

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

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Thirty-first Meeting of the Standing Committee  
Geneva (Switzerland), 21 to 25 March 1994

SUMMARY REPORT

Members:

Oceania:	M. R. Hosking (New Zealand), Chairman J. Owen
South and Central America and the Caribbean:	H. Nelson (Trinidad and Tobago) Vice-Chairman
Africa:	M. A. Kane (Senegal)
Asia:	S. Tunhikorn (Thailand) M. Lauprasert C. Karnjanakesorn
Europe:	S. Johansson (Sweden) L. Hedlund
North America:	D. Brackett (Canada) S. Curtis J. Beckett
Depositary Government:	P. Dollinger (Switzerland) B. Von Arx
Next Host Country:	M. P. Jones (USA) S. Lieberman W. Fox S. Wagner H. Cohen
Previous Host Country:	K. Hoshino (Japan) S. Fukase K. Shimodo S. Sugiura H. Tsubata M. Aihara S. Ota M. Nagatsu

Observers:

Chairman of the CITES Animals Committee:	R. W.G. Jenkins
Chairman of the CITES Plants Committee:	J. A. Armstrong
Australia:	G. Rose S. McCosker
Austria:	G. Erdresser
Cameroon:	J. Ngog-Nje
China:	J. Qing

	J. Xu
	W. Wang
	Y. Liu
	Z. Hou
Colombia:	J. A. Villa Lopera
	J. Hernandez C.
Czech Republic:	J. Kucera
	M. Zelená
Denmark:	B. Sloth
	O. Christiani
France:	A. Bonneau
	F. Imbert
Germany:	E. Munzert
India:	A. K. Ghosh
Indonesia:	E. Sumardja
	D. Siswomartono
	T. Soehartono
Israel:	B. Clark
Italy:	U. Mereu
	M. Lepri
	M. Pani
	P. Serpi
Korea:	H. W. Cheong
	G. W. Kim
	M. H. Lee
	D. H. Lee
	S. Y. Choi
Mexico:	H. Salgado
Namibia:	M. Lindeque
Netherlands:	C. L. Schürmann
Norway:	O. Nord-Varhaug
Panama:	D. Botello
	F. Palacio
Peru:	A. Martinez
	M. Ventura
	C. Espinosa Roja
Portugal:	A. Vila Nova
Spain:	P. Valiente Calvo
	S. Rubio de Urquia
South Africa:	P. Botha
	M. Brooks
	P. Vermeulen
United Kingdom of Great Britain and Northern Ireland:	R. Hepworth
	N. McGough
	F. Macleod
	R. W. Smith
Zaire:	B. Kena-Mwauke
Zimbabwe:	R. Martin
Commission of the European Community:	W. Wijnstekers
United Nations Environment Programme:	R. Olembo

Secretariat: I. Topkov  
J. Berney  
A. Beyene  
M. Koyama  
J. Kundaeli  
J. Le Duc  
O. Menghi  
O. Owolabi  
G. Van Vliet

Rapporteurs J. G. Barzdo  
J. D. Gavitt

First Session: 21 March 1994: 09h00 - 12h30

1. Opening Remarks by the Chairman and the CITES Secretary General

The Chairman opened the meeting, welcoming all Committee members and observers and noting the rapid increase in the number of participants in meetings of the Committee. He then introduced the new representative of Trinidad and Tobago, the Vice-Chairman of the Committee. The Chairman asked that the Committee take note of the lengthy agenda, and requested that each item be discussed without unnecessary delay. He stated that several NGOs had requested to address the Committee and, as at recent meetings of the Committee, a meeting for presentations by NGOs had been arranged for 17h30 that evening (after the close of the Committee session). Attendance by Committee members was voluntary. The Chairman stated that there was considerable media interest in the meeting, and asked that Committee members and observers not make statements to the media. A press conference was being arranged at the end of the week. The Committee agreed to allow the media to film the meeting for two minutes that afternoon, during which time no business would be discussed.

The Secretary General welcomed all participants to the meeting. He said that document Doc. SC.31.8 was being withdrawn, because there was new information that needed to be included in a revised document. He suggested that the following items be added to the agenda:

Under item 10. CITES implementation in:

e) Greece (document Doc. SC.31.9.5)

Under item 15. Any other business

- a) Vicuna (document Doc. SC.31.16)
- b) Panel of experts on the African elephant (no document)
- c) Sale of ivory confiscated in Belgium (document Doc. SC.31.17)
- d) Annual reports (document Doc. SC.31.14)
- e) Transport of live animals (no document)
- f) Date and venue of the next meeting of the Standing Committee (no document.)

The provisional agenda, as amended was adopted by the Committee. The Chairman suggested, and the Committee agreed, that the matters to be addressed on the agenda would be taken in the following order: 4, 6, 8 and 5, and that item 9 would be discussed at the beginning of the third session of the Committee, the next morning.

4. Review of the Resolutions of the Conference of the Parties

The Secretariat introduced documents Doc. SC.31.3 and 31.3.1, noting that the first document was presented to seek approval from the Committee concerning guidelines for recording decisions of the Conference of the Parties. The second document was a further revision and consolidation of Resolutions in the areas of permits and certificates, trade in plants, trade with non-Parties and reserving Parties, and transit and transshipment.

Responding to an enquiry from the representative of North America, the Secretariat stated that information concerning decisions of the Parties, although not contained in resolutions, would be distributed in a manner similar to that for resolutions. At the suggestion of the representative of North America, the Committee agreed that, once endorsed by the Committee, the Secretariat would send to the Parties the draft guidelines for decisions of the Conference of the Parties. In this way the Parties might be guided by the proposed guidelines when developing draft resolutions for the next meeting of the Conference of the Parties.

The observer from the Netherlands stated that several changes could be made to the language of Resolutions for the sake of clarity. He also said it was not necessarily essential to retain the Preambles to the Resolutions. However, the Committee agreed that it had already made the firm decision to not change the text of Resolutions, but only to consolidate them.

The observer from the Commission of the European Community (CEC) stated that some of the consolidated Resolutions did not refer to all Resolutions that deal with the subject concerned. For instance, a Resolution on ranched specimens also contains text that mentions trade with non-Parties. However, this text was omitted from the consolidated text on trade with non-Parties. The Secretariat replied that judgements had to be made as to where to place such text, and the omission of some information from a certain subject could not be avoided. However, the Secretariat agreed that a method for cross-referencing might be an important point to consider.

The observer from the CEC asked how the Parties would know when a particular paragraph of a consolidated Resolution had become effective. It was determined that, as the document that the Secretariat would submit to the Parties would contain this information in annotations, it would become a permanent record of that meeting. The Committee agreed therefore that there was no reason to repeat again the annotated information in any final documents approved by the Parties.

The Secretariat noted that, as no written comments from Committee members had been received on the draft consolidated resolutions previously presented, the Secretariat was of the opinion that the Committee had found the documents acceptable to submit to the Parties at their next meeting.

The Secretariat agreed with the suggestion from the representative of North America that, on page 11 of document Doc. SC. 31.3.1 (Annex 1), paragraphs cc) and ee) should have been annotated by a single cross, instead of a double cross, as the paragraphs had not been amended substantively.

The Chairman and other Committee members congratulated the Secretariat, and in particular the Management Authorities Co-ordinator, on the work that had been done on both documents. The Committee endorsed the recommendations in document Doc. SC.31.3. The Committee agreed that document Doc. SC.31.3.1 should be submitted to the Parties for discussion at the next meeting of the Conference of the Parties, with a clear understanding that the Committee had not adopted the document.

## 6. Secretariat Work Plan and Budget for 1994/1995

The Secretariat introduced document Doc. SC.31.4.6, on its 1992 -1993 financial report. The Chairman congratulated the Secretariat for staying within its budget and the Parties for paying their contributions on time. The representative of North America asked the Secretariat for information on expenditures for externally funded projects, and the Secretariat advised that it would be able to provide some information in this regard later in the week. The document was approved by the Committee.

The Secretary General introduced document Doc. SC.31.7, on the periodic report of the Secretariat, and noted the following changes that should be made to the document:

- Page 1, paragraph 2, line 2: Replace "10th" with "9th";
- Page 5, last paragraph, line 2: Insert "as well as from" after "Canada";
- Page 6, paragraph 1, line 2: replace "fiances" with "finances";
- Page 9, point 11. Insert "GATT" after "IATA".

The representative of North America recommended, and the Committee agreed, that the Secretariats of other conventions concerned with the environment should be added as partners in solution implementation (page 9, point 12.)

The Chairman noted that the Secretariat was seeking guidance from the Committee and from observers on points a - e, on pages 1 and 2 of the document. The representative of the Next Host Country and the representative of North America congratulated the Secretariat on its recent efforts in this regard. At the suggestion of the representative of North America, the Committee agreed that a review of the general evolution and the implementation of the Convention should be done by an independent body, and that a project proposal for this review should be developed by the Secretariat, in co-ordination with the representative of North America, and submitted to the Committee for its review. It was further agreed that the proposed budget of the Secretariat should reflect the costs of such a review. The Committee endorsed points a - e on pages 1 and 2 of document Doc. SC.31.7.

The representative of the Next Host Country recommended that the Committee should consider charging observers a fee for documents and other expenses related to meetings of the Plants and Animals Committees or other relevant CITES meetings. After further discussion, the Committee agreed that the Secretariat should develop a proposal, which should be included in the proposed budget submitted to the next meeting of the Conference of the Parties. The Committee further agreed that the proposal should include a waiver of such fees for NGOs from developing countries which could not afford to pay.

The observer from Panama asked about translation of documents and simultaneous interpretation at meetings of the Committee. The Secretary General stated that translation of documents was a budgeted item and simultaneous interpretation was not. If the Parties wished the Secretariat to provide the latter service, it should be reflected in the budget. The Chairman stated that, although English had been the primarily language used during past Committee meetings, budgetary provisions must be considered at the next meeting of the Conference of the Parties to better accommodate the needs of Parties speaking the other two languages of the Convention.

The Secretariat introduced document Doc. SC.31.5, on the 1994 and 1995 budgets. The Secretariat noted that it was requesting an increase of CHF 350,000 in the 1995 budget. The Secretariat stressed that it was very important to obtain the support of the Committee for this increase; in particular, to continue the post of the Associate Regional Officer for Asia, because the secondment from Japan was expiring in April 1995.

The representative of North America stated that the promotion of the Quota Control Officer, discussed in the document, was a matter that fell under UN rules, and therefore did not need to be approved by the Committee. However, he and several other members of the

Committee expressed their concern that funds to meet further increases in the 1995 budget could not be obtained from their Governments. The Secretariat replied that this would not be required, as the CHF 350,000 could be obtained through cost savings from other years. After further discussion, it was agreed that the proposed budget for 1995 should be further reviewed by the Secretariat and cuts made wherever possible. The amounts budgeted for salaries of professional staff should reflect as far as possible the real costs related to the persons occupying their existing positions, as opposed to figures established by the UN. Any revised budget proposal should explain in detail any proposed increases from previous years.

The Committee approved the proposed 1994 budget. The Committee concluded that the proposed budget for 1995 would undergo further scrutiny and further discussion at the next meeting of the Conference of the Parties. Therefore, the Committee further agreed that document Doc. SC.31.5 could be submitted to the next meeting of the Conference of the Parties without further alterations, but that the Secretariat should be prepared to address the concerns of the Committee and to present other budget options when the document was discussed at that meeting.

Some Committee members expressed their preference that the budget be presented for a biennium and not for a triennium as it is now. The Secretariat agreed that this might prove a better option but since resolution Conf. 8.1 is clear on that matter, the Secretary General suggested that he further discusses this issue with members of the Committee and comes back to the Committee at a later stage of the Meeting. The Chairman concurred.

5. Preparation of the Ninth Meeting of the Conference of the Parties  
b) Provisional Agenda

Document Doc. SC. 31.4.1, on the provisional agenda for the next meeting, was introduced by the Secretariat, who noted that only two Parties had responded to the request from the Secretariat for any additional agenda items. The Secretariat said that the proposal for the review of the Convention could be placed under a new item XIII of the agenda, and any costs associated with the review under item XI. In addition, at the suggestion of the representative of North America, the Committee agreed that a new item XIII, on the Strategic Work Plan of the Secretariat, should be entered on the agenda, which would be first discussed in Committee II.

The Secretariat introduced documents Doc. SC.31.4.2, 31.4.3 and 31.4.4 on the working programmes of Plenary and of Committees I and II, noting that the discussion on the consolidation of Resolutions was proposed to take place during a plenary session. This was agreed by the Committee. The Secretariat then suggested that the Rules of Procedure for the ninth Meeting be the same as those adopted at the eighth meeting.

The observer from Zimbabwe stated that he had continued concern regarding secret votes, as provided by Rule 15 of the Rules of Procedure. This concern was shared by the observer from Panama. Discussion then took place concerning whether Zimbabwe should submit to the Parties a proposal for an amendment to this Rule, or whether the issue should be further discussed by the Committee. The Chairman adjourned the meeting for lunch, asking the observer from Zimbabwe to develop draft language for such an amendment, as the matter would be taken up again that afternoon.

The Chairman adjourned the meeting at 12h30.

