment. He said that these actions did not reflect the actual situation in the affected countries, and that sanctions might also interfere with the GATT. He shared the concern expressed by the observer from China with regard to the appropriateness of the statement in an international forum on national measures that had been taken by a particular country. The representative of Europe supported the views of Japan, stating that, although pressure should continue for improvement, continued co-operation between the countries was more important than any trade sanctions.

The Chairman said that the statement made by the representative of the Next Host Country was not inappropriate for a Committee meeting, considering that CITES encourages the Parties to develop stricter domestic measures for enforcement of the Convention and considering the recommendations that arose from the last meeting of the Committee.

The representative of South and Central America and the Caribbean wondered about the adequacy of the actions contemplated by the Committee with regard to the consolidation and registration of stocks of rhinoceros horn. She said that there was an overwhelming amount of evidence that illegal trade was continuing unabated in China, and she felt that actions taken by the Committee should include recommendations for trade sanctions. The representatives of Oceania, North America and Africa echoed the view of the representative of South and Central America and the Caribbean that strong action should be taken, while the representative of Asia repeated that he felt it was not the proper time to impose sanctions.

The Chairman summarized the recommended actions to which the Committee had agreed so far:

- asking consumer countries to register and consolidate in one place any stocks of rhinoceros horn; and

- establishing a task force, for the purpose of determining the extent of implementation of the Convention with respect to trade in specimens of species of rhinoceros and tiger, in both consumer and producer countries.

The Chairman asked that the regional representatives formulate over the lunch hour a draft position containing the above recommendations, as well as others to be considered by the Committee, with respect to rhinoceros and tiger conservation.

14. Any Other Business

d) Address by the Assistant Executive Director of UNEP

The Assistant Executive Director of UNEP stated that UNEP's contract with the Special Envoy to UNEP on rhinoceros conservation issues ended in July 1993, and that he wished to know whether the members of the Committee believed that the work of the Special Envoy to UNEP had been useful and should continue. He had been very disappointed by the financial commitment made by the participants at the recent UNEP conference for the conservation of the rhinoceros, as well as by the non-participation by UNESCO and FAO. UNEP had been burdened with a significant portion of the financing of the conference and, as a result, the Governing Council of UNEP might see this as an indication of there being little political interest for a programme on rhinoceros conservation to continue. He said that he was very glad that a Co-ordinating Facility would be provided at UNEP for both rhinoceros and elephant species, and that the position for the Head of the Facility would be advertised within the next few weeks.

The Assistant Executive Director of UNEP welcomed the remarks of the observer from South Africa concerning the draft Lusaka Agreement. He agreed that the report of the Secretariat did not clearly indicate that the draft Agreement was no longer an initiative of one country but rather one of several countries. He had been under the impression that funding was available for negotiation of the Agreement but had discovered that this was not correct. For this and other reasons, the signing of the Agreement would not occur until sometime in 1994.

He said that the latest proposal to the GEF for funding of CITES projects had been introduced, but that there had not been any opportunity to include it in the present framework of the pilot phase. UNEP would meanwhile be working on a technical level with the Secretariat to have the project presented in January 1994, if funding for the GEF were replenished for the operational phase.

The Chairman thanked the Assistant Executive Director of UNEP for addressing the Committee and indicated that the Committee was particularly interested in the progress made with regard to the funding by the GEF.

The Chairman adjourned the meeting at 12h30.

Fourth Session: 7 September 1993: 14h55 - 17h35

5. Trade in rhinoceros specimens (continuation) and  
6. Trade in tiger specimens (continuation)

The Chairman apologised that the meeting was starting late because a working group comprising the regional representatives had been in session during the lunch break. Reporting the results of the session, the representative of North America said that

consensus had been reached on five points, although the presentation of them could be amended to follow a more logical sequence:

1. Stocks of rhinoceros horn in the four countries referred to in the Secretariat's report should be identified and marked;
2. Stocks of rhinoceros horn and tiger bone should be consolidated and brought under control by 30 November 1993, the six-month deadline established in the legislation of China;
3. A high-level delegation should visit the main consumer countries, especially China and the Province of Taiwan;
4. A technical delegation should also visit these countries, and its terms of reference should be established by the Standing Committee and should focus on matters of implementation and enforcement; and
5. The Standing Committee should report its concern that the measures taken by China and the Province of Taiwan are not adequate, and Parties should consider implementing stricter domestic measures, up to and including immediate trade sanctions. A mission should assess progress at the end of November and, on receipt of its report, the Standing Committee would make further recommendations.

