

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

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Thirty-fifth Meeting of the Standing Committee  
Geneva (Switzerland), 21 to 24 March 1995

SUMMARY REPORT

Members:

Asia:	N. Akao (Japan), Chairman H. Yoshii N. Okuda H. Ishihara S. Takagi H. Tsubata M. Aihara H. Yokoyama M. Komoda M. Nagatsu M. Pong Leng-Ee (Thailand) P. Thanadka
Europe:	R. Sharp (United Kingdom), Vice-Chairman R. Hepworth E. Blencowe F. McLeod N. McGough S. Tveritinov (Russian Federation) V. Matsarski
Central and South America and the Caribbean:	N. Gyan (Trinidad and Tobago), Alternate Vice-Chairman V. Lichtschein (Argentina) D. Malpede
Africa:	M. A. Kane (Senegal) A. Lindeque (Namibia)
North America:	R. A. Medellín L. (Mexico) C. González Pacheco
Oceania:	M. G. R. Kula (Papua New Guinea)
Depositary Government:	P. Dollinger (Switzerland)
Next Host Country:	R. Martin (Zimbabwe)
Previous Host Country:	M. Jones (United States of America) S. Liebermann

S. Wagner  
N. Daves  
J. M. Morris  
H. Cohen

Observers:

Austria:	G. Erdpresser
Brazil:	S. Peixoto Dunley
Canada:	D. Brackett
	F. Ruddock
Chile:	F. Labra Hidalgo
Colombia:	A. Villa Lopera
Czech Republic:	J. Kucera
	M. Zelena
France:	A. Bonneau
	G. Humbert
	J. Rigoulet
	G. Fauveau
Greece:	I. Kynnas
India:	S. C. Dey
Israel:	B. Clark
Italy:	U. Mereu
	M. Lepri
	B. Martucelli
Malaysia:	C. Tuck Yuan
	S. L. Guan
	A. F. Zain
Netherlands:	M. Schurmann
New Zealand:	M. Hosking
Nigeria:	Y. K. Marcus
Panama:	D. M. Botello
	F. J. Palacio
Republic of Korea:	S. Y. Choi
	S. Y. Lee
	J. T. Kim
South Africa:	H. J. Grové
Spain:	P. Valiente
	J. Rubio
United Republic of Tanzania:	M. A. Ndolanga
Plants Committee:	J. A. Armstrong
European Commission:	W. Wijnstekers
United Nations Environment Programme:	R. Olembo F. Guerrero
Secretariat:	I. Topkov J. Berney M. Astrálaga A. Beyene J. Kundaeli J. P. Le Duc O. Menghi

Rapporteurs:

J. Barzdo  
G. Van Vliet

First Session: 21 March 1995: 09h45 - 12h45

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

The Chairman opened the session at 09h45, welcoming all the participants. The Secretary General echoed the welcome, noting that all members of the Committee were represented except the Sudan whose alternate, the United Republic of Tanzania, was represented. The Secretary General also noted that the cost of the meeting amounted to USD 50,000, although only CHF 40,000 had been allowed in the budget.

2. Adoption of the Agenda

The provisional agenda contained in document Doc. SC.35.1/Rev.1 was approved.

With respect to agenda item 15 (Any other business), the Secretary General asked for discussions on the registration of captive-breeding operations, the implementation of the Convention in Italy and arrangements for the tenth meeting of the Conference of the Parties. The representative of the Previous Host Country requested a discussion on trade in whale meat. The observer from Israel requested a discussion to clarify regional representation on the Standing Committee and the Secretary General suggested that this point be dealt with under agenda item 3 (Revision of the Rules of Procedure).

Following a short discussion of agenda item 12 (Information on the status of the budget and on staffing issues including the position of the Deputy Secretary General), the Chairman agreed to distribute copies of his correspondence with the Executive Director of UNEP. The representative of UNEP said he thought that this correspondence was confidential; he asked for a copy of the UN rules on retirement to be distributed.

Having received several requests from non-governmental organizations to make presentations to members of the Committee, the Chairman stated that he had decided to continue the practice, initiated by his predecessor, of allowing a group of representatives of NGOs to make presentations to members of the Standing Committee outside of the meeting of the Committee. A meeting with the NGOs had been arranged for the evening of 22 March and attendance would be voluntary.

3. Revision of Rules of Procedure

The Secretariat introduced document Doc. SC.35.2, noting that the Secretariat had recommended a number of changes to the Rules of Procedure to remove inconsistencies in the terminology used and to take account of the changes in regional representation. The representative of Europe (United Kingdom) congratulated the Secretariat on the clarity of the presentation and supported the proposed changes. He proposed three further changes to the rules presented in Annex 2 of the document: in Rule 17, after "regional members" insert or alternate regional members; in Rule 1, replace "(Representatives)" by a Representative and an Alternate Representative; in Rule 2, the first two sentences (which were deleted) should be retained but the word "Delegate" in both sentences should be replaced by Representative.

The observer from the European Commission questioned whether Rules 2 to 6 were necessary, as they were to a large extent covered by Annex 1 of Resolution Conf. 9.1.

The observer from Canada suggested that, in Annex 2, Rule 11 be amended to read, "Meetings of the Committee shall be called at the request of the Chairman or of six regional members representing at least three regions." He also suggested that the first sentence of Rule 14 be amended to read, "A quorum for a meeting shall consist of Representatives of seven regional members or alternate regional members representing at least four regions"; eight, he added, might be considered better than seven. This suggestion was supported by the representative of South and Central America and the Caribbean (Trinidad and Tobago).

The suggested change to Rule 11 was opposed by the representative of South and Central America and the Caribbean (Argentina) because it discriminated against regions with the fewest representatives. In view of this, the observer from Canada withdrew his suggestion.

Some suggestions were made for purposes of improving the presentation but these were withdrawn when the Chairman asked for the discussion to focus on the matters of substance. The Secretariat added that, as usual, problems in the translation should be brought to its attention and could be solved without the need for consideration by the Standing Committee.

The observer from Israel complained that the members of the permanent committees representing Asia were concentrated at one end of the region. To consider the question of representation of the regions and other questions relating to the rules of the Standing Committee, the representative of Europe (United Kingdom) proposed the establishment of a working group, chaired by the representative of South and Central America and the Caribbean (Trinidad and Tobago) and with the representative of Europe (Russian Federation) and the Secretariat as members. The latter representative supported this proposal.

The amendments to Rules 1, 2 and 17 in Annex 2 of document Doc. SC.35.2 proposed by the representative of Europe (United Kingdom) were agreed. The amendment to Rule 14 to refer to seven regional members, suggested by the observer from Canada, was agreed. The Secretariat pointed out that, in Rule 16, or alternate regional members should be inserted after "regional members" and this too was agreed. The Rules of Procedure in Annex 2 of document Doc. SC.35.2 were then adopted as amended.

It was also agreed to form a working group to draft revised Rules of Procedure, chaired by the representative of South and Central America and the Caribbean (Trinidad and Tobago), and she was asked to meet with interested parties to formulate terms of reference for the group and to report to a later session.

4. Tasks for the CITES Standing Committee given by CoP9 and tentative timetable for the next Standing Committee meetings and for the discussions on modalities of representation of the regions in the Standing Committee

The Secretary General introduced document Doc. SC.35.3/Rev.1, which had been prepared by the Secretariat at the request of the Chairman. He noted that there was one amendment to be made to the document, concerning illegal trade in whale meat, as follows:

On Page 2, after "6. Tiger", the following text should be added:

"7. Illegal trade in whale meat

Resolution Conf. 9.12 involves the Standing Committee in the process of exploring the issue of illegal trade in whale meat. It encourages "the International Whaling Commission to keep CITES Parties fully informed through the CITES Secretariat and the

Standing Committee ... on all related developments regarding the illegal trade in whale products".