Second Session: 21 March 1994: 14h05 - 17h25

### 3. Draft Resolution on the Criteria for Amendment of Appendices I and II

Introducing this subject, the Chairman thanked the Secretariat for doing a good job in preparing the documents for the Committee and regretted that only 22 countries had provided comments on the draft resolution. The Secretariat presented documents Doc. SC.31.2, SC.31.2.1 and SC.31.2.2, explaining that a revised version of Annex 6 of the draft resolution had not yet been prepared because the content depended largely on the rest of the document.

The representative of the Next Host Country said that although his Government felt that there was a need for new criteria, they believed that the appropriate action would have been to start by identifying inadequacies in the Berne Criteria and then to correct them. She recognized that neither the Standing Committee nor the joint meeting of the Committees had chosen this approach. She was concerned that CITES was entering "uncharted territory", that further scientific and technical thought was needed, and that some points had not been adequately addressed. She expressed particular concern about Annexes 1, 2 and 3, which she proposed should be considered only as working papers for further discussion at the next meeting of the Conference of the Parties but was content with Annex 4, which she felt could be included in a draft resolution.

The observer from the United Kingdom suggested that the Animals and Plants Committees should reconsider the draft resolution, to give their advice on the scientific aspects. He thought there was a need to test the criteria and he was concerned that there had been too few comments from exporting countries.

The observer from Israel stated that his Government had sent comments but the Secretariat said that they had not been received. The observer from Israel also said: that the Standing Committee had no authority to suggest that existing Resolutions be repealed; that there had been inadequate input from Asia in developing the draft resolution; that the proposed criteria were too rigid biologically; that they were too complicated; that the conservation and trade criteria were too weak; that the criteria needed to be tested; and that he was concerned that the criteria were new to the conservation community.

The representative of the Previous Host Country felt that the draft was a result of serious discussion among experts and that they were more objective and scientific than the existing criteria. He supported them in principle.

In response to these points, the Secretariat noted that, at the outset, the Standing Committee had fully discussed the approach it would take and had agreed to produce new criteria taking the Berne Criteria into account. The Standing Committee had been instructed by the Conference of the Parties, in Resolution Conf. 8.20, to submit a draft resolution, and the Committee had no right to make a contrary decision. Any document offered for consideration by the Conference is a working document. The Animals and Plants Committees had the option to consider the draft resolution at their meetings in May and to provide comments for discussion at the next meeting of the Conference.

The observer from the Commission of the European Community agreed with the Secretariat, noting that, when the draft resolution is discussed by the Conference, offensive parts could be deleted.

The observer from China agreed that the draft resolution was good enough for discussions at the next meeting of the Conference. The representative of North America agreed that the Standing Committee should push ahead with a draft resolution and leave the Conference to deal with it appropriately. The representatives of Central and South America and the Caribbean and of Europe and the observer from Panama agreed with this.

The observer from Zimbabwe agreed that the draft resolution should be forwarded to the Conference of the Parties for consideration. He considered that it was less sharp than the original proposal put forward in Kyoto but accepted that it would bring objectivity to the decision-making process. If it were weaker, he added, it would be hard for Zimbabwe to continue to support it.

In light of these remarks, the representative of the Next Host Country withdrew her suggestion that the Standing Committee should submit only a working paper to the Conference. She agreed that it would be useful to have further input from the Animals and Plants Committees.

The Chairman then turned the Committee's attention to document Doc. SC.31.2.2 and the representatives and observers identified the parts that required discussion. The observer from Panama deeply regretted that the document was not available in Spanish, which was a working language of the Convention.

The observer from the United Kingdom felt that the work of IUCN in identifying species of concern should be recognized in the preamble by a reference to the Red Lists. The Secretariat pointed out that credit was already given to IUCN for its contribution. They added that any further mention could cause problems, since there was already confusion about IUCN's criteria and CITES' criteria for categorizing species; besides there was no reference to IUCN or its Red List in the draft resolution. The observer from the United Kingdom withdrew his suggestion.

The representative of the Previous Host Country noted that the reference to beneficial trade had been removed from the preamble, and suggested that it be reinserted. However, after a brief discussion of the final paragraph of the preamble, he agreed that this was adequate and withdrew his suggestion.

In the 12th paragraph of the preamble, on the proposal of the representative of the Next Host Country, it was agreed to change "species" to wild fauna and flora.

On page 2 of document Doc. SC.31.2.2, the observer from Italy suggested that the title of Annex 1 be changed to "Criteria for the inclusion of species in Appendix I" and that the trade criteria be moved to that Annex. However, this had been extensively discussed at the Brussels meeting and the Committee agreed not to make any change.

On page 3, the observer from Norway suggested an amendment to paragraph g) so that, if a species had been listed in Appendix I in error, it could be deleted from the appendices without the need to be transferred first to Appendix II for a period. Although there was some support for this suggestion, the number of cases concerned was considered to be very small and it was agreed not to make any change.

Regarding Annex 1, on pages 5/6, the representative of the Next Host Country expressed general concern about the footnotes, and in particular about the numbers, it being unclear how they were obtained and to which species they applied. She felt that they should be deleted. This view was supported by the representatives of Europe and Central and South America and the Caribbean and by the observers from Colombia and Israel.

The Secretariat stated that the numbers in the footnote had been amended following further discussions with IUCN, which was in the process of refining its own draft criteria for categorizing threatened species, and that some of the changes had been necessitated by the combination of two pairs of criteria as indicated in document Doc. SC.31.2.1.

The observer from Zimbabwe pointed out that, regarding the numbers in the footnote, there were already orders of magnitude of difference in populations of different species in



Appendix I. He felt that there was a need for guidance about orders of magnitude in order to avoid the problems that existed in applying the Berne Criteria. The representative of the Previous Host Country concurred, believing that the numbers were needed in order to inject some objectivity into the decision-making process. The observer from South Africa also agreed that there was a need for objective criteria. He added that the problem, however, was that although the figures cited were said to apply to many species, there was no information about whether they were in the middle of the range or at one end.

In the long ensuing discussion, the representative of the Next Host Country said that she respected each country's ability to decide on whether a population was small, and that the interpretation was different for each species. She suggested that the footnote be put in square brackets. The Chairman of the Plants Committee noted the extensive discussion of this issue that had already taken place in Brussels and the real need to give guidance on how to define terms such as "small" and "restricted". He asked how the Parties can decide if the qualifiers are removed from the text. He believed that the Committee had before it a much better set of draft criteria than ever before and that inserting square brackets would create confusion. He also suggested ways of emphasizing that the footnote only provided examples for guidance.

The observer from Cameroon pointed out that the numbers in Annex 1 were clearly indicative and he felt that, if they were not included then there would be a need to define in some other way the terms to which the numbers refer. The observer from Zimbabwe was concerned that with each successive draft of the criteria the numbers had been increased until they were, now, not even suitable for Appendix-II species. He said that further debate of them was meaningless. The observer from Namibia supported the observers from Cameroon and Zimbabwe and thought that the numbers already looked very safe. The Chairman of the Animals Committee added that criterion D in Annex 1 was a catch-all that could be used in cases where there was insufficient certainty about the numbers. He agreed that the Standing Committee should not introduce square brackets into its document.

Finally, it was agreed that IUCN should be asked to send a representative to the meeting to explain the basis for the changes in the numbers, that it had suggested.

The representative of the Next Host Country also sought clarification about the rate of decline referred to in Annex 1 criterion A i). The representative of the Previous Host Country and the observer from the Netherlands also had objections relating to the rate of decline. It was agreed that this too would be referred to IUCN.

The Chairman adjourned the meeting at 17h25.

#### Third Session: 22 March 1994: 09h00 - 12h30

### 9. Rhinoceros and Tiger Conservation Issues

The Chairman opened the session, noting the large number of documents that referred to this agenda item, as follows: Doc. SC.31.8, 31.8.1, 31.8.2, 31.8.3, 31.8.4 (with two annexes) and 31.8.5. The Secretary General stated that an additional report by TRAFFIC (Annex 2 of document Doc. SC.31.8) would be provided to the participants as soon as possible. The Chairman stated that he planned to give a presentation on the reports by the High-Level and Technical Delegations and then open the floor to discussion by the Committee and the observers concerning the reports of the Delegations or those of NGOs. He would then suspend discussion on the agenda item until the next day, in order that

members of the Committee could form a working group to develop draft recommendations on this matter.

The observer from South Africa stated that he was very disturbed by the video tape that had been presented by the Environmental Investigation Agency during the presentations by NGOs on the evening of 21 March. His delegation had no knowledge of the tape before it was shown, and he was particularly concerned that the identity of the person interviewed in the tape was never revealed. He noted that this person was purportedly a police officer, but he had doubts that this was true. The person interviewed had expressed strong personal opinions, addressing areas of political and diplomatic concern, and had made statements that had not been corroborated. The observer wondered whether NGOs should be allowed in the future to address the Committee on the basis it had established, considering the tactics that had been used in this instance.

The observer from Panama asked that document Doc. SC.31.11, on the tagging of crocodilian skins, be translated into Spanish by the Secretariat. The observer reminded the Committee that many countries were not able to adequately review the documents of Standing Committee meetings, as they are normally only in English. The Chairman stated that, although the Secretariat would try to have the document in question translated for the observer from the Panamanian delegation, the Parties must decide whether the budget should reflect the costs of translation of all Standing Committee documents into the three languages of the Convention.

The observer from China stated that he had two major concerns regarding the agenda item. First, although the visit of the High-Level Delegation to China had been greatly appreciated, the Government of China had not been consulted with regard to the visit by that Delegation to Taiwan. As this had violated national sovereignty, the Chinese Government wished to protest this action by the Delegation and to demand that the Committee assure the Chinese Government that this would not happen again.

The second concern was regarding the reports of the High-Level Delegation (document Doc. SC.31.8) and of the Technical Delegation (document Doc. SC.31.8.1). Although the observer stated that the reports had been appreciated by his Government, the reports indicated that Taiwan was an independent country. This was not acceptable as the United Nations recognizes Taiwan only as a province of China. The observer asked that the wording in the reports be changed accordingly.

The Chairman reminded the observer of the decision of the Committee in Brussels. He said that the Chinese Government should have known that the High-Level and Technical Delegations would be visiting Taiwan. He stressed, however, that these visits were on an unofficial basis, and that each Delegation had gone to great lengths to avoid implying any position of the Delegation concerning the political status of Taiwan. The representative of the Next Host Country stated that the report by the High-Level Delegation was a report to the Standing Committee and did not reflect in any way the policy of the United States or those of other countries of members of the Delegation toward either Taiwan or China. The Secretary General supported this view, reminding the observer from China that, if China insisted on maintaining an inflexible position, any recommendations for trade sanctions contemplated by the Committee against Taiwan would also apply to China. He said that the ultimate goal of the High-Level Delegation had been to assist China and that China was making substantial efforts to meet the recommendations of the Committee. However, NGOs were already criticizing the Delegation for being too lenient. The Secretary General referred to the suggestion by one NGO that the rhinoceros horn burned during the visit by the High-Level Delegation to China was fake. He said that he was convinced that the horn was real rhinoceros horn.

The observer from China continued to insist that the current language in the reports was not acceptable from a political standpoint. After further discussion, the Committee agreed that the observers from China should meet with the members of the High-Level Delegation and would develop language for the reports that would be mutually agreeable. As a result, the Chairman suspended further discussion on this agenda item until the issue had been resolved.

### 3. Draft Resolution on the Criteria for Amendment of Appendices I and II (continuation)

The Chairman reminded the Committee that they had progressed to Annex 1 of document Doc. SC.31.2.2 the day before. He stated that an observer from IUCN would hopefully be able to attend the meeting on 24 March, and answer any questions that the Committee might have regarding IUCN's views concerning document Doc. SC.31.2.2, in particular, concerning the footnotes in Annex 1. The representative of the Next Host Country stated that the comments they had submitted on the draft resolution from the Brussels meeting focused on two major areas. The first area concerned aspects of the criteria that had not been scientifically proven and the second concerned missing information that was considered important. The new draft resolution that had been developed by the Secretariat as a result of the comments of the Parties was a great improvement, but the Next Host Country still had concerns about subjects that had not been considered in the draft resolution contained in document Doc. SC.31.2.2, as follows: the capabilities of Parties, including the availability of scientific information; ecological extinction; the deteriorating role of a species in an ecosystem; the changing social structure of a species; the loss of genetic diversity; life history; and recruitment and reproductive effort. Realizing that there was a need for the Committee to move forward in its discussion in an expedient manner, the representative stated that proposals for language that addressed these areas could be discussed in detail at the present meeting or the proposal could be deferred to meetings of the Plants and Animals Committees.

The Chairman of the Animals Committee expressed his concern that the complexity of the criteria might increase if the proposals of the Next Host Country were included, as they were highly technical in nature. The Secretariat supported this view, stating that nothing would prevent countries from providing information on the subjects proposed by the Next Host Country, but requiring them to be included in the criteria would greatly increase their overall complexity. The Chairman of the Plants Committee stated that, although the concerns of the Next Host Country had been considered before in the development of the criteria, perhaps language that addressed some of the subjects proposed could be included in part D. of Annex 1. The Chairman noted that, at least to some extent, the suggestions of the Next Host Country were already present in the draft resolution developed by the Secretariat. After further discussion, the representative of the Next Host Country stated that they reserved the option to recommend at a later date changes to the proposed criteria, particularly after testing them against species of concern in the United States.