In response to questions, the representative for South and Central America and the Caribbean stated that the purpose of the high-level delegation would be to indicate the seriousness of the problems, to indicate the seriousness of the Standing Committee, to note that 30 November was the deadline for action and to put the process in train. She said that the composition of the delegation was left to the Committee to decide.

The Chairman said that the technical delegation should give advice to the countries concerned and this was agreed. He also raised the question of how the delegations would be funded. He informed the Committee that they were under pressure because there were media representatives outside the door.

The representative of the Depositary Government proposed that the decision of the Standing Committee be sent to the countries concerned with a letter from the Chairman. This was agreed.

The representative of the Next Host Country agreed to the suggestions of the working group. However, the observer from China felt that the Committee should seek a comprehensive lasting solution to the problem of continuing trade in rhinoceros horn and tiger bone and not just target one country. He called for action also to be taken in range States.

The observers from Belgium and the United Kingdom agreed with the working group proposal in principle but felt that questions of procedure, timetable and terms of reference of the delegation needed to be settled quickly. The representative of the Depositary Government pointed out that there were not just four countries of concern. Regarding Hong Kong, he sought assurances that the United Kingdom would take action. He added that, among the rhinoceros range States, Zambia was of special interest because of the trade in rhinoceros horn from other States that has left Africa through its territory and because its nationals are involved in poaching in other States. The representative of the Depositary Government therefore proposed that action should be taken in Zambia to parallel that in consuming States. In response, the observer from the United Kingdom drew attention to the draft Lusaka Agreement, a Zambian initiative to take joint enforcement action in Africa. He said that it would be wrong to target one country and

that there was a need for co-operative action. He added that the controls were clearly inadequate in Zambia and he believed that the authorities there would agree with this. The representative of the Depositary Government felt that the draft Lusaka Agreement could take some time to be adopted, let alone have any effect, and he suggested that Zambia should take action within its own territory. He also drew attention to worries about the smuggling of specimens in diplomatic bags. The observer from the United Kingdom stated that the new administration in Zambia was determined to crack down on illegal trade and he asked what they could possibly do about poachers going to Zimbabwe. The Secretariat shared the concerns of the representative of the Depositary Government. They recalled that the problems in Zambia were well known; poachers were going from Zambia to Zimbabwe and returning to Zambia with rhinoceros horn, where there were clearly dealers. The Secretariat believed that investigations were needed and suggested that the Committee should ask the Management Authority in Zambia what action was being taken.

Regarding Hong Kong, the observer from the United Kingdom said that his Government had, on 6 September, received the report of the Environmental Investigation Agency (EIA) about the availability of rhinoceros products in Hong Kong, and had undertaken to ensure that the allegations were fully investigated, in co-operation with the authorities in Hong Kong, and to report to the CITES Secretariat as soon as possible. He added that the authorities in the United Kingdom and Hong Kong would need detailed information about the pharmacies visited by EIA, and this had not yet been received.

The Chairman repeated that there were media representatives outside the room. There was also a representative of the authorities of Taipei waiting and the Chairman wished to inform him of the Committee's decisions as soon as possible.

The observer from the CEC offered, if there were to be a letter to the Russian Federation, to recommend that the EEC should use its influence with the Russian authorities. The Secretary General offered to draft an appropriate letter and the Chairman accepted this offer.

A debate followed about the text of the recommendations that had been drafted by the working group. At the request of the representative of the Depositary Government, it was agreed that the words referring to sanctions should instead be assimilated to the text of Article XIV, paragraph 1, of the Convention. During the discussion, the observer from China repeatedly objected to Taiwan being referred to as a country; he objected to references to "China and the Province of Taiwan", favouring "China and its Province of Taiwan"; he also objected to reference to the authorities issuing CITES-equivalent documents in Taipei. Responding to a question from the observer from Belgium, as to why the Republic of Korea and Yemen were not mentioned, the representative for South and Central America and the Caribbean stated that, although the working group had discussed these two countries, they had felt that the Secretariat's report indicated that they were reaching an acceptable level of control; the working group had therefore focused on China and the Province of Taiwan. The representative of Oceania agreed that there was a need to refer to the Republic of Korea and to Yemen, as well as a need to include criteria by which to judge whether the Committee's concerns had been met.

Several participants made suggestions regarding the possible contents of a letter to accompany the decisions of the Standing Committee.