Accordingly, the following five points should be renumbered 8 to 12, instead of 7 to 11.

With respect to the timing of meetings of the Standing Committee, the Secretary General suggested that there be one meeting in May or June 1996, one just before the tenth meeting of the Conference of the Parties and one in late 1997. However, the representative of Europe (United Kingdom) felt that there was a need for two meetings at intervals of about nine months to deal with the tasks given to the Committee by the Conference. This was supported by the representative of the Next Host Country, who drew attention to the timetable for the review of the effectiveness of the Convention and to the decision to be made on this issue by the Standing Committee by 31 December 1995.

The Secretary General stated that spending for the Standing Committee meeting for 1995 was already 60 per cent over budget, this being the first time that the Secretariat had paid for the representation of every region and for simultaneous interpretation in the three working languages which normally should be paid only for meetings after 1 January 1996. He noted that, if there were two meetings in advance of the tenth meeting of the Conference, there would be no financial provision for a further Committee meeting in 1997.

Document Doc. SC.35.1/Rev.1, and the amendment regarding whale meat were noted. It was also noted that the question of representation of the regions in the Standing Committee was to be discussed by the working group on the Rules of Procedure.

5. Review "How to improve the effectiveness of the Convention"

The representative of Asia (Japan), as the chairman of the selection committee, reported that they had met and made a short list of candidates to conduct the review; in document Doc. SC.35/Inf.3/Rev.3 these were numbers 2, 4, 6, 7, 8, 9, 12 and 23. The selection committee had recommended that full proposals be presented by 3 April. These would be reviewed by the members, who would choose their top three candidates before 28 April. The chairman of the selection committee would then pick out the top three overall, in order of priority. It was hoped that the consultant could be selected from among these three by early May and that no meeting would be necessary to do this. The selection committee asked the Standing Committee to consider in particular the problem of financing the review.

The Secretary General drew attention to the departure from the timing for the review established by the Conference but thought it was more important to follow the spirit of the Conference decision than to follow it to the letter. He emphasized the need to allow the consultants enough time to conduct a thorough review and that this would mean that the preliminary analysis would not be completed before the end of November 1995.

The observer from Panama and the representative of the Previous Host Country thanked the selection committee for its work and asked what criteria had been used for selecting consultants for the short list. The observer from New Zealand said that each member of the selection committee had used his or her own criteria and that when they met the previous day they had found a large degree of agreement. They had nonetheless agreed that they needed common criteria for the rest of the procedure and the observer from New Zealand had drafted criteria for discussion.

The representative of UNEP stressed the need to take into account UN procedures, to ensure that there were no delays in issuing a contract. The Secretary General responded that the UN rules had of course been and would continue to be followed.

Some concern was expressed, led by the representative of the Next Host Country, about the deadline for the submission of final proposals by the short-listed candidates. The Secretary General recalled that one candidate had already submitted a final proposal and that others had stated that two weeks were required to prepare such a proposal; 3 April therefore did not seem too soon. This date was agreed as the deadline for submission of full proposals.

The representative of the Previous Host Country asked that copies of the final proposals be sent to any member of the Standing Committee requesting copies.

In a discussion of the language to be used for the final submissions from the consultants, the representative of Europe (United Kingdom) was concerned that, if proposals were received in languages other than English, translating them would slow down the process of considering them. The representative of the Previous Host Country, however, felt that the burden should be on the proponents to provide submissions in all three working languages, or at least to provide the submissions in one of the working languages and summaries in the other two. The representative of South and Central America and the Caribbean (Argentina) and the observers from France and Panama concurred, stressing that submission in more than one working language would indicate capability with each language. The representative of South and Central America and the Caribbean (Argentina) added that there was a need to be precise about what was needed in the full proposals and to specify what each candidate should send that they had not already sent.

At 12h45, the Chairman adjourned the session and the debate on this subject.

#### Second session: 21 March 1995: 14h40-18h00

The Chairman opened the session at 14h40, and the Secretariat made some announcements.

#### 5. Review "How to improve the effectiveness of the Convention"

The Chairman briefly summarized the discussions in the morning session and recalled that a schedule had been agreed upon that would allow adequate time for the implementation of UN procedures for issuing contracts.

The observer from New Zealand read out a set of criteria for selecting a consultant, which had been prepared following discussions during lunch time.

The Chairman, noting that the Conference of the Parties at its ninth meeting had decided that the review should be paid for from external funding, asked the Secretariat to give an update on the funds available. The Secretariat indicated that the current amount available, was not exactly known because of the fluctuation in the value of the US dollar but it was composed of the following amounts.

Japan:	USD 36,000 from an earlier contribution
	USD 20,000 from the contribution to externally funded projects
Canada:	CAD 50,000
Norway:	NOK 100,000 (about USD 19,000)

This meant that only 50% of the amount required was available.

The observer from New Zealand stated that the Conference of the Parties had decided at its ninth meeting (document Com. 9.10) that the review team should include two

members designated by the Standing Committee and he added that it was not clear how much this would cost, nor whether the costs would be paid from the consultant's fee.

The representative of Europe (United Kingdom) indicated that, as Chairman of the Budget Committee during the ninth meeting of the Conference of the Parties, he had warned the Parties that although pledges had been made (including a pledge from the United Kingdom for GBP10,000) he had thought that there might be a problem, because the relevant amount had not been included in the budget.

The Chairman asked whether the Parties represented at the meeting would be able to provide additional funds. The observer from the European Commission indicated that their budget was prepared well in advance of each financial year and that there was no possibility of funding in 1995. Funding in 1996 would only be useful for the second phase. The representative of Asia (Japan) indicated that his country had already made a considerable contribution, and that they would only consider increasing it when substantial contributions had been made by other Parties. The Secretariat added that the contribution of Norway would also depend on adequate commitments from other Parties.

The Chairman asked the Standing Committee to decide whether the project should start only when 100% of the funding was available or whether it could start with only 70 or 80 per cent available.

The representative of Europe (United Kingdom), referring to an earlier meeting of the Standing Committee, mentioned that the Secretary General had indicated that the issue could be reconsidered. The representative of Europe (United Kingdom) considered it unethical to send out letters of invitation to the selected group of consultants if the money was not in the bank. The representative of Africa (Namibia) expressed his gratitude for the promises made, and suggested that the budget line for external consultancies might be used. The representative of South and Central America and the Caribbean (Trinidad and Tobago) did not want to explore the possibility of a loan from the Trust Fund, but asked the selection committee whether, if only 50% of the funding needed was available, phase one could be scaled down, or whether in that case the whole process had to be stopped. The representative of South and Central America and the Caribbean (Argentina), looking back at the history of the proposed review, indicated that during the discussions in Committee II, which she had been honoured to chair, all Parties recognized the need for the evaluation, but that many had indicated that their approval was conditional on obtaining external funding. The observer from France remembered very well the lively debate on this issue, and that it had been decided not to include funds for the review in the Trust Fund. Therefore he felt it would be inappropriate for the Standing Committee to decide the contrary. He also indicated that his country preferred to give priority to supporting enforcement projects.

The Chairman asked the Secretary General whether it was technically possible to use money from the budget line for external consultancies. The Secretary General responded that, in principle, it was possible for the Standing Committee to make amendments to the budget, on the condition that the amendments did not change the total amount approved by the Conference of the Parties and that the Standing Committee indicated what amounts should be moved and from which budget line to which other, taking account of contracts already established.