The representative of the previous Host Country made several suggestions regarding changes to Annex 1 of document Doc. SC.31.2.2, as follows: In subparagraph i) change "or" to "and" and delete subparagraphs iv) and v) on migratory species, as they were ambiguous. These proposals were supported by the observer from the Republic of Korea. The observers from Zimbabwe and Panama supported the proposal to delete subparagraphs iv) and v), items which had been proposed for inclusion by the Next Host Country. The observer from Zimbabwe also noted that the draft resolution developed by the Secretariat was not nearly as rigorous as that developed in Brussels, and that it was losing its effectiveness.

The Chairman of the Plants Committee did not support the views of the representative of the previous Host Country, stating that a decline of 20% in a population was enough to indicate that the population was in trouble, and that additional criteria were not needed. The observer

from Norway supported the maintenance of subparagraphs iv) and v), as they were directly applicable to fisheries. Despite the considerable debate from the floor regarding the proposal by the previous Host Country, the other members of the Committee did not indicate their support for the proposal, and it therefore was not approved.

The Chairman of the Animals Committee expressed his concern about the substantial changes made by the Secretariat to the draft resolution that had been developed in Brussels. The Secretariat responded that it had determined that it was not enough to simply provide a document to the Committee that noted the comments of the Parties on the draft resolution developed in Brussels, and that a working document was necessary. It was only a further refinement of the document produced in Brussels, and certainly not a final document. The changes in the numbers concerning population sizes in the annotation in Annex 1 had been discussed with IUCN. However, they were not final and could even be deleted if the Parties wished.

The representative of the Depository Government stated that he did not feel it would be helpful for the Committee to make further changes, as there would be a great amount of debate on the draft resolution at the next meeting of the Conference of the Parties. The representative of Oceania agreed, stating that the Secretariat's document should be referred to the Plants and Animals Committees for consideration but not for debate.

After further discussion, the Standing Committee agreed that the document it submitted to the Conference of the Parties should contain an introduction and the draft resolution submitted by the Secretariat (document Doc. SC.31.2.2 with all six annexes), but with the amendments made by the Committee at its current meeting. The draft resolution should be accompanied by a document similar to document Doc. SC.31.2.1, which: explains in full any differences between the draft resolution submitted by the Committee and that produced in Brussels; includes the technical comments of the Animals and Plants Committees and, the results of their testing of the criteria contained in the draft resolution. The observer from the United Kingdom stated that his country had tested 200 plant species against the draft criteria and he would be happy to provide the results to the Chairmen of the Plants and Animals Committees.

The Committee also agreed to the following amendments to the text of document Doc. SC.31.2.2:

- Page 3, lines 22 and 23 [the first paragraph after i)], should read as follows:

"Resolves that proposals to amend Appendices I and II should be based on the best available information and presented in the format of Annex 6, unless otherwise justified."

- Page 7, Paragraphs A. and B. should read as follows:

"A. Unless trade in a species is subject to strict regulation, it could become threatened with extinction; or

B. It is known, inferred or projected that the number of specimens taken from the wild and entering international trade has, or is likely to have, a detrimental impact on the status of the species; and either" [text continues]

The Chairman adjourned the session at 12h30.

3. Draft Resolution on the Criteria for Amendment of Appendices I and II (continuation)

The Chairman returned the attention of the meeting to document Doc. SC. 31.2.2, Annex 2a.

The representative of the Next Host Country believed that, in preparing the new draft on the basis of comments received, the Secretariat had reached the right balance.

The representative of the Previous Host Country proposed that the word "or" between paragraphs A and B be changed to and. The representative of North America re-stated his proposal that, in paragraph A, the words "it will meet the criteria listed in B" should be replaced by the words it will become threatened with extinction. The Secretariat felt that this would change the meaning substantially, and besides believed that it was not useful simply to repeat the words from the text of the Convention when the aim was to define the meaning of these words. The representative of South and Central America and the Caribbean suggested that the preambular words be changed to say A species should be included in Appendix II when either of the following criteria is met. This was agreed. The representative of the Next Host Country stated that, although this was acceptable, she did agree with the Secretariat, and would have preferred to keep the text in the document under discussion.

The representative of Oceania then suggested an addition to reflect the idea that, for species in Appendix II, monitoring of trade is needed to avoid use incompatible with the species survival. However, after some discussion this suggestion was withdrawn as "strict regulation" could be taken to imply monitoring.

Turning to Annex 3 of document Doc. SC. 31.2.2, the observer from Israel expressed his view that, in the paragraph on "Split-listing", political boundaries should not be used to define populations. He also felt that, in the case of marine species managed under other treaties, their terms should not be used to define the populations. Regarding the first point, the Chairman of the Animals Committee thought that there was good reason for using a geopolitical definition; the use of subspecific names in the appendices in the past has often created practical implementation problems that are avoided by defining populations geographically. The Chairman noted that there was no support for the first point made by the observer from Israel.

With respect to the question of marine species, the representative of the Previous Host Country drew attention to the great effort needed to decide how to define populations for the purposes of management. As CITES was not involved in this sort of research, he stressed the need to co-operate with organizations that were. The representative of North America said that the text, as it stood, was designed to ensure that populations were referred to on a biological basis. However, the observer from the Netherlands agreed that the text should not refer to unspecified international agreements. The observer from Israel added that definitions agreed elsewhere should not be imposed on CITES. The representative of the Previous Host Country, however, drew attention to the reference in the preamble of the draft resolution to the competence of other treaties for marine species. After a further short exchange of views, it was agreed to make no change to the text.

The observer from the Commission of the European Community thought that, in Annex 3, it might be more appropriate to refer to sub-population rather than "population". The Chairman of the Animals Committee and the Secretariat disagreed because the term "species" in the CITES sense could also mean "geographically separate population". The representative of the Depositary Government also felt that the text should be left as it was, noting that in the

appendices the listings were not always defined biologically. The Chairman noted that there was no support for the suggested change.

Regarding the paragraph on "Higher Taxa", the Secretariat explained, in response to an intervention by the observer from Italy, that while Annex 2b indicates which species should be listed, Annex 3 indicated how the listing should be presented.

Turning to Annex 4 of document Doc. SC.31.2.2, the observer from Italy suggested that, in paragraph B.1, the "two intervals between meetings of the Conference of the Parties" was not long enough to allow monitoring of the effects of trade. In the discussion that followed, the point was made that the words "at least", already in the text, gave the Conference the possibility to make an appropriate decision in each case. It was therefore agreed to make no change.

Regarding Annex 4, paragraph B.2, the representative of the Previous Host Country expressed concern about the use of the word "shall". The Secretariat noted that this word had been used because the recommendation was from the Conference to itself, to indicate that it had no other options, but the Conference would decide whether it would be bound by its own decisions. The representative of North America pointed out that Resolutions were only recommendations and use of the word "should" reflected this most clearly. The representative of the Next Host Country, however, supported by the Secretariat and the Chairman of the Animals Committee, thought it was important to make the precautionary measures as strong as possible and therefore proposed that, in Annex 4, every use of "should" be changed to shall. This was agreed.

Regarding paragraph B.4, the representative of the Previous Host Country noted that the words "in the near future" had been deleted, but he would have preferred to keep them because they provide some indication of a time frame. The Secretariat explained that the phrase had been deleted because otherwise it would have had to have been defined. The observer from South Africa, supported by the observer from Zimbabwe, suggested that paragraph B.4 was redundant because the intent was already covered by the possibility to project the need for inclusion in Appendix II, in Annex 2a. However, several participants felt that paragraph B.4 should be kept and that the words in the near future should be inserted after the word "appendices" and this was agreed.

Moving on to Annex 5 of document Doc. SC. 31.2.2, the representative of the Previous Host Country was concerned that the reference to evidence of a decline had been deleted from the definition of "Decline" and proposed that it be re-inserted. The Secretariat said that the reference had been deleted in the process of combining two definitions but felt that the intent was still clear. The Chairman and the representative of Central and South America and the Caribbean concurred. However, the Chairman of the Animals Committee and the representative of North America shared the concern of the representative of the Previous Host Country, noting the need for evidence that a decline is not part of a normal decline. They proposed that a sentence be added to reflect this view. This was agreed.

Regarding the definition of "Mature individuals", the Chairmen of the Plants and Animals Committees were concerned about the term "actually reproducing", preferring to refer to specimens that were capable of reproducing. The observer from Cameroon thought that this was too theoretical and stressed the difficulty of telling whether specimens in the field were capable of reproducing. The representative of Oceania and the Chairman of the Animals Committee agreed with this view. A long discussion of this point followed, including several suggestions for alternative wording in the definition. Finally, it was agreed that as this question was so closely linked to that of the footnotes in Annex 1, further debate should be postponed until the observer from IUCN was present.

A further lengthy debate took place, initiated by the observer from the European Community, regarding possible confusion in the use of the terms "population" and "sub-population" in the Annexes, in relation to the definitions of these terms. Finally it was decided to defer consideration of this point too, pending discussion with IUCN.

5. Preparation of the Ninth Meeting of the Conference of the Parties (continuation)

a) Presentations by the Secretariat and the Host Country

The representative of the Next Host Country showed a video recording about Fort Lauderdale and distributed packs of information about the town. He said that the weather there in November would be from 15 C at night to 25 C during the day. Some international flights came to Fort Lauderdale but otherwise Miami or Orlando could be used. The representative of the Next Host Country said that there would be people to welcome participants at Fort Lauderdale and Miami Airports and that a bus service to Fort Lauderdale would operate throughout the day. He said that no hotels were very close to the Conference Centre. He underlined that the local authorities wished to ensure the success of the meeting and that their full co-operation was to be expected. The Centre was only two years old and had been created as an exhibition centre, so that certain adjustments had to be made to make it suitable for the meeting of the Conference. The representative of the Next Host Country added that various options for excursions were being examined, including a trip to Florida Everglades and a visit to see the port inspection services at work in Miami.

The observer from MKI said that his organization was pleased to have been selected again. They had 2,400 bedrooms available at USD 67 to USD 117 a night. He said that there was daily transport from the hotels to the Conference Centre. The price of the hotel rooms included the travel by bus from the airport to the hotel and back. MKI had reached agreement with two major airlines and would be glad to give price quotations on request.

The Chairman thanked the representative of the Next Host Country and the observer from MKI for their presentations.

He adjourned the meeting at 17h30.

Fifth Session: 23 March 1994: 09h00 - 13h15

9. Rhinoceros and Tiger Conservation Issues (continuation)

The Chairman opened the meeting, recalling that this agenda item had been suspended the day before, pending discussions between members of the High-Level Delegation and the observer from China. The Chairman announced that, as a result of those discussions, the High-Level Delegation had agreed to change document Doc. SC.31.8, as follows:

- Throughout the document:
  - replace "country" with "country and area".
  - replace "countries" with "countries and areas".
  - replace "Taiwan" with "Taiwan, China".
- Page 1, section 2, paragraph 1, lines 4-5:
  - replace "Republic of Korea, Taiwan, Hong Kong and the People's Republic of China" with "region".

- Page 3, section 3, paragraph 2, lines 1-2:
  - insert "local" before "authorities";
  - delete "in Korea, Taiwan, Hong Kong, and China".
- Appendix 1, page 2, paragraph 1, line 10:
  - replace "Taiwan" with "the authorities there have".
- Appendix 1, page 2, **Implementation** section, paragraph 2, line 7:
  - delete "Taiwan and"
  - insert "and Taiwan, China" after "Hong Kong".
- Appendix 1, page 4, **Legislation** section, paragraph 2, line 5:
  - replace "Constitution" with "main law".
- Appendix 1, page 4, **Consolidation and Control of Stocks** section, paragraph 1, line 2:
  - delete "Government controlled".
  - insert "controlled by the authorities" after "location".
- Appendix 1, page 4, **Consolidation and Control of Stocks** section, paragraph 1, line 7:
  - delete "Government".
  - insert "under their control" after "stockpiles".
- Appendix 1, page 5, **Conclusions** section, paragraph 1, line 4:
  - replace "President Lee" with "Mr Lee Teng Hui".
- Appendix 1, page 9, **Enforcement** section, paragraph 4, line 5:
  - delete "on a bilateral basis".

The Chairman also noted that, at the bottom of document Doc. SC.31.8.1, the report of the Technical Delegation, the following words should be added: "Note: This report is a working paper, and represents the individual and collective views of that delegation and not of the Standing Committee or of CITES itself".

The observer from China thanked all persons concerned for their assistance in resolving the matter. He reminded the Committee that, for over 20 years, the United Nations had required in its official documents that Taiwan be referred to as a province of China. Although China did not accept the language used in the report of the Technical Delegation, it did not wish to further impede the progress of the meeting, and would therefore not make any further objections. The Chairman thanked the observer from China and the High Level Delegation for their work on resolving this matter, in order that the discussion could go forward.