Finally, the Chairman concluded that the Committee had agreed on the substance of the five recommendations from the working group, if not on the precise words.

### 13. Consideration of new project proposals

The Secretariat introduced document Doc. SC.30.10, containing proposals for studies, most of which had been prepared on the recommendation of the Animals Committee, but some of which had been initiated by the Secretariat and the Management Authority of the country concerned. The projects were to form part of the package of projects sent to the GEF.

The Secretariat introduced project S-069 (Survey of the status of Tridacnidae in the Philippines with a view to sustainable use). The observer from Israel complained that the line items were the names of islands rather than items of expenditure and that, although the budget referred to remote sensing, this was not referred to in the text. The Secretariat explained that it had no further detail as the proposal had been prepared by the Management Authority of the Philippines, which had obviously chosen to specify the costs in each location; moreover, the study was expected to be done by local people in the Philippines. The representative of the Next Host Country shared the concerns of the observer from Israel about the budget, and was concerned about the budgets presented in several other proposals. After some further discussion, it was agreed that the project proposal was adequate in principle but that the presentation was inadequate, especially the presentation of the budget, and project S-069 was approved. The Secretariat noted the comments made and undertook to provide more-detailed budgets in future. They added that all of the projects being presented at the present meeting had been put together quickly and were being put to the GEF, so there would clearly need to be further work on the budgets.

The Secretariat introduced project S-070 (Survey of the status of corals in the Philippines with a view to sustainable use). The observer from Israel expressed the same concerns as with the previous proposal. The Committee approved project S-070.

The Secretariat introduced project S-071 (Population status survey and management of *Ovis ammon* in China). The observer from Israel stated that the proposal was exemplary and should be considered as a model. There being no further comments, project S-071 was approved.

The Secretariat introduced project S-072 (Survey of the status and management of royal or ball python *Python regius* in Ghana). The representative of the Next Host Country said that it would be better if the project were conducted by local people. The Secretariat agreed but pointed out that not all countries in the world have competent experts in all subjects, adding that, when there is a need to employ expatriates, it is generally not possible to obtain their services cheaply, although the amount allocated in the budget could certainly not be considered high. The Secretariat also pointed out that there was a training element in the budget as local persons would be employed to work with the principal investigator. The Committee approved project S-072.

Introducing project S-073 (Population status survey and management of psittacines in Liberia), the Secretariat said that current conditions in Liberia would preclude the conduct of the project for the time being, although it was hoped that conditions would soon improve. The representative of Africa, however, stated that agreement had been reached between the conflicting parties in Liberia. The observer from Israel supported the project, but expressed concern that the per diem in the budget was less than half for the local counterpart than for the principal investigator. The Committee approved project S-073.

Project S-074 (Survey of the Costa Rican crocodilian populations) was then introduced by the Secretariat who commented that the methods would be the same as for previous projects on crocodilians. Project S-074 was then approved by the Committee.

The Secretariat then introduced project S-075 (Status survey and monitoring of the monitor lizard populations *Varanus* spp. in Nigeria), stating that this was a continuation of

a regional project on monitor lizards. It was planned to use the same techniques as had been used elsewhere and perhaps the same expert. The Secretariat recalled that trade in monitor lizards from Nigeria was prohibited, but some collection was going on nevertheless and Nigeria might revise its position and establish a management programme depending on the results of the project. The observer from Israel endorsed the project but thought there was a discrepancy in the budget, with field work planned for 60 days and vehicle rental planned for 90 days. The Secretariat did not have any additional information but suggested that perhaps the vehicle was to be used not only for field work but for travel within the country. The Vice-Chairman considered this reasonable as it had been found that time spent on field work was often matched by time spent on other work. Project S-075 was approved by the Committee.

Introducing project S-076 (Status survey, management and conservation of the African grey parrot *Psittacus erithacus* in Nigeria), the Secretariat noted that this too was a continuation of a regional project. The representative of the Next Host Country was very supportive, especially as the project involved an element of integration with the activities of local people. The observer from the CEC pointed out a discrepancy between this and the previous project in the cost of boat rental. The Secretariat wondered whether this could be accounted for by the different costs of living in the different places. Project S-076 was approved by the Committee.

The Secretariat introduced project S-077 (Management of *Tayassu tajacu* and *Tayassu pecari* in the Peruvian Amazon), stating that funds would be available from NYZS/The Wildlife Conservation Society if the project were approved. The Committee approved the project.