The representative of the Previous Host Country supported the view that the Conference of the Parties had decided that the review should be funded externally. The observer from India supported the view that the Standing Committee should not go against the decisions of the Conference of the Parties. The representative of Europe (United Kingdom) expressed the wish to have more specific details of the decision by the Conference of the Parties that the review should be financed from external sources. The observer from

Canada remarked that it was not logical to make financial provisions in the budget for 1996 or 1997 for the first phase of the review, since the work should have been completed in 1995, and he indicated that Canada had no record of a specific decision although the general tendency of the discussions and opinions had been in favour of external funding. The observer from Brazil supported the view expressed by others that the review should be externally funded.

The Secretariat, summarizing the discussions at the ninth meeting of the Conference of the Parties, explained that: the budget for 1995 had been examined and modified without any changes being made to the total, and without the review being included; during the discussions of the budget for 1996 and 1997, no reference was made to inclusion of costs for the review although the final decision had been postponed until the end of the meeting to leave open the possibility for amendments as a consequence of decisions taken by the Conference of the Parties; when the final decision on the budget for 1996 and 1997 was taken, no mention was made of the inclusion of funding for the review. Consequently, it seemed clear that the Conference of the Parties had decided not to finance the review from the Trust Fund.

The representative of Europe (United Kingdom) said that, in his opinion, there was no explicit decision by the Conference not to use funds from the Trust Fund budget. The observer from Spain, supported by that of France, recalled that, in Committee II, there had been agreement that the review should be paid for from external funding because many budget lines had been severely cut. The representative of Europe (United Kingdom) stated that his remarks should not be interpreted as accusing any Party of trying to obstruct the review process. As ex-Chairman of the Budget Committee he had to agree that no budgetary decision had been made. He added that it was unfortunate that no exact text of a decision of the Conference was available. But he would go along with the Standing Committee's majority decision. The Secretariat indicated that the lack of an exact decision was probably due to a point of order accepted during the discussions in Committee II to close the debate and to vote immediately on the proposal.

The Chairman suggested that the Standing Committee proceed on the understanding that the review had to be financed from external funds. Receiving no comments to the contrary the Chairman reiterated his earlier question about whether the review could continue without all the funds available. The representative of UNEP responded that a contract could only be issued if all the funding needed was actually in the bank.

The representative of South and Central America and the Caribbean (Trinidad and Tobago) reiterated her earlier question whether the project could be scaled down, or even divided into regions. The observer from Canada felt that a regional subdivision would not be appropriate. The representative of Europe (United Kingdom) suggested that the discussion on scaling down the project should be referred to the selection committee, but he felt that if it were scaled down a number of important issues might have to be eliminated, and that would not be to the benefit of the exercise. The observer from New Zealand suggested taking a closer look at the possibility of reducing the working programme.

The Chairman decided to defer the issue until a later session, asking the participants present to consider the possibilities for funding and, if appropriate, to contact their countries for further instructions.

## 6. Timber Working Group

The Chairman of the Plants Committee introduced document Doc. SC.35.5, explaining the decisions made at the ninth meeting of the Conference of the Parties, and asked the Standing Committee to decide on the size of the Timber Working Group, its composition

and terms of reference, and the funding required. Regarding the composition, the Chairman of the Plants Committee referred to a proposal included in document Doc. SC.35.5.

The representative of Europe (United Kingdom) in principle agreed with the proposal, but suggested that contacts be established with the Commission on Sustainable Development, and that North America and Oceania should have a higher number of representatives in the Timber Working Group. The representative of North America noted that the number of members of the Timber Working Group as proposed might already be too high, although he would like to include one more member for the North American region with expertise on boreal timbers. The representative of the Previous Host Country suggested that the size of the Timber Working Group be reduced to 20, and that it was important to ensure that relevant experts were selected. The observer from Colombia supported the suggestion that the membership of the Timber Working Group should not be larger than 25, that the members should be experts, and that they should consult with relevant organizations and experts in their regions. The representative of Africa (Senegal) also supported the suggested size. The observer from Brazil, referring to the importance of this subject, complained that she had not received the documents in time, asking why the Secretariat had not sent these to the Brazilian Mission in Geneva. The Chairman explained the procedures for distribution of documents. The observer from Panama, referring to his country's participation in discussions about timber, stated that Brazil had been well informed, that the region had even selected Brazil to provide a member for the Plants Committee and that all information had been sent, as usual, to the Brazilian Management Authority. This statement was supported by the representative of South and Central America and the Caribbean (Argentina). The observer from the Netherlands indicated that his country would not insist on being represented in the Timber Working Group and asked for a clear description of the expertise required. The representative of Oceania complimented the Chairman of the Plants Committee on the document presented, and supported the inclusion of TRAFFIC Oceania in the Group.

The Chairman concluded that there was agreement to limit the size of the Timber Working Group and asked the Chairman of the Plants Committee to comment on the funding needed. The latter explained that the amount specified in the document was only indicative and that the budget was to be specified once the composition of the Timber Working Group had been established. He also indicated that no funding had been provided or pledged. The representative of Europe (United Kingdom) offered to host the first meeting of the Timber Working Group, thus reducing the funds required to cover the organizational costs.

The Chairman of the Plants Committee then introduced the draft terms of reference. The representatives of the Previous Host Country and of the Depositary Government, and the observer from Canada commented on the draft, stressing the need to be more specific in items 3 and 4, and indicating that item 5 was not important, and that co-operation with relevant international organizations should be included. The Chairman indicated that the use of other languages than English would only be possible if sufficient funding were available to pay for interpretation.

Following an announcement by the representative of South and Central America and the Caribbean (Trinidad and Tobago) regarding the composition of the working group on the Rules of Procedure, and some announcements by the Secretariat, the Chairman closed the session at 18h00.

Third Session: 22 March 1995 09h35-12h45

## 6. Timber Working Group

The Chairman gave the floor to the Chairman of the Plants Committee, who announced that no funding was available for the Timber Working Group.

The representative of the Previous Host Country said that he could not make any specific commitments. Although his country had regularly provided assistance for externally funded projects, this was not possible at the moment owing to the cost of financing the last meeting of the Conference of the Parties. However, his country would seriously investigate the possibility of providing assistance, either in kind or in funds. He suggested that the proposed budget for the Timber Working Group should be scaled down considerably. The Chairman noted that the costs for travel were very high, and suggested that the Timber Working Group might meet in conjunction with other related meetings, such as those of ITTO. The representative of the Previous Host Country agreed with this suggestion, and noted that it might not be necessary to seek assistance for the cost of travel in view of the importance of the discussion on timber. The representative of Asia (Japan) and the observer from Canada both stated that they would investigate the possibility of contributing funds, noting that it was important for the Timber Working Group to start its work. The observer from Panama asked whether the meetings of the Timber Working Group would be open to participation by NGOs. The Chairman of the Plants Committee, referring to his proposal in document Doc. SC.35.5, indicated that some NGOs were proposed as members, but that the meetings of the Timber Working Group would be closed to observers. The Secretariat, referring to the importance of restricting the number of members of the Timber Working Group, suggested that it should work in the same way as did the joint committee on the new criteria, and that the results should be distributed as widely as possible, with a request for comments to be considered at the next meeting of the Timber Working Group. Although this sort of procedure had initially been criticized, after the ninth meeting of the Conference of the Parties everybody agreed that it had been successful.

It was then agreed that a small group of interested people, taking account of the suggestions and remarks made, would further discuss the issue and prepare an amended draft for consideration by the Standing Committee later in the meeting.