The observer from South Africa stated that South Africa continued to be very concerned about the nature of the video that had been shown by the Environmental Investigation Agency during the presentations by NGOs on the evening of 21 March, which depicted an interview with a person purporting to be a South African policeman. He stated that the Commander of the Endangered Species Protection Unit of South Africa had stated categorically that no member of his staff had participated in such an interview, and that his agency had always "had the full co-operation of the Embassy of Taiwan and its "National



Police Administration". The observer stated that he was increasingly concerned that information from NGOs was not presented in a balanced manner, and he added that South Africa would like to debate whether NGOs should be allowed the opportunity to address the Committee in the same manner in the future. The same view was voiced by the observers from Zimbabwe and Namibia and the representative of Asia. The representative of the Depositary Government noted that the real issue was whether the current functions of the Committee, which had become increasingly political, were appropriate and should be subject to review at the next meeting of the Conference of the Parties.

The Chairman reminded the Committee that it had decided that NGOs should be allowed to make their presentations to Committee members, but only at a time that was set outside of the regular meeting and where attendance by Committee members was on a voluntary basis. After further discussion, it was agreed that, as this would be a matter brought forth to the Parties by the Chairman in his report to the next meeting of the Conference of the Parties, the discussion would be tabled until that time.

The Chairman introduced document Doc. SC.31.8, the report of the High-Level Delegation on the illegal trade in rhinoceros horn and tiger parts in North East Asia. The Chairman reminded the Committee that the report was a result of decisions that had been made at the Committee's thirtieth meeting and that the minimum requirements regarding the countries and areas should have been met. A Technical Delegation had been offered to provide advice to the countries and areas concerned on meeting the minimum requirements, followed by a High-Level Delegation which would be able to review progress. The Chairman then made the following points:

- The Delegations had been met in all cases with the utmost courtesy and hospitality at the highest levels within the governments and authorities of the countries and areas visited. It was clear that in all cases the authorities took their responsibilities seriously, and there was in most cases a commitment to meet their responsibilities to CITES fully. While in every case there was more to be done, progress was being made;
- The Delegations had stressed the urgency of the problem, and the need for legislative amendments, enforcement capability and public awareness. The authorities were responding but did not have all the resources they required;
- All countries and areas had, or would have, adequate legislation making it an offence to import or export rhino horn/tiger parts. In most cases, the countries and areas were required to register existing stocks of raw materials and prepared medicines. However, in all cases, there were amendments to legislation required.
- Most countries and areas had inventoried, or were in the process of inventorying all stocks of raw rhino horn/tiger parts, but the results of these efforts varied greatly, as did enforcement capability.
- In all cases, countries and areas with enforcement successes needed to make the rest of the world aware of their actions.

The Chairman concluded that, in all cases, the countries and areas concerned were reaching towards minimum standards of implementation. However, such efforts should be continued, and so should international pressure to ensure positive results. The Chairman stated that he was not personally convinced that the authorities at the higher levels of government and authorities shared the concern about the precariousness of the situation that was expressed by members of the Delegations. The Chairman noted, however, that the Committee should take a certain amount of satisfaction, knowing that they had made recommendations that had started a process that, at least in its initial stages, appeared to be successful.

The representative of the Next Host Country supported the views of the Chairman, adding that he saw this as a co-operative effort between the United States and CITES. The United States had also notified the countries and areas concerned about more restrictive measures that were being contemplated, by using the US Pelly Amendment. He said that the book can not be closed on this issue; that pressure must continue to be applied. He was very disappointed that the authorities in Taipei had not fulfilled some of the commitments that they made to the High-Level Delegation until further pressure had been applied. It was particularly important that undercover operations be authorized to locate and seize non-registered stocks of rhinoceros horn and tiger bone.

The observer from China noted that there was not a specific section in the report on legislation, similar to that for the other countries and areas concerned. Although he assumed that this meant that the High-Level Delegation believed that current legislation in China was adequate for the protection of the rhinoceroses and the tiger, he summarized for the Committee the various laws that dealt with such controls. He also noted some minor changes to the report. The observer also discussed an action plan that had been discussed with authorities from the United States. The areas on which the plan focused included the conservation of rhinoceroses, the re-introduction of Siberian tigers in their native range, a conservation plan for the tigers of South China, a public awareness programme and centre, and co-ordination with experts in the United States regarding assistance in forensics and training. The representative of the Next Host Country confirmed that such discussions had taken place, but that the United States had made no firm commitments.

The observer from China said that his country was always willing to work with NGOs, but there had been very little willingness on the part of NGOs to co-ordinate their findings with Government officials. He said that undercover operations like those done in China by the Environmental Investigation Agency were illegal without the full knowledge and agreement of the Chinese Government. He said that the video shown by the Environmental Investigation Agency on the evening of 21 March was very upsetting, and did little to foster co-operation with the States concerned.

The Chairman noted the concerns of the observer from China, adding that perhaps the Committee should have changed its recommendation to reflect that Governments should try to co-ordinate with responsible NGOs, and not all NGOs. The observer from Namibia congratulated China on the progress that had been made to date. He stressed that his Government was not in agreement with the confrontational attitude taken by the Committee and NGOs in this matter, and that the only pressure exerted by countries in southern Africa was for the establishment of legal controls. He was also concerned about the emphasis placed on finding substitutes for rhinoceros horn, as Namibia hoped that a legal trade could be opened in the future.

The Chairman noted that, during its mission, the High-Level Delegation had been told by officials in the Republic of Korea, China, including Taiwan, and Hong Kong that there was no medicinal value in tiger bone and that rhinoceros horn provided only benefits to reduce fever. The observer from Cameroon stressed that the attitude of the local population was extremely important in halting the trade, and that perhaps this should have been looked at more by the High-Level Delegation. The observer from China said that, although strict laws had been enacted for the protection of the species concerned, there was undoubtedly resistance to change by older persons who had used traditional medicines all of their lives.

Invited by the Chairman to make a presentation, the observer from the Republic of Korea presented a summary of document Doc. SC.31.8.8. He said that his Government had pledged full co-operation to the protection of the rhinoceroses and the tiger. However, changing a tradition that was centuries old was very difficult and therefore it would not be accurate to state that the trade in rhinoceros and tiger specimens could be stopped immediately. He said that the illegal trade would eventually stop as a result of the ageing of

the population, as younger people did not use such traditional medicines. He said that the contributions of the NGOs were appreciated, but their claims of a lack of effort by the Republic of Korea were misleading. The observer then described the three laws in the country relevant to trade prohibitions, noting their history and penalties. He then spoke of enforcement measures that had been implemented recently, including a programme that focused on the inspection of shops in the country. He spoke of other actions, including public awareness campaigns, research into substitutes for rhinoceros horn, training programmes and the passage of an amendment to the law to ban the domestic trade in tiger bone within a year, instead of the three years originally envisaged.

The Chairman expressed the Committee's appreciation for the measures that had been taken in the Republic of Korea, and in particular noted the one-year time frame for the passage of legislation that would ban the domestic production and sale of tiger-bone products.

The observer from the United Kingdom thanked the High-Level Delegation for including Hong Kong in its mission. He then introduced document Doc. SC.31.8.2, on enforcement of CITES implementation legislation in Hong Kong. He stated that the report focused on three areas; enforcement, liaison and public education and that the measures taken demonstrated the commitment by Hong Kong to species protection. Future legislative measures would concentrate on the elimination of stocks of rhinoceros horn and tiger-bone in Hong Kong.

The observer from China asked the Committee for guidance regarding the disposal of stocks of medicines, with expiry dates of about two years, that are in hospitals run by the State. The Chairman stated that, although this was a national policy decision that did not involve international trade, China should consider a decision that would not stimulate such trade. The observer from South Africa stated that destruction of such stocks would only stimulate the demand, and recommended therefore that the stocks be used.

The observer from India then presented a statement, document Doc. SC.31.8.3, concerning the conservation of tigers, noting that India holds more than two-thirds of the remaining tiger population of the world. He said that, as a result of poaching and habitat loss, the tiger in India and other areas of the world had become seriously endangered. The first symposium of the tiger had been held recently in New Delhi, and was attended by over 250 people. China's absence during the meeting was greatly regretted. In addition to a national tiger action plan in India, a Global Tiger Forum and an interim Secretariat had been established. The observer from India stressed that the Committee must take firm action to save tigers immediately, as a real crisis was at hand.

The observer from China stated that the absence of China from the meeting in New Delhi did not mean that China was not fully committed to tiger conservation. The representative from China who was to attend the meeting had been ordered back to China on an urgent matter, and it was deeply regretted that China was not able to participate in the meeting.

The Chairman thanked the observer from India, noting that the Committee had addressed tiger issues during the past three Committee meetings, and that the issue was considered by the Committee to be a very serious one. The Secretariat, which had been represented at the meeting in New Delhi, stated that it was extremely important that range States act together for the conservation of tiger species. They said that, when NGOs have information concerning the illegal trade in products containing specimens of tiger species, such information should be provided with details as soon as possible to the Secretariat or to the Governments concerned, in order that investigations can take place.

The Secretariat introduced document Doc. SC.31.8.4, a report on rhinoceros conservation, containing two annexes: a TRAFFIC report on the availability, retail prices and uses of rhinoceros horn and tiger bone in China, Oman, the United Arab Emirates and Yemen; and a second TRAFFIC report on recent data concerning the trade in rhinoceros and tiger products

for the years 1988 to 1992. The Secretariat stated that, based on the evidence available, it was apparent that trade in rhinoceros horn in the Gulf States was a much more serious matter than originally thought. The Secretariat asked that the Committee pay particular attention to the conclusions in the report, in particular concerning the problem of trade in rhinoceros horn in Yemen, which was not yet a Party. The Secretariat recommended that, if a technical mission to Yemen were arranged, the same mission should also visit Oman and the United Arab Emirates. Trade in tiger bone continued on a large scale in consumer markets in many areas of the world. UNEP had taken major initiatives for the conservation of the species, including the facilitation of the negotiation of the draft Lusaka Agreement and the Elephant and Rhinoceros Conservation Facility.

The observer from Zimbabwe complimented TRAFFIC on its monitoring work. He stated that efforts to stop illegal trade in the species concerned had not been successful, in spite of increased enforcement efforts. He said that the demand for the parts and derivatives of such species would continue, and that a legal trade should be considered. The observer from Namibia agreed, stating that it was irresponsible to continue urging the destruction of stocks that would only result in an increase in value for the remaining specimens and would therefore increase poaching of the remaining populations of the species concerned. This viewpoint was echoed by the observer from South Africa, who stated that his country was committed to the sustainable utilization of wildlife. Such a policy encouraged a commitment to conservation principles by local people and investment by the private sector. Not allowing legal trade takes away a valuable economic base for protection of existing populations.

The Vice-Chairman stated that a number of non-Asian consumer countries were identified in the TRAFFIC report as trading illegally in specimens of rhinoceros and tiger, and wondered about what measures were being taken by those countries to address this problem. The Chairman announced that this could be discussed over lunch.

He adjourned the meeting at 13h15.

#### Sixth Session: 14h45 - 17h30

#### 5. Preparation of the ninth meeting of the Conference of the Parties (continuation)

##### e) Preliminary discussion on the draft budget 1996-1998

Document Doc. SC. 31.4.5 was presented by the Secretariat. They stressed, in particular, that the draft proposed budget for 1996 to 1998 was, overall, some 40% higher than the estimated budget presented to the eighth meeting of the Conference of the Parties in the medium-term plan. The main increase reflected a proposed increase in the number of new posts financed by the Trust Fund. It was proposed to transfer three assistant regional officers from external funding to the Trust Fund; filling these posts would take some of the pressure off staff members with regional responsibilities especially in the time-consuming confirmation of permits. This would bring the number of posts at the professional level to 14. It was also proposed to appoint four more members of general staff, to support the new officers and those who were currently sharing secretaries. The Secretary General asked whether the Standing Committee felt that, in the future, after the period covered by Resolution Conf. 8.1, the budget should cover three years or two. He urged the Committee, when considering the budget, to keep in mind the tasks that have been given to the Secretariat, and noted that, if the GEF project funding were approved, the administration of it would create a big burden for the Secretariat. He also made the following points: the number of Parties had continued to increase; some secondments had been offered to the Secretariat by developed countries; he had discussed with the Executive Director of UNEP the question of an internal review of CITES, and she had agreed that the money for this should preferably

come from the Trust Fund; the Secretariat had been under pressure from NGOs to increase the budget by 100%; the draft proposed budget contained no padding and was the minimum required to maintain the service to the Parties. The Secretary General also pointed out that almost no money was available for the delegates project for the ninth meeting of the Conference of the Parties. As many States in the developing world were interested in hosting the tenth meeting, the Secretary General informed the Committee that some countries had raised the question of whether the money for the delegates project should also be put into the Trust Fund.

The Chairman asked the Committee simply to guide the Secretariat, noting that it did not need to approve the proposed budget as this would be discussed in detail in the Budget Committee in November.

The representative of the Depositary Government supported the Secretariat's suggestion that the budget to be presented for approval should cover only two years. He added, however, that the proposed budget seemed to require an increase of 57% in the contribution of Switzerland. This would pose a problem as an increase of only 2-3% a year was normally allowed.

The representative of the Next Host Country suggested that the Secretariat should find ways to reduce the proposed budget as the budget of his government did not allow increases.

The representative of North America shared the concerns about the proposed increase in budget, pointing out that if his government had to find funds to increase its contribution to CITES it would be at the expense of budgets for other work. He was also concerned about the proposed increase in staff and about the ratio of professional-level staff to support staff, a ratio of one-to-one being not being common in any government service. He also agreed that the budget should be returned to a two-year period.