Project S-078 (Evaluation of the status of populations of *Brotogeris pyrrhopterus* and *Aratinga erythrogenys* in Peru) was then introduced by the Secretariat. The observer from Israel stated that the fourth budget item should be USD 8400, not USD 4200. He said that there was a need for much greater care in compiling the budgets. The observer from the CEC added that there were many problems with the proposed budget. He felt that figures had been invented to arrive at round numbers; he drew attention to discrepancies between projects in costs that should be comparable, such as report-writing and printing; and he thought that the administrative charge had been included twice. He requested that more detail be included in budgets and that more care be taken in preparing them. The Vice-Chairman agreed that the Secretariat should note this point. The Secretariat apologised and undertook to ensure that budgets would be checked in future. The representative of Africa noted that the Secretariat was presenting the proposals as ideas for projects and that the Committee should comment on the advisability, objectives and questions of principle. He said that no donor would accept bad budgets and that when the project proposals were developed the budgets would obviously have to be finalised with the donors in mind. Project S-078 was approved by the Committee.

The Secretariat introduced project S-079 (Evaluation of the status of populations and a management strategy for crocodilians of Peru). The observer from Colombia, noting that part of the project was to be conducted near the border with his country, asked for time to present a parallel proposal the following day for a study of crocodilians in Colombia. He said that he had long ago informed the Secretariat of the proposal by letter. He added that a survey of crocodilian populations in Colombia had started but it would take two years and they needed help. The Secretariat said that they would consider the proposal from Colombia and, if possible, submit it to the GEF. Project S-079 was approved by the Committee.

Finally, the Secretariat introduced project S-051 (Research on the population status in the wild of succulent species traded from Madagascar: phase II, northern part of Madagascar), incorrectly recorded as project S-052 in document Doc. SC.30.10. The representative of

the Depositary Government noted that this was a follow-up project with a strong educational component and that it would be conducted jointly with the local authorities. There being no further comments, the Committee approved project S-051.

The Chairman wished the Secretariat good luck in its search for funds and closed the session at 17h35.

Fifth session: 8 September 09h15 - 12h30

8. Caiman Trade in Colombia

The Chairman opened the session and asked that the Secretariat introduce document Doc. SC.30.7. The Secretariat then gave a general overview of the document, which included the following points on the trade in skins of caiman from captive-breeding operations in Colombia:

- a mission to Colombia by the Secretariat had been suspended, pending the provision by Colombia to the Secretariat, at the request of the Standing Committee, of additional information on the captive-breeding operations for caiman in that country;
- the information contained in export permits issued from June 1992 to June 1993 indicated trade had been authorised in a much larger number of caiman skins (over 500,000) than the number indicated by the Management Authority of Colombia to have been exported in the same period (205,000);
- the Management Authority of Colombia had provided to the Secretariat information that indicated the discrepancy was primarily caused by the cancellation of permits; and the Secretariat would look into this; and
- the Secretariat was awaiting instructions for further action from the Standing Committee.

The Chairman then recognized the observer from Colombia, who introduced the distinguished members of his delegation, including the Colombian Ambassador in Brussels and the Vice-Minister of Agriculture. The observer from Colombia stated that he had provided to the Secretariat a full and extensive document which hopefully clarified some of the problems indicated by the Secretariat. Colombia had been ready to receive the Secretariat for a mission that was very important to the country and had reacted as quickly as possible to the Chairman's requests for information once the mission was cancelled. The main problem in the discrepancies that had been reported arose from permits that had been cancelled by the Management Authority without notifying the Secretariat. He assured the Committee that no permit was ever cancelled without the original being in the possession of the Management Authority. Other reasons for the discrepancies were possibly that permits were issued for parts of skins and yet were reported as entire skins. Skins going to duty-free zones also caused problems. Differences in the time of egg-laying through the regions and other factors made it very difficult to explain the entire picture on captive-breeding operations in the country, and therefore the mission of the Secretariat to Colombia was critically important, as well as the provision of technical experts to support the mission. In the meantime, Colombia would continue to co-operate with the Secretariat in all matters that concerned this and other issues.

The Chairman thanked the observer from Colombia and welcomed the Colombian Ambassador and Vice-Minister of Agriculture to the meeting. As he believed it was

necessary to gain additional information on captive-breeding operations for caiman before the Secretariat went on a mission to their country, he thanked them for the prompt manner in which Colombia had responded to his request for information and in Colombia's willingness to work with the Secretariat.