## 7. Recommendations of the Animals Committee in relation to species subject to significant trade

### a) Primary recommendations - follow-up of the relevant decisions of Standing Committee 32

The Secretariat introduced document Doc. SC.35.6.1, indicating that the reference in it to Argentina should be deleted, since the Secretariat was satisfied with the measures taken, and that the recommendation regarding Egypt was now defunct, since the species had been included in Appendix I. The report provided an update of the information presented to the thirty-second meeting of the Standing Committee, allowing for further actions to be taken regarding the primary recommendations if the Standing Committee so wished. The Secretariat had not made any additional recommendations, preferring to work co-operatively with the Parties rather than to recommend the imposition of suspensions of trade.

The representative of the Previous Host Country praised the Secretariat for its work, indicating that her country had now fully implemented Notification to the Parties No. 800 and would soon implement No. 833. The observer from Colombia referred to the mission to his country by the Secretariat and the Chairman of the Animals Committee, in March 1994, and the report presented by the latter to the thirty-second meeting of the Standing

Committee. He indicated that his country had now met all the obligations, but that additional measures would be taken if necessary, and that the Secretariat was planning another mission to Colombia. To a question from the representative of the Previous Host Country the Secretariat responded that it would report to the Standing Committee on the results of this mission.

Document Doc. SC.35.6.1 was noted by the Standing Committee.

b) Secondary recommendations subject to a deadline of 31 January 1995

The Secretariat introduced document Doc. SC.35.6.2, and its annex, containing a complete list of the Animals Committee's secondary recommendations and the actions taken in the 15 months since the recommendations had been distributed. Updating the information in the document, the Secretariat noted that the response received from Ghana was under discussion, since the quotas proposed were at roughly the same level as the quantities currently traded, which had given cause for concern. Regarding Indonesia, the Secretariat indicated that *Varanus salvator*, *Python curtus* and *P. reticulatus* had not been mentioned in the introduction because discussions were still going on, but no satisfactory response had yet been received. It might be appropriate to recommend to Indonesia the establishment of a cautious quota. In Malaysia, field studies were under way, an adequate response had been received and the country was therefore deleted from the Secretariat's recommendations.

The representative of the Previous Host Country expressed concern about the delay in response since the last meeting of the Conference of Parties, and indicated that cautious quotas still needed to be based on relevant data. The Secretariat stated that, as rule of thumb, when the Standing Committee recommended the establishment of cautious quotas, the Secretariat would propose a level of 50 % of the average trade over a number of past years. However, in deciding on what was cautious it would take account of the information available on the status of the species.

The observer from the Netherlands indicated that Turkey still did not have an adequate competent authority to deal with animals. He was only aware of a competent authority for plants. He wondered whether Turkey had the necessary legislation to implement quotas. He also mentioned that Turkey had adopted legislation regarding its accession to CITES. The Secretariat responded that a competent authority covering all CITES species did exist and that this information had been communicated to the Parties. The observer from the European Commission commented that the European Union had implemented all recommendations in Notification No. 833, except three for which the mechanisms to impose an import ban were not available.

Document Doc. SC.35.6.2. was adopted as amended, including a recommendation to set cautious quotas for the three species in Indonesia.

8. Follow-up of Resolution Conf. 9.13. Tiger trade issues in range and consumer States

The Secretariat indicated that Resolution Conf. 9.13 directed the Standing Committee to continue its review of tiger trade issues in range and consumer States. No document had been provided and the Standing Committee should indicate how it intended to proceed. No new information had become available since the last meeting of the Conference of the Parties, although the Secretariat was aware of a bilateral agreement between India and China.

The representative of Europe (United Kingdom) indicated that this item had been included in the agenda at their request, and suggested that Resolution Conf. 9.13 be used as a basis for the discussion. The observer from India explained that tiger conservation had the

highest priority in India and that his country had chaired the meetings of range States, set up to establish the Global Tiger Forum. At the meeting of range States, 11 out of the possible 13 or 14 range States had been present, and the agreement establishing the Forum would enter into force after five countries had signed it. However, although serious efforts were made through diplomatic channels to have countries sign the agreement, only India had signed it. Myanmar had indicated that the necessary formalities for signing were in progress. Regrettably Indonesia had indicated that it could not sign. China had indicated that it might also have similar problems and therefore bilateral discussions had been initiated, resulting in a protocol on tiger conservation that had been signed at the beginning of March. The text of the Global Tiger Forum agreement contained seven important elements. The contracting Parties would: (1) take appropriate measures to prevent trade; (2) ensure effective area protection; (3) carry out research on tiger conservation issues; (4) initiate training programmes on the management of tiger populations and tiger ecology; (5) exchange information; (6) initiate public awareness programmes; and (7) initiate captive-breeding programmes to establish viable populations and possible reintroduction. Financial support for the Global Tiger Forum had been received from the United Kingdom (GBP 50,000) and Norway (USD 50,000).

The observer from the Republic of Korea explained that national legislation regarding the control of trade in tigers and tiger derivatives had been introduced, and had entered into force at the beginning of 1995. All sale, possession and trade was prohibited and violations were punishable with a maximum gaol sentence of four years or a fine of up to USD 40,000. An inventory of tiger bone would be made, for which purpose a tiger-bone task force would be created. Pamphlets would be prepared to increase public awareness. One hundred and ninety people had participated in a recent CITES seminar. The Republic of Korea would take all measures possible but would like to have more information about illegal trade in tiger bone. The representative of Europe (Russian Federation) explained that the tiger was now included in the Russian Red Data Book. Research was being carried out, monitoring individual specimens using radio collars. With the help of WWF and the Tiger Trust, an anti-poaching brigade had been established, and was operating successfully. The representative of Asia (Japan) mentioned that the conservation of the tiger would be on the agenda of the forthcoming Asian Regional Meeting, where information about the status of this species in each of the range States and measures to control trade would be extensively discussed. The representative of the Previous Host Country reported a number of actions taken: (1) USD 400,000 had been requested under the Rhino and Tiger Conservation Act for conservation programmes in range States; (2) CITES implementation seminars were programmed for five countries, in co-operation with the Secretariat; (3) enforcement officers from India and China would receive additional training in the United States of America; (4) research was being carried out to improve technical methodology for the identification of tiger bone and rhinoceros horn; and (5) a programme of education regarding traditional medicine had been initiated, giving special attention to the large amounts of toxic elements found in illegally imported medicine (this information would be published in the Journal of the Medical Association). The United States of America will gladly share information on illegal trade with anyone interested.

In relation to the attention which was being given to the tiger's plight, the representative of Europe (United Kingdom) reported that his country had recently launched *Operation Charm*, during which co-ordinated raids by the police in London, Birmingham and Manchester on 12 pharmacies had seized hundreds of products allegedly containing derivatives of endangered species. These would be tested to determine whether they included specimens of CITES species. He stressed the importance of paragraph d) under URGES in Resolution Conf. 9.13, because it was difficult to prove that specimens from tigers were really present in these products. His country was considering research into DNA analysis techniques for identification purposes. He believed that education also played a vital role in controlling the trade. In this connection he introduced the *Operation Charm* display, which he had brought to the meeting, together with UK publicity on

endangered species. A bilingual leaflet was soon to be distributed to oriental communities in the UK, and there would be a further publicity campaign later in the year.

The representative of Europe (United Kingdom) suggested that the following decisions be taken by the Standing Committee: (1) the Standing Committee should review, at its next meeting, the progress made in tiger conservation on the basis of a document prepared by the Secretariat in co-operation with organizations such as TRAFFIC, using reports prepared by all range States; (2) the Secretariat should prepare the list referred to in recommendation b) of Resolution Conf. 9.13; and (3) the Secretariat should arrange for an Asian regional meeting on tiger conservation.