The representative of Oceania pointed out that, in New Zealand, budgets were being cut, and the same was happening in many countries. In many countries, government departments were not even permitted to build a small increase into their budget to allow for inflation. He asked for more transparency in the Secretariat's setting of priorities, and for more detailed information on workloads and needs, to provide a basis for the Parties to review the proposed budget. He said that the document under consideration provided inadequate justification for the proposed increases.

The representatives of the Previous Host Country and of Europe shared the concerns of previous speakers. They asked the Secretariat to set priorities and to ensure that the funds in the budget were used as efficiently as possible.

The observer from France commented that it was good to see the inclusion of the French and Spanish translators in the budget; their inclusion would help to ensure that the points of view and the intellectual input of those speaking only French and Spanish were not ignored.

The Secretary General stated that the proposed budget had been established on the basis of priorities set by the Conference of the Parties and by the Standing Committee. Although it would certainly not be possible to produce a budget smaller than those that had already been agreed, he would see what cuts were possible in the proposed budget for 1996 and would propose options for consideration by the Conference. He said that the Secretariat would prepare a working programme for the Committee. He pointed out that, for the time being, no agreement existed on the Secretariat's office accommodation from 1996. While thanking the Government of Switzerland for its support, he noted that there was no assurance that it could continue after 1996.

The observer from the United Kingdom strongly supported the views already expressed by members of the Committee, and said it was unrealistic to expect the Conference to agree to a budget of the size proposed. He was reassured by the Secretary General's statement that he would prepare options for consideration by the Conference, and he was sure that economies could be made. The representative of North America supported these views.

Sharing the general concerns expressed by others, the observer from Israel suggested that CITES permits might carry a "tax stamp" to raise funds.

Acknowledging the increase of work for the Secretariat, the Chairman drew the following conclusion from the discussion: the Secretariat should review the budget before the ninth meeting of the Conference of the Parties, noting the real reservations on the ability of Parties to increase their contributions; the budget document should provide greater justification for any proposed increase; any proposed increases should be placed in order of priority; it was recognized that a priority was to assure that provision was made in the budget for translators.

Turning back to the question of the delegates project, the Secretary General pointed out that the Standing Committee had already agreed, in Washington, D.C., on criteria for using the funds received by the Secretariat. He said that the only money received so far was USD 10,000 from traders and a commitment from the United Kingdom.

The representative of the Next Host Country strongly supported the principle of the establishment of a fund to help ensure that each Party could be represented at the meeting by two participants. However, she felt that it would be worthwhile to review the agreement reached in Washington, D.C., because, if it were strictly adhered to, developing countries would be discouraged from offering to host meetings of the Conference of the Parties. Moreover, the guidelines agreed would allow a Party to obtain funds from the delegates project for two representatives, and to send two in addition with funds from other sources. The Secretary General added that this was a controversial point because in the past some Parties had sent large delegations of which two members had been paid for by the delegates project.

As the Committee agreed to reconsider this issue, the representative of the Next Host Country expressed the view that if a Party could pay for one representative, then the fund should pay for another. But, if the Party could pay for two or more representatives, then the delegates project should not be used to increase its representation.

The representative of Africa felt that, if a Party had money to send two representatives to the meeting, it should still be able to seek funds elsewhere to fund additional representatives. The representative of Central and South America and the Caribbean supported this view, stating that Parties should, for example, be free to seek funds from non-governmental organizations (NGOs) to increase their expertise available at the meetings of the Conference. The representative of Asia added that, as there were several agencies responsible for implementing CITES in Thailand, they should not be limited to having two representatives at the meeting.

The representative of the Depositary Government recalled that the purpose of the delegates project was established to ensure that money was available to enable each Party to have two representatives present at the meeting, and to ensure that the representatives of the Parties were independent from NGOs. In view of this, the observer from Colombia supported the representative of the Next Host Country.

The observer from Zimbabwe said that his country, having previously found itself at a disadvantage, brought specialists in several areas to the meeting in Kyoto. Support had been received from the delegates project to help Zimbabwe to assemble a delegation comparable

with those of some developed countries. Adding to this, the observer from Namibia felt that the CITES system was loaded against the developing world, whose delegations were at a disadvantage compared with those including lawyers, State department representatives, and so on.

While supporting the principle put forward by representative of the Next Host Country, the observer from the United Kingdom stressed the need to ensure that no country was deprived of the right to be represented at a meeting because another country had more than one delegate.

The observer from China, pointing out that he represented the largest developing country, said that limiting the use of funds to countries sending only two delegates failed to take account of the need for interpreters, to allow understanding of one of the working languages. Because of this need, it was the policy of China to send four people to meetings of the Conference of the Parties.

The representative of the Next Host Country said that she had initiated this discussion with a view to making it easier for developing countries to host meetings of the Conference of the Parties in the future. In view of the comments she had heard from representatives of developing countries, however, she withdrew the suggestion.

The Secretary General asked the Standing Committee to offer advice on whether the budget for the Trust Fund should include a contribution to the delegates project. The Committee agreed that it should not.

The representative of the Depositary Government raised the question of the charge made to NGOs to participate in meetings of the Conference of the Parties and whether part of the money obtained could go towards the delegates project. He suggested that it would be worth exploring new ways to estimate the cost of attendance, related to the size of the delegation, as in meetings of the International Whaling Commission. The representative of the Next Host Country felt that currently the Parties were subsidising the attendance of NGOs and that, with the possible exception of NGOs from developing countries, they should pay for the cost of documents and contribute to the delegates project.

The Chairman and the representative of the Next Host Country recalled that the Committee had agreed that the principle of cost-recovery should apply to the imposition of fees to NGOs attending meetings of the Animals and Plants Committees, and they suggested that the same principle should apply to meetings of the Conference of the Parties. The Secretariat drew attention to the charge of CHF 250 specified in Resolution Conf. 8.1, and to the possibility of charging an additional CHF 500 for each additional set of documents. They pointed out that the Secretariat, however, had discretion to reduce or waive the fee in certain cases and this had been done for some NGOs, generally for NGOs that were especially helpful to the Secretariat. The representative of North America, however, pointed out that the Secretariat also had freedom to increase the fee if it was considered necessary.

The Committee agreed that the Secretariat should establish a fee at a level appropriate to ensure that costs were recovered, and that the Secretariat had flexibility to waive the fee as necessary.

The Secretariat then introduced document Doc. SC. 31.4.7. The representative of the Next Host Country immediately agreed that the accreditation of media representatives at the meeting of the Conference should be done by the Secretariat on the basis of the UN rules. Responding to a question about the languages in which documents were available, the Secretariat stated that question 14 on the application for accreditation referred to press material and not to Conference documents. The representative of North America suggested that Conference documents should be available to the press at a price determined by the

Secretariat. The observer from the European Community also suggested that, if there is a possibility to reject accreditation, there was a need to add a sentence in the application to say that applicants would be advised if they were not accredited. This was agreed.

10. CITES Implementation in:

d) Italy

Introducing document Doc. SC. 31.9.4, the Secretariat said they had been impressed by the actions taken in Italy to implement the Convention and by the results. Nearly all the conditions established by the Committee had been met and it only remained for the Secretariat to carry out its evaluation mission in June or July. Until then, the Secretariat proposed, the sanctions should remain suspended.

The Chairman congratulated Italy again on behalf of the Committee, noting the new high standards it was setting and the high praise in the Secretariat's report.

The observer from Italy stated that before 1992 his country had not been sufficiently serious in its implementation of CITES. Since then, however, they had made a great effort and now had everything they needed for correct implementation. The big changes had not been easy. It was hoped that, after the Secretariat's mission, the recommended suspension of trade would be definitively withdrawn. The observer from Italy added that the common goal was protection of the environment and that his country was glad to have taken all the necessary steps.

The Chairman added only that the Committee expected to make a decision on this issue by postal procedures after the mission of the Secretariat.

a) Indonesia

The Secretariat introduced document Doc. SC. 31.9.1, recalling the discussions on this issue at the thirtieth meeting of the Committee, where a series of recommendations had been adopted and at which the observer from Indonesia had agreed to submit a report by 1 January 1994. However, no report had been received and the Secretariat's report had therefore been compiled on the basis of information from other sources. The Secretariat drew attention to the past recommendations to Indonesia and to the commitments that had not been met. The Secretariat's report indicated that there were still many problems in Indonesia and contained a further series of recommendations to correct these problems. The Secretariat also recommended that, if the appropriate actions were not taken by Indonesia by the thirty-second meeting of the Standing Committee, the Parties should suspend commercial imports of specimens originating in Indonesia for at least a year from 1 February 1995. In March 1994 the Secretariat had received a note from the Management Authority of Indonesia asking for assistance, and the Secretariat was of course glad to provide assistance within the limits of resources.

The observer from Indonesia apologised for the delay in responding to the Secretariat and pointed out that there had recently been a number of changes in the administration and new staff had been taken on. He stated that Indonesia had now responded to document Doc. SC. 30.8 and asked the Secretariat to say if any part of their response was unclear. He added that Indonesia was committed to sustainable use of its resources and that the export of a number of species had been suspended while the new administration was trying to sort out its policy.

In response to a question from the Chairman, the observer from Indonesia added that he would try to follow the recommendations in document Doc. SC. 31.9.1. He pointed out that, regarding recommendation number 5, a decree had already been drafted and passed to the cabinet.



The representative of the Depositary Government said that any recommendations adopted by the Committee should take guidance from the text of the Convention. If permits or certificates are not issued in accordance with Article IV of the Convention they should not be accepted, he said. With regard to specimens being re-exported, it would not be possible to refuse to permit re-export of specimens that had been legally imported. He therefore proposed that the recommendations be amended to refer only to specimens exported from Indonesia after the Parties have been notified of the Committee's recommendation.

The Secretariat noted, in response to a question from the Chairman of the Animals Committee, that if Indonesia set export quotas these could include stockpiled skins.

The representative of the Next Host Country felt that the Secretariat had done an excellent job and had prepared a set of reasonable recommendations. However, they wondered whether recommendation number 2 should be amended and why the date of 1 February 1995 had been chosen.

In response, the Secretariat stressed the need for effective monitoring in Indonesia, the wisdom of setting quotas and the need for information about the current year. As for the date chosen, the Secretariat pointed out that time was needed to accomplish some of the secondary recommendations of the Animals Committee, and the need for time to put new laws into place.

The observer from Indonesia pointed out that, with some 7,000 islands in his country, it was difficult to control trade and almost impossible to control capture. He hoped that the Committee would understand the problems faced by Indonesia. He also took the opportunity to report that a system was being developed for marking the stockpiles of skins.

The observer from the Commission of the European Community said that the Community had suspended trade in certain species with Indonesia in 1991 and had contracted IUCN to help Indonesia. A strategic planning had taken place in Indonesia in September 1993 and the Commission of the European Community had received a copy of a letter from the Minister of Forestry, endorsing the plan that had been agreed and asking his department to implement it. The observer from the European Community therefore asked whether there was consistency between the recommendations and the recommended time frame.

The Chairman asked the observer from the European Community to discuss this point with the Secretariat and the observer from Indonesia outside of the session and to report back.

He adjourned the meeting at 17h30.

#### Seventh Session: 24 March 1994: 09h00 - 12h30

#### 10. CITES Implementation in: (continuation) a) Indonesia

The Chairman opened the meeting, asking if an agreement had been reached between the observer from Indonesia and the Secretariat concerning the recommendations in document Doc. SC.31.9.1. The Secretariat stated that the recommendations had been accepted by the observer of Indonesia, with some amendments that it provided:

- Page 7, paragraph 1.a) should read as follows:

- "a) In 1995 and later years the Management Authority should not authorize the export of more specimens than are specified in the export quotas;"

Page 7, paragraph 1.c), line 1:

- delete "to supplement Act No. 5 of 1990".

Page 7, paragraph 1.d)i), line 1:

- delete "protection of".

Page 7, paragraph 1.d)ii), line 2:

- delete "and".

Page 8, paragraph 1.e):

- delete the entire paragraph.

Page 8, paragraph 2., line 3; paragraph 3., line 2; paragraph 4., line 2:

- replace "a - e" with "a - d".

Page 8, paragraph 3.a), line 3:

- replace ";" at the end of the line with "," and add "unless they were legally exported from Indonesia before 1 February 1995."

The observer from Indonesia confirmed that the recommendations of the Secretariat, as amended, had been accepted, and that Indonesia would try, as far as possible, to ensure that they were properly implemented. The Committee agreed to the recommendations.

### 3. Draft Resolution on the Criteria for Amendment of Appendices I and II (continuation)

The Chairman thanked the observer from IUCN for agreeing to attend the meeting, and to provide further information on this subject. There had been questions about the annotated figures in Annex 1 of document Doc. SC.31.2.2, concerning the biological criteria for Appendix I, as these figures had been changed considerably from those adopted by the meeting in Brussels.

The observer from IUCN stated that the figures adopted in Brussels had been found by IUCN to be too restrictive, resulting in species wrongly being excluded from Appendix I. The relaxed figures, indicated in the current document, had been determined in consultation with the Secretariat. He stressed that objective lines needed to be drawn in developing criteria between Appendix I and Appendix II.

The Secretariat stated that it was important to remember that the document being discussed was not one produced by IUCN, but was compiled by the Secretariat, on the basis of the document produced by the Joint Committee meeting and of input from the Parties and from others.