The observer from Colombia (Colombia's Ambassador in Brussels) presented an executive summary on the matter that had also been distributed to the members of the Committee. He said that several positive actions had taken place as a result of recommendations that were made at the last meeting of the Committee, as follows:

- the number of ports of export had been reduced;
- the export of wildlife products to non-Parties had been prohibited;
- a contract for the auditing of shipments of caiman skins had entered into force;
- Customs enforcement had increased and other enforcement measures had improved;
- significant steps had taken place for the modernization of the State, including the protection and conservation of Colombia's natural heritage;
- a caiman survey had been initiated; and
- better support to the Management and Scientific Authorities had been given.

The observer from Colombia stated that protection of a species could be viewed in two ways: either by protection in the manner established by CITES or protection that was total and that allowed no possibility for trade. He hoped that CITES would not be used as an unjustified barrier to trade. The Chairman and the Secretary General assured him that this was not the purpose of the Convention.

The representative of South and Central America and the Caribbean expressed her concern over the large number of skins being exported from the country, as well as the discrepancies uncovered by the Secretariat. She wondered if the caiman resources in Colombia might not be threatened by such high levels of exploitation. This concern was supported by the observer from Italy.

The observer from Colombia said that it was difficult to understand these concerns, as Colombia had been committed to sustainable trade in its caiman resources for many years. He agreed that a survey of wild populations of caiman was needed in Colombia, but such work would be limited due to political unrest in certain areas of the country.

The Committee agreed that the Secretariat should organize a mission to Colombia as soon as possible, and that the delegation should include experts in the captive-breeding of caiman and in implementation of the Convention.

#### 14. Any other business

- e) Letter from Chairman of Animals Committee to Chairman of Standing Committee, Concerning an East Asia Wildlife Trade Control Initiative

The document was introduced by the Chairman, who advised the Committee that the idea for the initiative had come from China. The observer from Israel expressed his strong concern that several countries in Asia were not included to participate in the initiative, and he felt that all countries in the region, including Israel, should participate. The observer

from China noted that, although the initiative had been agreed upon in principle by his government, the document had not yet been endorsed as there were still corrections that had to be made to the proposal. The Secretariat noted that this was not a CITES-sponsored workshop or initiative but that subregional actions are frequent even within CITES. Due to the importance of the initiative the Secretariat was willing to participate in any activities arising from the initiative, but it had not been aware of it until recently.

The Committee agreed to endorse the initiative in principle and directed the Secretariat to communicate that endorsement to UNDP.

#### 7. Animals Committee's Recommendations - Resolution Conf. 8.9

The Secretariat introduced document Doc. SC.30.6.1, which contained in section 4 the recommendations of the Secretariat. The Secretariat reminded the Committee that these recommendations were a result of the failure by certain Parties to implement the secondary recommendations of the Animals Committee, provided for by Resolution Conf. 8.9. The Secretariat advised the Committee that the Secretariat's recommendations for Indonesia did not have to be considered, as they had been covered by the Committee during its discussion of item 10. of the agenda.

The Secretariat then summarized the background for each recommendation made in the document, which was then discussed by members of the Committee. The Committee endorsed all the recommendations in the document, with the exception of the recommendation that concerned Ptyas mucosus from Thailand. The Secretariat agreed to discuss this recommendation with the representative of Asia, after the meeting.

In addition to endorsing recommendations contained in document Doc. SC.30.6.1, the Committee also endorsed the recommendation in document Doc. SC.30.6.2, on Lama guanicoe from Argentina.

The Committee also agreed that:

- the recommendations of the Animals Committee should be more clear and specific as to actions that should be taken by the relevant Parties;
- the Secretariat should determine whether Guinea has stopped trade in specimens of Psittacus erithacus; and
- the recommendation for Rana tigerina in India should also apply to Rana hexadactyla.

The observer from the Czech Republic had also expressed to the Committee his great concerns about trade in Testudo horsfieldii between his country and the Republics of the former Soviet Union. He said that live specimens were often shipped under inhumane conditions, and that he was concerned that the commercial demand for selected specimens might be causing problems for the survival of certain populations. The observer from Belgium noted that the EEC had banned the import of specimens of the species, due to mortality of up to 90% within a year after being imported. The representative of the Depositary Government, however, stressed that the threats to this species were not from international trade but from local consumption. He added that it was unclear how or whether the authorities of the Russian Federation implemented Article IV, paragraph 2, for other States. The Committee directed the Secretariat to convey to the Chairman of the Animals Committee the concerns raised to the Standing Committee regarding the violations of the conditions of transport, and the high mortality rate in Western Europe for climatic reasons, and to request the Animals Committee to report its findings to the Standing Committee at a later time.