The observer from the Republic of Korea, supporting this proposal, suggested that also the consumer States should report on actions taken. The representative of Europe (United Kingdom), referring to a recent visit to China, mentioned that the tiger figured prominently in a GEF-funded Biodiversity Action Plan, and that other range States should also try to obtain funding from GEF. China was also developing a programme of research on alternative medicines, using other wildlife products. Synthetic products had been developed but had not yet been tested. The observer from New Zealand was pleased to note that the Standing Committee continued to pay attention to this important issue. He complimented the Republic of Korea on the efforts made, and India and China on the bilateral agreement on tiger protection, but expressed disappointment over the lack of signatures for the Global Tiger Forum agreement. He supported the proposal by the representative of Europe (United Kingdom). The representative of Asia (Thailand) informed the meeting that a special workshop on mapping the tiger population would be held, and he regretted diplomatic delays in signing the Global Tiger Forum agreement.

The observer from India drew the attention of the meeting to some rumours he had heard about a commercial captive-breeding operation for tigers and asked the Secretariat to investigate this. He also indicated that many countries had captive-bred animals and he wondered if any reintroduction programmes had been initiated.

The Secretariat responded that some commercial captive-breeding took place in China, and that they had heard that somebody in Thailand might wish to start a breeding operation. Many countries had captive-bred tigers, and it was sometimes difficult to dispose of them. At the last meeting of the Conference of the Parties a resolution had been adopted detailing the procedures for reintroduction. However, that might be very difficult for tigers, taking account of the size of the habitat required, the risk of poaching and the risk of genetic pollution because of the unknown origin of the captive-bred stock. The representative of Asia (Thailand) agreed that reintroduction was practically impossible. His country would never permit the catching of animals for captive breeding and he said that the animals in captivity in Thailand were all confiscated specimens.

The recommendation by the representative of Europe (United Kingdom) was adopted with the amendment that not only range States, but also consumer States should provide reports and that the meeting of range States should be organized in co-operation with Japan.

## 9. African elephant and related issues

The Secretariat briefly introduced document Doc. SC.35.7 but, noting that the final version of it had not yet been distributed, suggested that its discussion be deferred. The representative of Europe (United Kingdom) requested a general discussion on the progress made on African elephant conservation, since the United Kingdom had a keen interest in the subject but he unfortunately had to leave the meeting.

The observer from Africa (Namibia) noted that, after the eighth meeting of the Conference of the Parties, solidarity and co-operation had developed among the range States. Organizations outside the range had organized a meeting at which good progress had been made. Very important also was the fact that, at the ninth meeting of the Conference of the Parties, the range States had met almost daily to discuss the issue. However, the current discussion on stockpiles indicated that there were still many issues to resolve. For the conservation and management of the African elephant, a number of different approaches existed. He believed that it was important for these to be developed and adopted for certain range States, without risks for the populations in others.

The representative of Africa (Senegal), referring to a meeting that took place in Bangui before the ninth meeting of the Conference of the Parties, indicated that it was important to start immediately a process of study and consultation to prepare for the tenth meeting of the Conference of the Parties a concrete proposal. The alternate representative of Africa (the United Republic of Tanzania), speaking in support of the representative of Africa (Namibia), indicated that it was important to keep the dialogue going. He said that, although it might be difficult to reach a consensus now, the continuing dialogue might lead to tangible results in the future. The representative of Europe (United Kingdom) also noted that a continuing dialogue would provide the basis for a proposal, but he also remarked that perhaps too much attention was given to the need for consensus. He thanked the Secretariat and TRAFFIC for their reports, noting that some countries had well managed stockpiles but that the absence of these in others might suggest illegal trade. Finally he suggested that, when meetings took place in the African region, some of TRAFFIC's suggestions be included in the agenda. The representative of the Previous Host Country reiterated its offer of support, mentioning that special funding was currently available and that his country was interested in receiving requests for funding of meetings to facilitate the dialogue. It already had provided funding, with WWF, for a study of stockpiles.

The representative of Africa (Namibia) felt that, ideally, a range State should act as co-ordinator for discussions of the African elephant issue, noting that time and capacity might not always be available. He also indicated that, to avoid the impression that initiatives were always coming from the southern African States, he preferred to have a co-ordinator from outside the region and he suggested IUCN. The representative of UNEP, referring to the presence of the Elephant and Rhinoceros Conservation Facility in Nairobi, indicated that they were willing to consider inviting representatives of the range States and the Standing Committee to meet in Nairobi, and paying for their travel. The representative of Africa (Senegal) expressed his gratitude for this offer of assistance, and gladly accepted. He also indicated that this one meeting should be part of a continuing process that should be concluded by a large meeting just before the tenth meeting of the Conference of the Parties. The representative of UNEP said that the smaller meeting could be held soon if organized by UNEP through the CITES Secretariat. He also stressed that the UN would thoroughly investigate the smuggling of ivory by peace-keeping forces. The representative of Europe (United Kingdom) indicated that it would be helpful to have a point of contact for the exchange of information, and recommended that all information should be sent to the representative of Africa (Senegal) and copied to the Secretariat. The former agreed to distribute information to the other range States.

The representative of the Next Host Country, returning to the issue of stockpiles, complimented the Secretariat and TRAFFIC, indicating that at the moment no options or scenarios existed to allow trade in stockpiled ivory. The amount of ivory in stock clearly depended on the number of animals in a country. The representative of the Next Host Country also noted that, for the time being, the amount of money available for conservation had decreased and that they were facing an increasing amount of illegal hunting by citizens of countries that are strongly against any liberalization of trade in elephant products.

The observer from Africa (Namibia) said that his country had not responded to the Secretariat's questionnaire on stockpiles, although the information was available, because they felt that the solution was not related to the quantities available, and because they had doubts about the accuracy of the figures provided by some other countries.

The Secretariat, referring to the information provided in document Doc. SC.35.7, indicated that it had not made any recommendations, the Standing Committee being responsible for the initiatives to be taken.

The Chairman said that the discussion would be continued the next day. He noted that the African range States were prepared to continue the dialogue in a series of meetings, welcomed the financial support pledged, and added that it was important to avoid an impasse that would be created by an obligation to reach a consensus.

The representative of Europe (United Kingdom), Mr Sharp, sincerely apologized that, although his country was Vice-Chairman of the Standing Committee, he had to leave to attend another meeting. He announced that the Minister of the Environment of the United Kingdom had decided to support a proposal to second a Customs officer to the CITES Secretariat for a period of three years to further improve the enforcement of the Convention. He regretted that he would not be present at future meetings of the Standing Committee since he would soon retire. He thanked the Secretariat for the good co-operation and wished the Standing Committee success with the many issues it had to deal with.

The Secretary General thanked the Vice-Chairman for his kind words, and expressed the Secretariat's gratitude for the political will to find the funds for this secondment.

The Chairman closed the session at 12h45.

#### Fourth Session: 22 March 1995: 14h45 - 17h30

After the session was opened by the Chairman, the Secretary General announced that the Secretariat had obtained USD 100,000 from GEF\* for a project on corals in the Philippines.

#### 10. Enforcement issues

The Secretariat introduced document Doc. SC.35.12 [(Rev.1) in the English version]. They noted that some Parties had expressed concern about the costs of increasing the activities of the Secretariat and pointed out that some activities were not very expensive to carry out and that some would have to be delayed until sufficient external funds were available.

Supporting the Secretariat's proposal, the observer from France added that his country was prepared to host two training seminars in 1995, one on plants and one on animals, although interpretation was a problem. The representative of North America stated that Mexico was also planning a training programme for officers at the border posts. The observer from India reported that in his country a seminar on CITES implementation had recently been held with the help of the United States Government and the Secretariat and

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\* In fact, these funds were provided by UNEP from the Swedish Trust Fund, given to UNEP for supporting the implementation of activities related to Agenda 21. (Note from the Secretariat.)

all enforcement agencies concerned had been invited to attend, including the state enforcement agencies. The observer from Colombia congratulated the Secretariat on an excellent document and supported the proposals. He hoped that the Secretariat would hold a training seminar during its next mission to Colombia.