The observer from Zimbabwe expressed his concern that, under the proposed biological criteria in Annex 1 of document Doc. SC.31.2.2, the population in South Africa of the white rhinoceros would qualify for inclusion in Appendix I when, in fact, it should not be.

He was further concerned that the criteria had moved away from the probability of extinction to only population sizes.

The representative of the Next Host Country noted that the 50% decline indicated in Annex 1, paragraph C., would not be appropriate for certain species. This was supported by the observer from Zimbabwe, who stated that a 50% decline is catastrophic for many species. The observer from IUCN agreed that a mistake had been made, and that this percentage should be smaller.

After further discussion by the Committee and the observers, the Committee agreed to the following amendments to document Doc. SC.31.2.2:

- Page 3, paragraph 8, following paragraph i), should read as follows:
  - "RESOLVES that proposals to amend Appendices I and II should be based on the best available information and presented in the format in Annex 6, unless otherwise justified."
- Page 5, paragraph A.ii):
  - delete "fragmentation, with"
- Page 7, paragraph A., should read as follows:
  - "A. Unless trade in a species is subject to strict regulation, it could become threatened with extinction;"
- Page 7, paragraph B., should read as follows:
  - "B. It is known, inferred or projected that the number of specimens taken from the wild and entering international trade has, or is likely to have, a detrimental impact on the status of the species; and either;"

Annex 6 on the draft format to be used for proposals to amend the appendices, was discussed. The Committee agreed to the following amendments to this document:

- Page 2, under "A. Proposal"; line 1:
  - insert "intent of" after "indicate the".
- Page 4, under "2. Biological Parameters"; 2.1 through 2.6 should read as follows:
  - "2.1 Distribution; 2.2 Habitat availability; 2.3 Population status; 2.4 Population trends; 2.5 Geographic trends; 2.6 Threats"
- Page 4, under "2.1 Population status"; A second paragraph should be added, as follows:

"Inclusion of information on the size of the population in captivity. Non-commercial captive breeding should be encouraged and supported, and not be made unattractive by stringent legislation."
- Page 6, paragraph 3.5, should read as follows:

"3.5 Captive breeding and artificial propagation outside country of origin

To the extent possible, provide information on the extent of captive breeding or artificial propagation outside the country or countries of origin."

The Committee agreed that the Secretariat, the representatives from North America and the previous Host Country and the Chairmen of the Animals and Plants Committees should review again Annex 6 of the draft Resolution, and make changes where necessary.

10. CITES Implementation in: (continuation)  
b) Colombia

The Secretariat thanked the contributors who had made the mission to Colombia possible. The Secretariat and TRAFFIC South America had participated in the mission for a week. In subsequent discussions with the authorities in Venezuela, the Secretariat had strongly recommended that a consultative process be started between Venezuela, Colombia and Brazil on CITES trade, as each Party had programmes that focused on either ranching, captive-breeding or wild-harvest, from which the others could learn.

The Chairman of the Animals Committee introduced document Doc. SC.31.9.2 and its two annexes. He said that he went to Colombia with an open mind and came back pleasantly surprised by the sophisticated development of the caiman programme in that country. He said that the massive numbers of skins being exported from the country in certain years was not because skins from wild-caught animals were being laundered through captive-breeding operations, but because new captive-breeding operations were not allowed to export skins until they had demonstrated to the Colombian authorities that they were able to breed caiman successfully. As this usually took several years, large numbers of skins that had been accumulated were exported from such operations the first year in which exports are allowed.

The Chairman of the Animals Committee said that the Management Authority should be taking a more proactive stance on its management programme, in order to make other persons and organizations outside Colombia aware of the successful management programme that had been achieved.

He said that, in spite of the many good aspects of the captive-breeding programme for caiman in Colombia, problems still existed, including controls over the tagging of skins and the number of adult males of breeding age taken from the wild for the captive-breeding operations. However, the Management Authority was working to improve the current situation.

He noted that there were ten principal recommendations to the Management Authority of Colombia in the report, and that the report further recommended that the Secretariat go on a follow-up mission to evaluate the degree to which they had been made with regarding their implementation. He further noted that the report contained several subordinate recommendations to improve the administration of the management programme in Colombia.

The observer from Colombia thanked the members of the mission for their very valuable input during their time in his country. He said that it had been very important to host the mission, in order to show Colombia's captive-breeding programmes to the CITES community and to explain why the programmes existed. He also said that it was equally important to discuss the management programmes and plans for the future with the experts provided by the mission. He said that Colombia has five main natural areas in the country. Captive-breeding programmes for different species had been established in the Andean region because of the high human population and an inability to control the wild harvest. The Government of Colombia had learned that tight harvest and trade controls were necessary, as a result of the unsustainable trade that took place during previous

decades. He said that the Management Authority would try as far as possible to implement the recommendations in the report.

The Chairman thanked the observer from Colombia for his statement and for the very positive attitude that the Government of Colombia had taken since this matter first emerged. This view was echoed by other members of the Committee and several observers. The Committee agreed to endorse the recommendations of the report, noting with great appreciation the work that had been done by the Secretariat, the Chairman of the Animals Committee and the other members of the delegation to Colombia.

c) Nepal

The Secretariat introduced document Doc. SC.31.9.3, on the fur trade in Kathmandu, Nepal. The Secretariat noted that this had been a long-standing problem which remained unresolved. Coats and other apparel containing the fur of species included in Appendix I continued to be sold on a large scale in tourist shops in Kathmandu. Reports from TRAFFIC and others indicate that most of the items were believed to have been smuggled into Nepal from India. Neither India nor Nepal report commercial trade in specimens of CITES-listed species between the two countries. The Secretariat had tried to raise the issue with the Nepalese Government at the highest possible level, but was not aware of any progress that had been made. A recent letter to the Secretariat from the Management Authority of Nepal (document Doc. SC.31.9.3 Annex) indicated that the Management Authority could not resolve the problem at that level, because they had no authority outside of National Parks.

The observer from India disputed the statement in the report that the furs were mainly from India. However, he said that his Government would be willing to work with the Nepalese Government to resolve the issue.

The representative of Asia agreed to implement the recommendations of the Secretariat by sending in a mission to Nepal and India in an effort to resolve this problem, but stated that financial assistance would be needed. The Committee agreed to the recommendations in the report, subject to the Secretariat finding funds for the proposed mission by the representative of Asia.

e) Greece

The Secretariat introduced document Doc. SC.31.9.5, stating that Greece:

- had not yet advised the Depositary Government or the Secretariat of the designation of a Management Authority and Scientific Authority, although a number of letters had been sent to the authorities in Greece on this issue;
- had adopted a law that included the text of the Convention and the appendices as they were adopted in 1973, thus excluding many species currently included in the appendices; and
- continued to be weak with regard to implementation of the Convention.

The observer from Italy stated that the great efforts that had been made by Italy to improve CITES implementation would be jeopardized by the lack of effort on the part of Greece to do so. The observer from the Commission of the European Community stated that information on the CITES Management Authorities in Greece had been provided to them, as required by a regulation of the European Economic Community, and that not providing this information to the Secretariat was probably an administrative error. He agreed that Greece did not have a Scientific Authority, but said that trade would be allowed on the basis of consultations with the Scientific Group of the Commission.

The representative of Europe and the observer from Germany asked that the decision on this matter be deferred until that afternoon, and the Committee agreed to the proposal.

The Chairman adjourned the meeting at 12h30.

Eighth session: 24 March 1994: 14h00 - 17h30

10. CITES Implementation in: (continuation)  
e) Greece

Following consultations outside the meeting with observers from European countries, the representative of Europe said that the recommendations of the Secretariat in document Doc. SC.31.9.5 would be acceptable if delayed by one month. The observer from the Netherlands added that this would give other countries in the European Economic Community time to put pressure on Greece.

The observer from the Commission of the European Communities suggested that only the second paragraph of Article IX of the Convention be considered as relevant, and that the Secretariat should ask the Standing Committee for authority to send a Notification to the Parties, at the end of April, stating that Greece had not informed the Depositary Government of its designated Management Authority. He also suggested that the part of the Secretariat's recommendation relating to the issuance of permits or certificates with Greece as the final destination should be deleted. He pointed out that, as the Secretariat was not aware of the existence of a Management Authority in Greece, Parties should not accept Greek export documents. Finally, he stated that, as a result of the recent report by TRAFFIC on CITES implementation in Greece, the Commission of the European Community had asked its legal department to investigate the possibility of taking procedures against Greece.

The Secretariat stated that it had no objection to the proposed one-month delay.

The representative of the Depositary Government agreed with the observer from the Commission of the European Communities that Greek documents should not be accepted and that there was no apparent reason for recommending that documents should not be issued with Greece as the destination.

The Committee agreed to accept the recommendations of the Secretariat with the amendment suggested by the observer from the Commission of the European Communities.

5. Preparation of the Ninth Meeting of the Conference of the Parties (continuation):

d) Provisional Rules of Procedure

The observer from Zimbabwe introduced document Doc. SC. 31.4.8. He pointed out that the problem it aimed to address was that, when a delegation proposed that a vote be taken by secret ballot, an open vote was needed to approve this proposal. Delegations sometimes find themselves under pressure to vote a certain way; unfortunately there is a suspicion that if they support a secret ballot they intend to vote a different way.

Understanding the difficulties, the representative of Oceania supported the observer from Zimbabwe.

The representative of the Next Host Country recalled that this subject had been discussed before the eighth meeting of the Conference, and the pressures against voting in favour of secret ballots had been perceived. There were two main issues. First was the question of to whom a delegation was accountable. If the delegation is accountable to the government, in principle it should not need to vote in secret. Secondly, secret ballots are very time-consuming and slow down the progress of the meeting. They should therefore be resorted to only exceptionally. The representative of the Next Host Country added that this was a sensitive issue and that she could not here agree to any change in the rules.

The Secretariat, noting that the Rules of Procedure had to be adopted by the Conference of the Parties, asked whether the Committee could agree to submit the provisional Rules of Procedure with Rule 15, paragraph 3, amended as suggested by the observer from Zimbabwe. The Secretariat said that at the meeting of the Conference in Argentina secret ballots could be taken at the request of any delegation, and a number of votes were taken by secret ballot that need not have been. That is why the rules were changed for the next meeting. It was agreed at the sixth meeting of the Conference that at least one-half of the Parties should be in favour of a secret ballot. Under the change suggested by Zimbabwe, the Chairman had the right not to accept a second secret ballot on the same issue, so the problems that had arisen in Argentina were unlikely to arise again.

The observer from Israel expressed a preference for maintaining the current text of Rule 15. However, the representatives of the Depositary Government and the Previous Host Country and the observers from Namibia and South Africa supported the suggestion of Zimbabwe. The Committee then agreed that the document to go to the ninth meeting of the Conference of the Parties should contain the amended text of Rule 15, paragraph 3. The Chairman asked the Secretariat to draw the attention of the Parties to this change when sending out the provisional Rules of Procedure.

The observer from Panama drew attention to a discrepancy between the rules in English and those in French and Spanish, the first referring to officers and host countries in plural and the last two using the singular. The Secretariat noted that no vote should be taken if there were no objection to a single candidate, but a delegation could ask for a vote to express opposition. The Secretariat undertook to ensure that the text in the three languages was consistent.

#### 13. Consideration of New Project Proposals

The Secretariat referred to document Doc. SC. 31.12, and asked the Committee to send comments of a technical nature to the Chairman of the Animals Committee and other comments to the Secretariat. The Animals Committee would consider the comments and inform the Secretariat of its decision. The Standing Committee would then be asked to consider the special projects by postal procedures.

Responding to a question from the representative of Asia, the Secretariat said that proposals presented by the Secretariat come either direct from the countries concerned or result from a suggestion of the Animals Committee, the Plants Committee or the Secretariat. Some of the projects that had been and were being presented formed part of a package of projects for which funding was being sought from the Global Environment Facility.

15. Any Other Business

Working Group on the Transport of Live Specimens

The Chairman of the Transport Working Group reported on developments since the last meeting of the Group. In Senegal it had been agreed that the Secretariat would prepare a questionnaire to be sent to the Parties. The Chairman of the Transport Working Group said she was disappointed that it had not yet been drafted and this needed to be done. She was continuing to receive information on infractions, which was being sent to the Secretariat, and was continuing to liaise with the IATA Live Animals Board. She reported that France and the United Kingdom had started studies to assist Parties to implement Resolution Conf. 8.12.

The observer from France said that France and Belgium were continuing a study on mortality of birds in transport. Preliminary data indicated a lower rate of mortality than in the United Kingdom or the United States of America.

The Secretary General apologised that the questionnaire had not been drafted, owing to the pressure of work in the Secretariat.

9. Rhinoceros and Tiger Conservation Issues (continuation)

A paper that had been prepared by a working group out of session, containing a series of draft decisions of the Standing Committee was circulated to the participants, who were asked not to disclose it to those not participating in the meeting.

The observer from India drew attention to the recent meeting of the Global Tiger Forum. He said that sustainable use should not be considered, and requested that tiger conservation problems be considered separately from those concerning rhinoceroses. The Chairman commented that the Committee had no mandate to discuss sustainable use of Appendix-I species and asked that the tiger and the rhinoceroses be considered together. The representative of the Next Host Country pointed out that there would be an opportunity to consider them separately at the ninth meeting of the Conference of the Parties.