The Chairman closed the session at 12h30.

Sixth Session: 8 September 1993: 14h35 - 17h40

7. Animals Committee's recommendations  
implementation of resolution on tagging crocodiles

In view of the shortage of time, the Chairman proposed that discussion of the implementation of Resolution Conf. 8.14 should be postponed until the next meeting of the Committee. The observer from Italy stated that discussion of this subject was very important for his country as they were now preparing a regulation to implement the new legislation and therefore needed to have the views of the Standing Committee as soon as possible. The Chairman decided, however, that there was not sufficient time to do justice to the subject.

5. Trade in rhinoceros specimens (continuation) and  
6. Trade in tiger specimens (continuation)

A document had been circulated and was introduced by the Chairman. It contained a draft letter from the Chairman to the People's Republic of China, and this was withdrawn from discussion. It also contained a numbered series of decisions of the Standing Committee. The drafting group believed that paragraphs 1 to 10 represented the decisions taken by the Committee at its fourth session; but paragraphs 11 to 13 were new. It was proposed that the decisions would form part of the minutes of the meeting. An extensive discussion took place on the proposed text of the decisions, in which the following were the main points.

The observer from China objected to the use of the word "territories" because it might imply that the Province of Taiwan was an independent territory. He stressed that this was a matter of serious concern and that the Committee obviously did not want its decision to be rejected just because of the misuse of words. The representative of the Depositary Government suggested the use of the term "national or provincial governments". Finally, on the recommendation of the observer from China, the Committee agreed to use the word "countries".

The observer from China objected to the suggestion in the draft that his country had not responded to the letter from the Chairman of the Standing Committee and had showed a lack of interest in the rhinoceroses and the tiger. After some discussion the Committee agreed to make an appropriate change to correct this implication.

The observer from China protested that the reference in the draft to the destruction of government and parastatal stocks in China had not been discussed in the fourth session. He asked whether the Standing Committee had asked the authorities in the Republic of Korea and Yemen to destroy the stocks in those countries and, if not, why China was singled out. The Chairman recalled that the words "government and parastatal stocks" came from Resolution Conf. 6.10. The representative of the Depositary Government emphasised strongly that no country was known to have destroyed all its government and parastatal stocks. He felt that it was inappropriate to single out from Resolution Conf. 6.10 a recommendation with which no country had complied. The Committee agreed to amend the draft decision to refer to Resolution Conf. 6.10 and not specifically to the destruction of stocks.

The observer from China objected to the suggestion, in the draft decisions, that Parties should consider implementing stricter domestic measures. The objection was noted but the Chairman refused to re-open discussion on this point on which agreement had been reached the previous day.

The observer from China asked for more precision and clarity in the criteria to be met by his country to satisfy the Standing Committee. In particular, he wished to know how the specimens should be marked and identified, and to what extent stocks should be consolidated; should they be in one place, or could they be in ten places? It was agreed by the Committee that the technical delegation should give guidance to the authorities on these questions, so that the necessary measures could be taken by 30 November 1993. The Committee also agreed that preliminary marking should take place by the end of November but technical refinements could be made after that date. The representative of the Next Host Country stated that the United States Fish and Wildlife Service had been instructed to continue a dialogue with the authorities in China and in the Province of Taiwan and to provide technical assistance in the context of the proposed certification under the Pelly amendment.

The observer from South Africa suggested that, in the draft decisions, the draft Lusaka Agreement should be referred to as improving the enforcement of laws against illegal trade in wild fauna and flora rather than as improving the management of species. This was agreed by the Committee.

On the proposal of the representative of the Depositary Government, and with the assent of the observer from the United Kingdom, it was also agreed to include a paragraph in the decisions to note that an investigation of the illegal trade in Hong Kong would be undertaken.

The representative of the Depositary Government proposed that there should be a separate decision relating to Zambia. He pointed out that, of the seven countries in Africa with more than 50 rhinoceroses, five had borders with Zambia; incursions into these countries by Zambians started in 1984; Zimbabwe had recently experienced incursions every second day, going as deep as 400 km into the country, and Zimbabwe had lost more than 600 rhinoceroses. The representative of the Depositary Government therefore felt that it was insufficient to urge Zambia to strengthen its enforcement capability and that the Secretariat should take up the matter. After some discussion, it was agreed that Zambia should be urged to take effective measures to end the transborder poaching and illegal trade in rhinoceros horn.