The representative of Asia (Japan) stated that Japan had always supported and would continue to support the Secretariat's activities in the field of enforcement. The representative of the Previous Host Country stated that the United States would also continue to support enforcement activities and would like to make more opportunities available for training at their training centre. He added that it was vital to fill the vacant post of Enforcement Officer in the Secretariat as a priority.

The representative of Europe (United Kingdom) echoed the support of previous speakers, noting that duplication of work by other organizations, such as TRAFFIC, should be avoided, and noting also plans to train 30 Vietnamese officials and to hold a workshop in the Caribbean. The Secretariat said that the planned studies related to fraud in specific areas and would not duplicate the work of TRAFFIC.

While endorsing the congratulations to the Secretariat, the representative of Africa (Namibia) said that his country was opposed to the Lusaka Agreement and questioned the Secretariat's role in the implementation of this agreement. He noted that the Secretariat wished to promote the agreement to combat fraud but believed that there was no method to measure or test its utility. The Secretariat replied that the role of the Secretariat was only to provide help if asked to do so by the Secretariat of the Lusaka Agreement, which did not yet exist. However, the representative of the Next Host Country felt that this statement was inconsistent with what was said in the Secretariat's document and stressed that work related to the Lusaka Agreement should not be a priority for the Secretariat. The representative of UNEP noted that UNEP had no interest in the agreement except to respond to the requests of governments. It helped in the process of bringing the agreement to a conclusion, and this was now open for signature by any State. The agreement might provide another means to support conservation efforts.

The proposed secondment of a Customs officer to the Secretariat from the United Kingdom was welcomed by several participants. The Secretary General also asked that developed State Parties consider ways of supporting the secondment of officers from developing countries. The Chairman drew attention to the improbability of obtaining such support from States that were already under-represented in the UN. The representative of UNEP added that UNEP had asked potential donors to support the secondment of Junior Professional Officers from developing countries.

Document SC. 35.12 was approved.

#### 11. National legislation for the implementation of CITES

The Secretariat referred to the decision adopted by the Conference of the Parties at its ninth meeting containing the procedure for implementing Resolution Conf. 8.4. The Secretariat was in the process of contracting the IUCN Environmental Law Centre and TRAFFIC USA to conduct further analyses of legislation and was preparing a Notification to the Parties to remind those with inadequate legislation of the need to take action before the tenth meeting of the Conference. Comments on the analyses presented at the ninth meeting had been received from four Parties before the deadline (15 January 1995) and from one Party after it. The analyses relating to these countries were being revised.

The representatives of Europe (Russian Federation) and North America and the observers from Colombia and France reported on the development of new legislation for the Russian Federation, Mexico, Colombia and the European Union respectively.

Responding to points made by the representative of Africa (Senegal) and the observer from India, the Secretariat stressed that, although it was of course not absolutely necessary for a State Party to have separate legislation for the implementation of CITES, it was vital to have laws to implement all the obligations of CITES.

In reply to a question from the representative of South and Central America and the Caribbean (Trinidad and Tobago), the Secretariat stated that if a Party required help in developing legislation it need only write a letter to the Secretariat. There was still a problem of finding funds to pay someone to develop legislation but the Secretariat was discussing with one NGO ways in which it could help. Priority would of course be given to States with no legislation to implement CITES. The Secretariat also drew attention to the book published by IUCN on 'Guidelines for Legislation to Implement CITES'.

The representative of UNEP noted that the UNEP Regional Office for Latin America could provide assistance to States in the development of environmental legislation. The Secretary General added that the Secretariat was in touch with this office regarding assistance to Paraguay, whose President had asked for help.

At the suggestion of the representative of the Previous Host Country, it was agreed to place this subject on the agenda of future meetings of the Committee so that the Secretariat could report on progress.

5. Review "How to improve the effectiveness of the Convention"

The Secretary General stated that he had heard that some members of the selection committee believed that the Secretariat wished to stop the review of the effectiveness of the Convention from taking place because of fears that the CITES Secretariat would be engulfed by the Secretariat of the Biodiversity Convention. He stated that the CITES Secretariat was eager to carry out any project agreed upon by the Conference of the Parties. The Chairman stated that there was no question of the Secretariat's sincerity and he disassociated Japan from the remarks reportedly made about the Secretariat.

12. Information on the status of the budget and on staffing issues including the position of the Deputy Secretary General

The Secretariat introduced document Doc. SC. 35.9, noting that it was presented for information. The representative of UNEP pointed out that the operation of Trust Funds was under strict rules, which prevented the allocation of funds unless they were available in the bank. Therefore, although there appeared from the document to be a deficit, this could not be so in practice. (He later added that these comments did not apply if the contributions were compulsory.) He stated that at the end of March there were in fact USD 2.9 million available. He added that, although there was a deficit in budget line 5105, UNEP was trying to save money by providing joint services to offices in the same building. Finally he stressed that any deficits had to be reported to the UNEP administrative council for a decision and that UNEP had to follow UN rules regarding staffing.

The representative of Europe (United Kingdom) felt that Annex 4 of document Doc. SC.35.9 provided only a partial explanation of the financial position. He saw no reason to believe that income in 1995 would be less than in the previous year and felt that a surplus should therefore be expected. He noted that many Parties had not paid their contributions. He suggested that the phasing out of the confirmation of permits by the Secretariat be considered and also suggested that the next meeting of the Standing Committee should be held before 1996 to reconsider the budget for that year.

In response, the Secretariat agreed that the financial position was obviously much better than in the past but stressed that this did not mean there were no problems. They recalled that for years the Standing Committee had been concerned about the lack of money available at the beginning of the year, that the Secretariat staff had been in a position of having contracts for only one or a few months or no contracts at all and that this had now changed. The situation however was certainly not better than it should be to plan for a year's work. The Secretariat also noted that there was no obligation on the Committee to review the budget for one year in the preceding year. The Secretary General added that, to allow rational budgeting there should be a reserve large enough to cover the basic operations for one year, otherwise UNEP could not give contracts to the Secretariat staff. He suggested that the Committee write to the Parties not having paid, to urge them to do so. This suggestion was supported by the representative of South and Central America and the Caribbean (Trinidad and Tobago).

The Chairman noted that in some international organizations any surplus of funds would later be returned to the Parties, but not in CITES. The Secretariat pointed out that the return of money would only be possible if the contributions were paid early, but at the moment funds were available to cover only half of the money that had been committed. The Secretariat had committed itself to over 20 members of staff, most with contracts of more than a year, and funds were needed to guarantee the contracts.

The observer from New Zealand pointed out that not all Parties had the same financial year. That for New Zealand ended in June each year and the contribution to CITES was paid promptly after that. Speaking as the former Chairman of the Committee, he endorsed the comments of the Secretariat, emphasizing that CITES should not return to a situation of having to borrow from UNEP; it was necessary to learn the lessons of the past.

The observer from Canada agreed. He commented, however, that the amount of money carried over from one year to the next should be kept to a reasonable size so as not to discourage payment of contributions. He also questioned why budget line 5400 had increased to CHF 10,000. To the last point, the Secretariat responded that this was the amount approved at the ninth meeting of the Conference of the Parties.

The representative of the Previous Host Country concurred with the comments of the previous two speakers.

The observer from India asked whether it could be proposed that Parties that do not pay their contributions for three years be excluded from being represented at meetings of the Standing Committee and at other CITES meetings. The Secretary General said that he would be reluctant to make such a proposal but thought that it might be discussed another time. The representative of the Previous Host Country sympathized with the idea but stressed that contributions were voluntary and therefore could not accept the suggestion.