The observer from Namibia noted that the Committee was discussing tiger conservation although it had no mandate from the Conference of the Parties to do so and that such a mandate was not essential in order to discuss important issues, including the question of sustainable use of Appendix-I species, which he felt should be considered. The Chairman immediately agreed that this could be discussed and the observer from South Africa said that he would like the Committee to refer to sustainable use if this was appropriate. The representative of the Previous Host Country added that sustainable use can of course include an element of protection. The observer from Zimbabwe, also stressed the need to consider the possibility of sustainable use and not only trade prohibitions.

In answer to a question about the mandate of the Committee to discuss rhinoceros conservation, the Secretariat stated that this had been referred to the Standing Committee at the eighth meeting of the Conference of the Parties. Referring to the terms of reference of the Committee in Resolution Conf. 6.1, the representative of the Next Host Country added that it was a long-standing practice of the Committee to look at implementation problems in various countries.

The representative of the Depositary Government added that the Standing Committee was left with a free rein to discuss what it considered important but emphasised the need for care not to adopt policies that had not been adopted by the Conference of the Parties. Turning to the document that had been circulated, the representative of the Depositary Government noted the reference to action against the Russian Federation for its inability to



control poaching of tigers. If action were to be proposed against Parties for their inability to control poaching this was a new policy and was unacceptable, he said.

The observer from China noted that the draft decisions referred to "the authorities in Taipei". He stated that Taiwan is a province of China and that implementation in Taiwan of treaties to which China was party was through internal mechanisms. If there are problems in the province of Taiwan, he stressed, then China must be consulted about the solutions. He demanded that further discussion of the province of Taiwan be withdrawn. He reported that, in the province, progress had been made in the preparation of legislation to increase penalties for illegal imports and exports and to require owners of tiger bones to register their stock. He also reported on the results of undercover investigations in pharmacies. Finally, he requested that the following amendments be made in the draft decisions: in paragraphs 1 and 2, insert and areas after "countries"; in paragraph 6, replace "Taipei" with Taiwan, China. The Chairman apologized for any offence that had been caused.

With respect to paragraph 8 of the draft decisions, the observer from the Republic of Korea found the draft very regrettable. He drew attention to the commitment of his Government to wildlife conservation and suggested that, rather than expressing concern about progress, the Standing Committee should be expressing satisfaction.

The observer from Israel asked how compliance would be assessed and, in response, the representative of North America said it was envisaged that the Conference of the Parties would review the information available in November, but this could be made more explicit.

The representative of the Previous Host Country expressed appreciation of the progress made to comply with the conditions previously specified by the Committee. Although full compliance had not yet been achieved, he thought that it was inappropriate to suggest the imposition of sanctions against the countries concerned as was done in paragraphs 6 to 9 of the draft decisions. He suggested that the more appropriate approach was to seek further progress before the next meeting of the Conference of the Parties, for review there.

The observer from South Africa felt that countries with implementation problems needed co-operation and assistance and questioned whether sanctions would achieve anything useful.

The representative of the Depositary Government was concerned about three points in particular. First, CITES does not provide for sanctions. Secondly, CITES does not include any provisions against poaching. Thirdly, the Committee must act within the policies established by the Conference of the Parties.

The observer from Zimbabwe endorsed the concerns expressed about the reference to imposing stricter domestic measures in a document from the Standing Committee and drew attention to the pending discussion of sanctions against countries in the United States of America. He added that southern Africa felt it was being ignored; the UNEP meeting on rhinoceros conservation had failed to produce the necessary support and, in CITES, Parties would not support a discussion of trade in rhinoceros horn. In Zimbabwe, there had been an increase of poaching in spite of all the measures taken.

The representative of Asia lodged a formal complaint that the Secretariat had just circulated a document about tigers from an NGO during this sensitive discussion. The Chairman apologized because the distribution had not been authorized and he instructed the Secretariat to collect the copies.

The Chairman said that the high-level delegation, in its report, had reached certain conclusions but then had reason to change its views because some promises had not been honoured. He added that this did not apply to China.

The observer from Italy reported that the sanctions imposed against Italy had been very costly, both to its economy and to its image, but it now had one of the best implementation systems in the world.

The observer from China said that sanctions against the province of Taiwan would not help because it had no Management Authority. The problems previously discussed by the Committee regarding Italy and Thailand were quite different because they were about inadequate systems and not about illegal trade in spite of the controls. Sanctions, he said, stop legal trade, not illegal trade. Problems in the province of Taiwan should be discussed with the Government of China, which would try to find solutions.

The representative of the Next Host Country concluded that if there were no Management Authority in the province of Taiwan, no permits issued there could be accepted.

The representative of Oceania reminded the participants of the need for urgent action to stop illegal trade. She said that the countries concerned were aware that failure to comply with the recommendations of the Standing Committee could result in action being taken against them, and if the Committee did not take action it was not serious.

The representative of Asia said that, as a member of the high-level delegation, he had been satisfied with what he had seen in the countries visited and did not feel there was a need to encourage stricter domestic measures.

The observer from the United Kingdom said that most people seemed to agree that there was a need to maintain pressure on consuming countries to make progress, the question was how? He said that ways other than imposition of sanctions should be investigated, such as the sending of political delegations or a visit by the Executive Director of UNEP. The observers from Namibia and Zimbabwe agreed, the former urging the Committee to avoid a confrontational approach and to make Parties feel a part of the conservation community.

The representative of the Depositary Government read aloud a section from the report of the high-level delegation indicating the good progress that had been made in the province of Taiwan. On what basis, he asked, was it now suggested that Taipei had not acted in an expedient manner, as stated in the draft decisions? This intervention was supported by the representative of Asia who stressed that the Committee should be helping and urging, and not threatening and imposing.

Regarding paragraph 2 of the draft decisions, the observer from South Africa suggested that the reference to continued demand for parts and derivatives for use in oriental medicines should be deleted and that, after "tiger" the words if this is not achieved should be inserted. This change was agreed. The observer from India therefore requested that his dissent be recorded.

Regarding Viet Nam, referred to in paragraph 4, the Secretariat reported on a recent mission to that country. Tiger products were on sale in the country and, although the Secretariat did not think that there was a serious problem, account did need to be taken of the continuing availability of products. A representative of Viet Nam had participated in the recent meeting of the Global Tiger Forum and had agreed to the mission statement.

Regarding paragraph 5, there was a discussion of the need to refer to the other reports that had been considered by the Committee. An appropriate wording to do this was agreed.

The Chairman asked the members of the Committee to consider the remaining paragraphs overnight.

The meeting was adjourned at 17h30.

Ninth session: 25 March 1994: 09h00 - 12h30

The Chairman opened the meeting, noting that the discussion on rhinoceros and tiger issues had been suspended, pending the drafting of a document by a working group on the recommendations of the Committee with respect to that subject.

11. Recommendations of the Animals Committee in Relation to Species Subject to Significant Trade

The Secretariat introduced document Doc. SC.31.10 on the implementation of the recommendations of the Standing Committee for species subject to significant levels of trade. The Secretariat noted that, as a result of information received from the Management Authorities of Ghana and Guinea, no further action was recommended for *Psittacus erithacus* in those two countries. The Secretariat suggested that, if exports were permitted from Ghana, on the basis of the preliminary survey, a quota of up to 5,000 would be acceptable. With respect to Guinea, and at the recommendation of the Chairman of the Animals Committee, the Standing Committee agreed that their recommendation for the quota should be 450, and not 500 birds. The Committee approved the other recommendations in the report.

The Secretariat introduced document Doc. SC.31.10.1, concerning the implementation by countries of primary recommendations of the Animals Committee for species that had not been considered as a priority. These recommendations had been sent to the 33 countries concerned on 12 January 1994, and responses from only seven Parties had been received so far. As the 90-day deadline for implementation of primary recommendations would be the end of April 1994, the Secretariat was seeking the guidance of the Standing Committee on measures that should be taken if the primary recommendations were not implemented by that date.

The Chairman of the Animals Committee stated that 150 taxa had been considered as non-priority and, therefore had been excluded from the initial review process. Although the Animals Committee had developed primary and secondary recommendations, the desirability of taking severe action for non-implementation of the recommendations of the Committee with respect to those taxa was not appropriate. He stated that the Animals Committee could take up the matter again when it meets in May.

The representative of the Next Host Country stated that she did not share the feeling that the countries concerned would not respond in time, and stated that a vote by postal procedure after the deadline was a possibility. She stated that Resolution Conf. 8.9 should not be compromised in the process.

The observer from China apologized for not responding to the Secretariat, stating that suspensions of trade had already been implemented for two of the three species concerned.

The observer from the CEC expressed concern about the recommendation concerning the suspension of trade for *Psittacus erithacus* from Cameroon. The European Union was prepared to open up trade again with that country because the quota had been lowered to 12,000, and this would be in conflict with the current recommendation of the Committee. He also expressed concern over stocks of grey parrots being held by traders. The Chairman

stated that it had already held discussions with the observer from Cameroon and with the Chairman of the Animals Committee outside of the meeting, and accepted the quota of 12,000.

The Committee agreed that matters of an urgent nature on this subject could be decided by postal procedure, and that other matters should be presented to the Committee at its next meeting.

#### 12. Implementation of Resolution Conf. 8.14 on Tagging of Crocodilian Skins

The Secretariat introduced document Doc. SC.31.11, on the tagging of crocodilian skins. The Secretariat stated that there had been significant technical problems in implementing Resolution Conf. 8.14, in particular regarding the tagging of processed skins and certain parts of the skins and regarding the tagging and monitoring of stocks of skins in re-exporting countries. The Secretariat recommended that the Animals Committee review the current text of the Resolution and present to the Parties a draft text that will address these problems. The Chairman of the Animals Committee agreed to do this, reminding the Committee that Resolution Conf. 8.14 had been adopted as a pragmatic approach to an issue that should have been addressed in a more reasonable manner. He said that the Animals Committee would develop new text that would focus mainly on the exporting countries. The Secretariat agreed with the views of the Chairman of the Animals Committee, stating that the development of a draft text could also be discussed at the next meeting of the IUCN Crocodile Specialist Group. Support in the drafting of the new text was offered by the observer from Germany.

The Committee agreed to this approach. However, until the Parties had adopted a new resolution on this subject, the current one remained in effect.

#### 14. Law Enforcement Network

The Secretariat introduced document Doc. SC.31.13, on the proposal to form a Law Enforcement Network, noting that the report was a follow-up to Notification to the Parties No. 776, which had asked the Parties for their comments on the proposal. The Secretariat said that there had been very little reaction from the Parties on the proposal, and that the replies that had been received had been mixed but in most cases negative. As the Secretariat was not convinced that the Parties would support the Network, it was opposed to the proposal. However, the Secretariat recommended that, if the Committee wished the idea to be pursued further, this should be done at the next meeting of the Conference of the Parties.

The observer from the United Kingdom introduced document Doc. SC.31.13.1 as an alternative to the proposed Network. He reviewed the concepts in paragraph 3. of the document, including co-operation between institutions and intergovernmental enforcement bodies, enforcement assistance, using existing non-official sources of information, ensuring that enforcement needs of all States are addressed and developing an action-oriented approach to respond to problems of a major international scale. He stated that the United Kingdom would, in co-operation with other Parties, develop a draft resolution that could be considered by the Conference of the Parties at its next meeting.

The Secretariat stated that the ideas presented in the document of the United Kingdom were not new and were already being implemented by the Secretariat. The Secretariat also noted that it was participating in a working sub-group on wildlife crime recently formed by Interpol.

The Secretary General also noted with appreciation the significant past contributions by the United Kingdom to the CITES enforcement project, and agreed that enforcement officials should be more actively involved in matters concerning CITES.

The representative of the Next Host Country expressed his support for the proposed Network, stating that it would be useful to discuss the issue with the Parties that were opposed to it, in order to determine how their concerns could be addressed.

The Committee agreed to take no further action for the time being, but agreed that a draft resolution should be formally presented to the Parties at their next meeting.

15. Any Other Business (continuation)

Vicuna

The Secretariat introduced document Doc. SC.31.16, on the trade in wool of *Vicugna vicugna* in Peru, reminding the Committee of the history of the trade, in particular, the decision of the Parties at the sixth meeting of the Conference to allow the transfer of Chilean and Peruvian populations of the species to Appendix II, providing that the wool was taken from live animals and that only cloth from the wool could be traded. In August 1993, the Secretariat had learned that the new Government in Peru had advertised for bids for large quantities of vicuna wool. The Secretariat visited Peru, spending several days in the region where the animals were located, noting that previous civil unrest in the country had made it very difficult to protect the remaining populations of vicuna and to arrange for the export of cloth from their wool. The local people involved in the capture and protection of the animals were trying to obtain the best price possible for the wool.

Each observer from Peru then made a statement, asking the Standing Committee to consider an exception to the requirement that only cloth may be exported from their country. They advised that companies in Peru that could process the wool into cloth were offering to buy the wool for a much lower price than those in Europe. If the wool could be processed into cloth in another country, they could have it returned to Peru, where it could be sold to retailers at a much higher prices. They stated that the Government currently had about 3,250 kg of wool in storage, which would not be exported. However, local people had accumulated 1,450 kg of wool taken from live animals, and they desperately needed money to fight poaching of the vicuna and to improve their economic status.