The Chairman proposed that all Parties should be urged to comply fully with Resolution Conf. 6.10 and to report their actions regarding stockpiles to the Secretariat. This was agreed.

The Chairman announced that a press release containing the decisions of the Committee would be issued soon after the end of the meeting.

It was agreed that the technical delegation should be offered to interested consumer countries. The observer from China said that his country would welcome both delegations.

Regarding the composition of the high-level delegation, the representative of the Next Host Country proposed that it should be led by the Chairman and the Vice-Chairman of the Standing Committee. The representative of South and Central America and the Caribbean supported the leadership of the Chairman. She proposed that the Secretary General should also be on the delegation and that the Chairman and the Secretary General should take precedence, as her involvement might be precluded by a lack of funding. The

Secretary General noted that the Secretariat now had to seek funds for the high-level delegation, the technical delegation and a mission to Colombia; he therefore preferred to limit the number in the high-level delegation to four. The representative of South and Central America and the Caribbean proposed that the fourth person should be the representative of the Depositary Government. The representative of the Depositary Government was unsure of his availability. He also asked whether the United States would be conducting its review independently or whether it could be integrated into the Committee's work. The representative of the Next Host Country said that the United States was committed by law to conduct a review and to provide technical assistance if required. The representative of North America suggested the need for flexibility in forming the high-level delegation, so that, if necessary or apt, a representative of the United States and a technical person could be brought in. The observer from China suggested that the representative of Asia should also be included in the high-level delegation. The representative of Africa proposed that the composition be the Chairman, the Secretariat plus two regional representatives, one of which would be the Vice-Chairman. Regarding the cost, the representative of the Next Host Country said that his Government would make a contribution although he could not yet say how much.

Turning to the technical delegation, the representative of the Depositary Government drew a parallel with the Panel of Experts on the African elephant. He suggested that someone from South Africa or Zimbabwe be included, with experience in stocks and marking; one or two persons should have expertise in the Chinese language; one person should have police experience. The Chairman agreed with this suggestion and said that, here too, there was a need for flexibility. The observer from China agreed that there should be a speaker of Chinese on the delegation, stressing the need for technical experts. The Chairman felt that these suggestions would provide sufficient guidance and the composition would be left to himself and the Secretariat to finalise.

The discussion included proposals for and agreements on text to be included in the decisions of the Standing Committee. At the request of the representative of the Next Host Country, it was agreed that any minor inconsistencies could be brought to the attention of the Secretariat afterwards and that the Secretariat would produce a final text in consultation with the Chairman. The final text of the decisions is attached to these minutes.

14. Any other business

f) Date of the next meeting

It was agreed that the next meeting of the Standing Committee should be held in Geneva from 21 to 25 March 1994. As this was immediately after the Asian regional meeting, this timing would enable some savings to be made on travel costs.

The Secretary General reminded regional representatives that any reports on activities within their regions should be sent to the Secretariat by 31 December 1993. In response to a question from the representative of South and Central America and the Caribbean, he added that the Secretariat could help regional representatives by translating documents, to facilitate communication within the region, if the documents were not too big. The observer from France requested that, in preparation for meetings of the Standing Committee, greater account be taken of the needs of those who communicate in French and Spanish. He hoped that the Secretary General would put the translators back into the Secretariat's budget. The Secretary General responded that some funds had been provided by the Governments of Japan and the United States for use in regional consultation in relation to the review of the new criteria for amending the appendices.

The observer from Italy invited the Secretary General to visit Italy in November 1993, to review the enforcement of the Convention, and asked that the results of the review be considered at the next meeting of the Standing Committee.

The representative of South and Central America and the Caribbean expressed a feeling of satisfaction that more had been accomplished at the present meeting than at the previous one and that the decisions reached would go a long way to ensuring the success of the ninth meeting of the Conference of the Parties.

The Secretary General believed that the meeting had raised the level of importance of Standing Committee meetings. He thanked the CEC, and Mr Claus Stuffmann's section in particular, the Secretaries, the interpreters, the translators, the rapporteurs and all the participants.