The representative of Europe (United Kingdom) suggested that as there had been a saving in budget line 5301 in 1994, the amount in this line could be reduced and the surplus transferred to another line. The Secretariat did not wish to make any adjustment in this budget line, however, until it was more clear about the amounts that would be needed to support the new communication technology in the Secretariat.

The Committee took note of document Doc. SC.35.9. However, it was noted that there would be further discussion the following morning about the Deputy Secretary Generalship.

The meeting was adjourned at 17h30.

12. Information on the status of the budget and on staffing issues including the position of the Deputy Secretary Generalship

The discussion of this item took place without any member of the Secretariat present except the Secretary General.

On the basis of the discussion, the Chairman invited representatives to meet outside the session and draft a resolution on this matter for consideration in a later session (see page 30).

5. Review "How to improve the effectiveness of the Convention"

The Chairman returned to this agenda item, recalling that on the first day 50 per cent of the funds required had been committed and noting that there had since been further positive developments.

The representative of the Previous Host Country and the representative of the Next Host Country reported that they had identified the USAID office in Zimbabwe as a potential source of funds. The director of the office there had agreed to consider a request for a contribution to match the contribution made by Japan, and that a decision would be made on this within the following two weeks. The representative of the Next Host Country felt that, on the basis of this news, the selection committee would be able to continue its work. The representative of Asia (Japan) stated that Japan was ready to make a further contribution.

13. Late submission of annual reports by Parties

The Secretariat introduced document Doc. SC.35.10, and updated the information available about which annual reports had been received by the Secretariat. They noted in particular that, although there had been a continued improvement in the submission of annual reports, 45 per cent of Parties had not submitted their reports for 1993 by the deadline and the reports of 35 Parties for that year had still not been received. This included nine Parties that had not submitted any annual report for 1991, 1992 or 1993. The Secretariat intended to contact these nine to offer help and also proposed to follow-up the project it had started to explore the development and provision to the Parties of standard computer software for the production of annual reports.

The last point was particularly welcomed by the representative of North America who added that the report of Mexico had been delayed by the change in administration.

The observer from India thanked the Secretariat for its work and suggested that the regional representatives in the Standing Committee contact the Parties that had not submitted their reports. He also drew attention to the fact that four members of the Standing Committee had not submitted their annual reports. He felt that they should be setting an example.

The representative of the Previous Host Country agreed with the comments of the observer from India and emphasized the importance of the submission of annual reports and the use of the data, for example in the review of significant trade. She also encouraged the Secretariat to seek other means of obtaining responses from Parties, for example by contacting their diplomatic missions.

The observer from the Netherlands noted that, according to the Secretariat's report, the request of one Party for an extension of the deadline had been rejected. He thought that the rejection of requests would not help to encourage the Parties. The Secretariat pointed out that it was constrained by the Resolution on annual reports; extensions could only be granted under certain conditions and, in the case mentioned in the report, these had not been met.

The representative of South and Central America and the Caribbean (Trinidad and Tobago) felt that the deadline of 31 October was already generous and agreed that the regional representatives should actively encourage the Parties in their regions to submit reports. She noted that many Management Authorities did not have adequate technology for producing annual reports or the necessary expertise and she stated that her country was ready to receive assistance.

The Secretariat stated that it was investigating ways of helping the Parties by providing computer hardware and software. They also stated that the Secretariat had already offered to many Parties to produce their annual reports for them if they would submit copies of the permits issued and copies of foreign permits accepted.

The Chairman noted that it was agreed that the Secretariat should contact regional representatives to seek their assistance.

He closed the session at 12h35.

#### Sixth session: 23 March 1995: 14h45 - 17h30

#### 6. Working Group on Timber

The Chairman of the Plants Committee, as chairman of the drafting group, introduced document Doc. SC.35.5 (Rev.), the result of discussions of the drafting group, indicating the parts that had been changed from the original document. He emphasized in particular the following. In section 5, it was proposed that the membership of the Timber Working Group (TWG) be reduced to 18, retaining a balance between consumer and producer States as well as the necessary technical expertise. A funding table had been developed and was included in section 3. In Annex 2 the proposed changes were marked. In Annex 3 there were some additions. The Chairman of the Plants Committee stressed the need for the TWG to focus on implementation issues and that expertise was needed on trade rather than on the science of sustainable use. Several participants thanked the drafting group for their work and thanked Panama and the United Kingdom for offering to host meetings of the TWG.

The observer from India was concerned that the proposed list of members of the TWG included Parties that had not expressed an interest in joining. He also felt that, with respect to Asia, the proposed membership was unbalanced in favour of the far east of the region, towards countries with a trade interest.

The observer from Brazil confirmed her country's interest in being a member of the TWG. However, she was opposed to the inclusion of any NGO. She was also opposed to mentioning ITTO in document Doc. SC.35.5 (Rev.) as she felt that it was unfavourable to developing countries.

The representative of Europe (United Kingdom) noted that participants from Europe were discussing ways of reducing the representation of the region in the TWG, and concentrating on seeking the inclusion of relevant expertise in the Group.

The representative of the Depositary Government asked for details of the consultancies to be made public as some Parties might be able to pay for certain work to be done.

The Chairman of the Plants Committee noted that the observer from Brazil had been in the drafting group and had expressed her concerns there but the majority had differed in opinion. With respect to the proposed consultancies, he added that discussion documents would be needed on implementation issues and on parts and derivatives, and on the subject dealt with in sections 3, 4 and 5 of Annex 2. With respect to the views expressed about the balance of Parties in the group, the Chairman of the Plants Committee stated that the aim had been to balance the representation of consumer and producer States and this had been achieved. He noted that there was almost equal representation of the regions, except Oceania, but that Europe's proposed representation was for the time being excessive.

The representative of North America and the observers from Brazil and Colombia expressed further concern about the need for participation of additional Parties from Latin America. The observer from Brazil complained further about the reference in the document to ITTO, in response to which the Chairman of the Plants Committee stated that it was of no importance to mention it and the reference could easily be deleted.

The representatives of Oceania and the Depositary Government stressed that the key issue was the expertise available in the TWG. The former representative suggested that the type of expertise required be indicated to the Parties that are members of the Group, and the latter representative noted that Switzerland had withdrawn its interest in participating, for the benefit of the procedure.

By way of clarification, the Secretariat pointed out that the TWG was not a decision-making body and that its role was to prepare a document for consideration by the Conference of the Parties. Any document resulting from the first meeting of the group would be circulated to all Parties and interested groups, and all comments received could be taken into account at the second meeting so that a document could be prepared for consideration at the tenth meeting of the Conference of the Parties.

With the understanding that the European region would reduce its representation in the TWG, the proposal contained in document Doc. SC.35.5 (Rev.) was then approved.

The Chairman asked what funds were available for the work of the group but there was no response.

9. African elephant and related issues (e.g. Panel of Experts and ivory stockpiles)

The Chairman noted that the subject of stockpiles had already been addressed and called on the representative of the Depositary Government to introduce the discussion of the Panel of Experts. The representative of the Depositary Government presented document Doc. SC.35.15, noting that, since the African elephant had been included in Appendix I, no population had been transferred to Appendix II even if the Panel of Experts concluded that all the conditions for such transfer had been met. He suggested that there was a need for a change in the procedures for reviewing proposals for transfer to Appendix II and outlined four options:

- a) maintenance of the procedure in Resolution Conf. 7.9;
- b) maintenance of the procedure in Resolution Conf. 7.9 but with revised terms of reference for the Panel;

- c) establishment of a new procedure for reviewing African elephant proposals, to replace Resolution Conf. 7.9; and
- d) repealing Resolution Conf. 7.9 so that all African elephant proposals would be subject to the new criteria for considering amendment proposals, contained in Resolution Conf. 9.24.