Several Committee members and observers indicated their sympathy for the situation described by the observers from Peru. However, the Committee agreed that it did not have the authority to allow an exception to an amendment to the CITES Appendices. Any exports to a company for the purpose of producing cloth would be considered as trade, regardless of whether it was commercial. Therefore the Committee recommended that the Government of Peru present its case before the Conference of the Parties at the next meeting.

Panel of Experts on the African elephant

The Secretariat reported that proposals had been received from South Africa and the Sudan for the transfer of their African elephant populations from Appendix I to II. The proposal from South Africa was very similar to that submitted for the previous meeting of the Conference of the Parties but had been updated. The proposal contained a commitment from South Africa not to permit trade in raw ivory until their system of control had been considered by the Conference. The Secretariat felt that there was no need for an extensive review by a Panel of Experts, in view of these facts, and that there might be no need for the Panel to visit South Africa. Regarding the Sudanese proposal, the intention was not very clear but it appeared that the objective was to transfer the elephant population of the

Sudan to Appendix II to allow the export of a stockpile of tusks and then re-transfer the population to Appendix I. The Secretariat had written to the Sudan to ask for clarification.

The observer from South Africa confirmed that the proposal from his country was indeed an updated version of the previous proposal and that it had taken into account the conclusions in the report of the previous Panel of Experts.

The representative of the Next Host Country proposed that the Panel established to review the new South African proposal should comprise the same members as the Panel that reviewed the previous proposal, to benefit from their experience and minimize costs. This was agreed by the Committee. The representative of the Depositary Government said that, as he was therefore on the Panel of Experts, it would be useful to have a policy statement from South Africa as to how the elephant issue would be handled by the new government.

The Secretariat pointed out that one member of the Panel of Experts was now a member of the staff of the Secretariat, and asked whether the Committee considered this to be a problem. The Committee agreed that this was not a problem.

Regarding the Sudanese proposal, the Secretariat stated that, if it is clarified that this is a normal proposal, it must of course be subject to a review by a Panel of Experts. However, if it were only a temporary transfer for the purpose of disposing of a stock of ivory, a review of the biological aspects of the Sudanese population of elephants was not relevant and only control aspects needed to be reviewed. This was agreed by the Committee.

#### Funds from confiscated ivory

The Chairman drew attention to document Doc. SC. 31.17, regarding funds that had been obtained by the Government of Belgium from the sale of confiscated ivory coming from the United Republic of Tanzania and that would be made available for conservation projects, mostly in the latter country. The Secretariat reported that it had agreed to manage the funds and was currently expecting comments on a draft memorandum of understanding on this subject. The Committee noted the document.

#### Annual Reports

The Secretary General introduced document Doc. SC. 31.14, on the submission of annual reports. He noted that there had been great improvements by the Parties in this area. However, as the non-submission of such reports was considered by the Conference of the Parties to reflect a major problem of implementation of the Convention, the Committee was asked to consider the recommendations of the Secretariat in the document.

The Chairman stated that, although the submission of reports was important, he felt that trade suspensions should be recommended for infractions of greater importance. The representative of the Depositary Government stated that the Convention does not provide for sanctions and there was therefore no legal basis for recommendation vi).

The representative of the Next Host Country expressed sympathy with the concerns of the Secretariat. She emphasized that the submission of annual reports was an obligation and not a trivial matter. The non-submission of reports inhibited the use of data to identify enforcement problems and excessive levels of trade in certain species in the review of significant trade.

After further discussion, the Committee agreed to adopt the recommendations on page 4 of the document, with the following amendments:

- insert "a)" before "The Chairman" in paragraph 1, line 1;

- delete paragraph vi);
- At the end, add:
  - b) The next meeting of the Conference of the Parties should be requested to provide guidance on the mandate of the Standing Committee to take action regarding the lack of submission of annual reports;
  - c) At the next meeting of the Conference of the Parties, when Committee I considers proposals to amend the appendices, it should consider whether it is appropriate to approve export quotas for Parties that have not submitted their annual reports.

## 7. Reports of the Regional Representatives

After a brief discussion, it was agreed that the reports of the regional representatives should be taken as being for information only. The title of the report of the representative of Africa (Doc. SC. 31.6) was amended to "Report of the African Regional Representative ...decision of SC23)".

At 12h30 the Chairman adjourned the meeting.

Tenth session: 25 March 1994: 13h40 - 15h45

## 9. Rhinoceros and Tiger Conservation Issues (continuation)

The Chairman noted that following the discussion of this subject the previous day, a new set of draft decisions had been produced, taking into account the agreements already reached and adding a few new paragraphs. The representative of the Next Host Country said that, as agreement had already been reached on the first five paragraphs, these should not be discussed further. However, following a suggestion by the observer from Namibia, it was agreed to discuss the new document paragraph-by-paragraph.

There were no comments on paragraph 1.

In paragraph 2, the observer from South Africa proposed the insertion, after "progress" of the words , given the long cultural background to the use of rhinoceros horn and tiger specimens., With an objection by the representative of the Next Host Country, this was agreed. The representative of North America proposed that the word "this" in the fourth line be changed to control of illegal trade, and this was agreed.

A minor amendment to paragraph 3 was agreed. It was noted that part of the previous paragraph 4, referring to Viet Nam had moved to new paragraph 10. And there were no comments regarding paragraphs 5, 6 and 7.

With respect to paragraph 8, the observer from China pointed out that, so as not to block discussion, he had previously agreed to the Standing Committee's proposed way of referring to Taiwan. However, he had now received instruction that this was not acceptable. He requested that this statement be recorded. The Standing Committee, he said, had sent a technical-assistance delegation to China. The Committee therefore had a responsibility to ensure that the delegation's report did not offend a State Party. The observer from China said that his Government demanded further changes in the report of the technical-assistance delegation. If these were not made, he added, China reserved the right to take further action. He expressed appreciation of the efforts and collaboration of the regional representatives to the Committee. He understood the Committee's concern

about the trade in the province of Taiwan, and appreciated the efforts made to correct the problems. He said that this was a sensitive and complex political issue. Under international law, he added, no international organization may take action against any part of a State Party. This is why he had the previous day demanded a withdrawal of the paragraph referring to Taiwan. In matters related to the province of Taiwan, he concluded, international organizations and governments must refer to the Government of China.

The observer from Israel, stated that he was sensitive to the comments made but noted that this problem had continued for years. He urged that China should be asked in the strongest terms to resolve the issue.

In response to a request for clarification from the representative of the Next Host Country, the observer from China said that he had been instructed that the agreement he had reached with the high-level delegation was not acceptable and that he therefore had to demand further changes to the wording in the report of the technical-assistance delegation. If the changes were not accepted he regretted that he would have to reserve the right to take action.

The Chairman expressed his deep regret to hear that there continued to be a problem, having reached an agreement in good faith with the observer from China. He stressed that the Committee had gone out of its way to try to avoid being offensive to China. As the report of the technical-assistance delegation expressed the authors opinions he suggested that they could be asked to reconsider their report. The observer from China said that he would leave this in the hands of the Chairman.

In the ensuing discussion, several participants suggested ways in which to refer to the province of Taiwan in the decisions of the Committee, including "Taiwan", "the island of Taiwan" and "Taipei". However, none of these was acceptable to the observer from China. The Chairman stated that it was not necessary for China to approve the language used; he pointed out that only the Standing Committee could do this. The observer from Namibia stated that he could not endorse any wording that was offensive to China.

On the recommendation of the representative of North America, it was agreed to leave the wording as it was in the draft document under discussion. The representative of the Next Host Country requested that the discomfort of the United States of America with the wording used be recorded and he added that the position of his Government *vis-à-vis* the People's Republic of China had not changed.

There were no comments on paragraph 9 of the document.

Regarding paragraph 10, the representative of the Depositary Government commented that, although he was happier with the wording now proposed, he felt that the paragraph should refer to range States of tigers rather than to specific countries. There being no further comments, no change was agreed.

In paragraph 11, at the suggestion of the observer from the United Kingdom, it was agreed to replace "delegation" by emissary or delegation.

Regarding paragraph 12, the observer from India suggested that the assistance to range States should be through the Global Tiger Forum (GTF). The observer from China stated that there was also a need to assist consumer States that lacked adequate finances or technical capacity, and to refer to law enforcement and not only conservation. The observer from Zimbabwe, supported by the Chairman of the Animals Committee, thought it was inappropriate to mention the GTF, because those giving assistance should have some flexibility. He suggested that the words and consumer States be inserted after "range States". The observer from the Republic of Korea agreed with the observers from China



and Zimbabwe. He also stated that the authorities in his country had begun to register the stockpiles and had asked the Secretariat for technical assistance, but they would need help from elsewhere. The suggestions of the observers from China and Zimbabwe were agreed.

The Secretariat suggested, supported by the observer from the United Kingdom, that there should be a separate paragraph referring to the GTF. The representative of North America proposed the following words for the new paragraph: urges Parties to take note of the results of and support the Mission Statement arising from the Global Tiger Forum (3/4 March 1994, New Delhi). This was agreed as the new paragraph 13.

Regarding the existing paragraph 13, the observer from South Africa was concerned about the proposed destruction of a valuable commodity. The observer from China felt that there was no need to repeat the need to comply with Resolution Conf. 6.10. He felt that there were difficulties with implementation of the Resolution in China. In particular, he felt that there were risks associated with the destruction of stockpiles, that to require such destruction was difficult under national law, and that it was not realistic to expect compensation for the destruction to be paid. The representative of North America proposed that the existing paragraph be deleted, as Resolution Conf. 6.10 remained in effect in any case. This was agreed.

The representative of North America suggested the inclusion of a new paragraph, calling for the examination of options to achieve rhinoceros conservation that take full account of the socioeconomic and cultural realities in consumer States and range States. The observer from Namibia stressed that this subject needed to be thoroughly discussed. The Chairman said that the Committee had no mandate to discuss this issue and that, in any case, it could not be discussed before the next meeting of the Conference. The representatives of the Depository Government and of North America suggested that the subject should be discussed at the next meeting of the Conference and that it would be useful to have a discussion paper summarizing the history of the issue and perhaps a draft resolution. The representative of North America added that the Standing Committee should express its recognition of the need for full discussion. The representative of Oceania expressed reluctance to agree with this suggestion. Finally the Committee agreed to the following words proposed by the representative of North America for inclusion in the decisions of the Standing Committee: recognizes the need for a full discussion of all aspects of matters relating to the conservation of and trade in rhinoceroses and tigers at the next meeting of the Conference of the Parties.

The Secretariat suggested that the IUCN/SSC African Rhino Specialist Group be invited to prepare a paper and a draft resolution for discussion at the next meeting of the Conference of the Parties, and this was agreed. The observer from South Africa, who was also the Chairman of the IUCN/SSC African Rhino Specialist Group, undertook to ensure that this issue was discussed at the next meeting of the Group.

#### 15. Any Other Business (continuation)

##### Date of Next Meeting

It was agreed that the next meeting of the Standing Committee should take place at the Fort Lauderdale Conference Center, starting at 09h00 on Saturday 5 November 1994.

##### Working Language

The representative of Panama reminded the Committee that there were three working languages of the Convention and of meetings of the Conference of the Parties. He said there should be no exception for the Standing Committee and that the exclusion of the input of those who speak only French and Spanish showed a disregard for the spirit of the

Convention. He recommended that the Standing Committee should ask the Conference of the Parties to discuss the matter of simultaneous interpretation for the meetings of the Committee and to make the necessary budgetary provisions.

This request was fully supported by the representative of Africa. He said that, if no action were taken, the participation of West Africa would be marginalized.

Several participants expressed support of the suggestion of the observer from Panama, and this was agreed.

5. Preparation of the Ninth Meeting of the Conference of the Parties (continuation)

e) Preliminary discussion on the draft budget (continuation)

The Secretary General announced that he had held further discussion on the budget outside the meeting. He noted that it had been agreed in Resolution Conf. 8.1 that the budget would cover three years. He was grateful for the support of the Committee for the plan to make future budgets for two years. However, he now felt that there might be benefits in following a three-year cycle. In years when there is a meeting of the Conference of the Parties, the budget is higher. So the annual contribution, averaged over two years, for a two-year budget including a meeting year, would be higher than the annual contribution, averaged over three years, of a three-year budget, which included two years with no meeting.

In addition, the Secretary General stated that one way to reduce the budget in meeting years would be to seek the help of the UNEP conference services division.

He also pointed that the management study of UNEP had cost more than USD 500,000 and warned that such a study of CITES would also be expensive. He asked that it should only be approved if the resources were available.

Finally he stated that travel companies had demanded a deposit of USD 10,000 in order to obtain discounts for flights to the next meeting of the Conference of the Parties. He warned that it was possible to lose the discounts as the Secretariat could not for the time being pay the deposit.

16. Closing Remarks

The Chairman thanked the Secretariat for all the preparations it had made for the meeting, and asked the Secretary General to convey these thanks to the support staff. He also thanked the delegates for their co-operation in getting through the long agenda. And finally he thanked the Vice Chairman for his help in conducting the meeting.

The Secretary General thanked the Chairman.

The Chairman closed the meeting at 15h45.

13.4.95