The observer from the CEC thanked the Secretary General. He said that this had been an important meeting and that the results had exceeded expectations and made a decisive contribution to the success of the next meeting of the Conference of the Parties. He added that the CEC was glad to have helped and to have welcomed all the participants. He hoped that the co-operation between CITES and the CEC would be even closer. Finally, he thanked the interpreters.

The Chairman also thanked the CEC, the interpreters, the Secretariat, the rapporteurs and those who had prepared papers, and all the participants. He closed the meeting at 17h40.

Decisions of the Standing Committee on  
Trade in Rhinoceros Horn and Tiger Specimens  
Brussels (Belgium), 6-8 September 1993

The Standing Committee:

1. notes that, at recent meetings, it has received information on the plight of rhinoceros and tiger populations which, despite listing in CITES Appendix I, have been subject to considerable pressure from poaching, in particular to supply an illegal trade for use in oriental medicines, and has called for reports from the countries which represent the market for these wildlife products;
2. notes the progress that has been made by the authorities in consumer countries to strengthen domestic control of this illegal trade and to educate their communities about the risk which is placed on the survival of rhinoceroses and the tiger from continued demand for parts and derivatives for use in such medicines;
3. notes with approval that the Republic of Korea has, since the 29th meeting of the Standing Committee, acceded to CITES and sought to strengthen its domestic legislation and enforcement action in respect of smuggled rhinoceros products in particular;
4. notes the information received from the Secretariat regarding progress in Yemen, in particular regarding moves to strengthen the capability of the Environmental Protection Agency to enforce the ban on use of rhinoceros horn and regarding the decline in use of rhinoceros horn, but expresses concern that Yemen has not yet taken all necessary steps to accede to the Convention;
5. notes with some concern that the Standing Committee's request made at its 29th meeting, for information on the control of illegal trade in rhinoceros horn and tiger specimens drew an inadequate response from the People's Republic of China;
6. reports concern that the measures taken by the People's Republic of China and the competent authorities in Taipei are not adequate to sufficiently control illegal trade in rhinoceros horn and tiger specimens and failed to comply with measures outlined in Resolution Conf. 6.10. Parties should consider implementing stricter domestic measures up to and including prohibition of trade in wildlife species now;
7. agrees that the minimum criteria to be met for the adequate implementation of protection measures before the end of November 1993 within the consumer countries are as follows:
  - a) identification and marking of stocks of rhinoceros horn;
  - b) consolidation of both rhinoceros horn and tiger bone stocks and their adequate control by the State;
  - c) adoption and implementation of adequate legislative measures; and
  - d) provision for adequate enforcement of the above measures;
8. agrees that a letter should be sent from the Chairman of the Standing Committee to the noted consumer countries, to impress upon them the gravity of the situation, advise them of the criteria set down by the Standing Committee to be met for the adequate implementation of protection measures, offer technical assistance on implementation and enforcement and seek their co-operation with the Parties to the Convention;
9. suggests that, within available resources, a technical delegation with a focus on implementation and enforcement be offered to interested consumer countries;

10. agrees that a high-level delegation should be sent to assess progress achieved by consumer countries, as soon as possible after the end of November 1993, and should report to the Standing Committee, which may make further recommendations as appropriate;
11. agrees that a letter should be sent from the Chairman of the Standing Committee to the Russian Federation urging improved implementation of domestic measures to prevent poaching of Siberian tiger and to shut off the illegal transborder movement of tiger specimens into south and east Asia;
12. urges that the draft Lusaka Agreement be refined with the assistance of UNEP and adopted by all African States to improve law enforcement against illegal trade in wild fauna and flora, and further urges other Parties to offer financial assistance with enforcement;
13. agrees that a letter should be sent from the Chairman of the Standing Committee to Zambia urging it to take effective measures with a view to ending the transborder poaching and illegal trade in rhinoceros horn;
14. notes that the UK has undertaken to pursue with the appropriate authorities in Hong Kong the concerns about illegal movement of rhinoceros horn and tiger specimens across its borders, in order to improve the effectiveness of enforcement;
15. agrees that a letter should be sent from the Chairman of the Standing Committee to Myanmar, Viet Nam and the Lao People's Democratic Republic urging adequate control of trade in wildlife and especially of the movement of rhinoceros horn and tiger specimens across their borders, and strengthening of enforcement capabilities accordingly, as well as soonest possible accession to CITES;
16. urges all Parties to fully comply with the measures outlined in Resolution Conf. 6.10 and requests that Parties holding stockpiles report their actions in this regard to the Secretariat.

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