The representative of the Next Host Country stated that the States party to the Southern African Centre for Ivory Marketing remained lukewarm about Resolution Conf. 7.9, although he thought that the Panels of Experts had done good work.

The representative of the Previous Host Country agreed that there was a need to review Resolution Conf. 7.9. He said that it had been linked to the Berne Criteria, which had now been replaced. He therefore favoured option d) although a combination of options b) and d) might be preferable.

The Secretariat recalled that the Standing Committee could of course not itself amend Resolution Conf. 7.9. They emphasised that there were two aspects to consider: the long-term action required (e.g. revising or repealing the Resolution); and the need to amend the terms of reference of the Panel so that it could, for example, consider trade in products other than ivory. They thought that option d) have merit but noted the need to consider problems in countries of import. The Secretariat stated that the Conference of the Parties, at its ninth meeting, had given the Standing Committee a mandate to amend the terms of reference of the Panel to avoid repetition of work and the conduct of unnecessary work. In adapting the mandate, the Committee could consider countries of import. Responding to questions, the Secretariat pointed out that the Standing Committee had previously decided that, when considering the proposal from the Sudan, the Panel need not visit that country, in view of the nature of the proposal. In addition, in considering the most recent proposal from South Africa, only two members of the Panel visited that country, in order to update information from the previous report and proposal. However, the Panel had followed the terms of reference.

The representative of the Depositary Government noted that the Panel had no mandate to consider the leather trade in South Africa, although this was the only product that South Africa had proposed to trade. He added that if a proponent intended to allow exports only to one country it would be possible for the Panel to consider the controls in the country concerned. The Secretariat added that, otherwise, there would be important financial implications of reviewing the controls in the potential countries of import. They pointed out that the six regional representatives and alternates from Africa planned to meet in April and could consider this subject further at that time.

The representative of the Next Host Country suggested that a discussion document be prepared for the next meeting of the Standing Committee, considering the options further. The Secretariat offered to prepare a draft resolution but this was felt to be unnecessary for the time being. It was agreed that the Secretariat should prepare a discussion document for the next meeting of the Committee, in consultation with the representative of the Depositary Government, and taking into account the comments of the six African regional representatives and alternates at their meeting in April and the comments of the Committee.

In response to a question about consultation of range States regarding proposals, the Secretariat stated that, in its view, if a proposal referred only to the population of a species within the territory of the proponent State, there was no need for consultation with the range States of other populations of the species and the deadline for submitting the proposal was 150 days in advance of the meeting of the Conference of the Parties, but it was preferable for the Secretariat to receive proposals as early as possible. The

representative of the Next Host Country was unsure whether this interpretation by the Secretariat was in the spirit of the Resolution on consultation regarding proposals, especially as some populations of elephants were shared by two or more States.

14. Consideration of new project proposals

The Secretariat introduced document Doc. SC.35.11. The representative of the Previous Host Country and the observer from Israel expressed appreciation for the work of the Secretariat in improving the presentation of proposals, although the observer from Israel was concerned that some information was missing.

The Secretariat pointed out that although full proposals had been submitted for each project, the translations into the other two working languages had been done only for sections 1 to 6 and 9 but the Secretariat had not attached the full proposal to the translation. In future it would do so. The Secretariat also reminded the Committee that it needed only to give approval in principle and not to review the detail of each proposal as this would be done elsewhere.

**Project S-024 - Distribution, status and management of psittacines in Suriname**

The representative of the Previous Host Country supported this proposal as a high priority but felt that the time allowed was too short in view of the number of species involved and in view of the aim of producing a management plan. The representative of North America concurred, and was concerned about the proposed rental of a vehicle for 17 days to cover 15 locations. He proposed that the number of locations be reduced to five and that no management plan be produced. He suggested it would be more useful to concentrate on determining the status of the species. These comments were noted and the project was approved.

**Project S-038 - Status, distribution, systematics and conservation of Colombian crocodilians**

The observer from Colombia said that the project would seek to establish guidelines for continued monitoring of a large population and was also important from the point of view of training. The project was approved.

**Project S-080 - Status survey and development of conservation management programme for grey parrots (*Psittacus erithacus*) in Guinea and Guinea-Bissau**

The observer from Israel pointed out that the total budget should be corrected to USD 43,000. The representative of the Previous Host Country sounded a note of caution about the proposed methodology. The project was approved.

**Project S-081 - Survey of the population status and distribution of the brown bear (*Ursus arctos*) in the Russian Federation and development of a conservation management programme**

The observer from the European Commission stated that the budget was not sufficiently detailed for his organization to consider giving support. The Secretariat said that the researchers were already working for other organizations and it was not clear how many people would be involved. They added that many of the surveys initiated in the past in the Russian Federation had been abandoned because of inadequate resources. Responding to a question, the representative of Europe (Russian Federation) said that he was unsure whether the IUCN/SSC Bear Specialist Group had been consulted. The project was approved but the Secretariat was asked to provide a more detailed budget and the Russian Federation was asked to check whether IUCN had been consulted.

**Project S-082 - Conservation and management of African monitor lizards *Varanus* spp., Phase II: detailed studies of *Varanus niloticus* populations in Cameroon and Chad**

Responding to a question, the Secretariat reported that "Mission" in the budget referred to airfares and local travel costs, the wages of the consultant would be paid entirely by the National Museum of Natural History in France. The project was approved.

**Project S-083 - Investigation into the status of *Chamaeleo* spp. and *Phelsuma* spp. in Madagascar and the development of a management programme**

The representative of North America felt that there was too much reliance on meetings in the methodology. The observer from Israel added that there was an inconsistency between the period of field work and the period of vehicle rental. The Secretariat stated that the proposal had been submitted by Madagascar and that the Secretariat intended to obtain more detail from the proponent. The proposal was not approved for the time being.

**Project S-084 - Investigation into the population status of *Agapornis cana* and *Coracopsis vasa* in Madagascar and the development of a management programme for their conservation**

The representative of South and Central America and the Caribbean (Argentina) felt that the concerns about the previous proposal also applied to this one and that further discussion was needed. The Secretariat said that extra information could be obtained from Madagascar and these proposals could then be submitted for approval by the postal procedure. This proposal was therefore also not approved for the time being.

The Chairman adjourned the discussion of this agenda item and closed the session at 17h30.

Seventh Session: 24 March: 9h45-12h45

15. Any other business

Implementation of the Convention in Italy

The Secretariat introduced document Doc. SC.35.9 noting that it was impressed by what Italy had been able to do within a relatively short time: adequate legislation had been put in place over a period of three years; sufficient and well-trained staff to implement border controls had been appointed at the 13 ports of entry; the tasks of the Management Authorities were well defined, with the Ministries of Agriculture and External Trade closely co-operating on the issuance of permits and the fight against illegal trade, resulting in the recent dismantling of an international network of bird smugglers. The Secretariat was a little disappointed, however, with the Ministry of the Environment for not adequately carrying out its co-ordinating task. The Secretariat had not had the opportunity to meet with the Scientific Authority.

In conclusion, the Secretariat recommended that the Standing Committee's recommendation to suspend trade, currently temporarily lifted, be withdrawn and the Ministry of the Environment be urged to implement its tasks adequately.

The representative of South and Central America and the Caribbean (Argentina) congratulated Italy on its efforts.

The observer from Italy indicated that his country was happy about the report and that his country was grateful for the assistance provided by the Secretariat and for the delicate way in which the Secretariat had dealt with the publicity related to this issue. The observer from Italy assured the Committee that his country would continue on the road taken and had initiated and financed three projects: one on the sustainable utilization of rhinoceros products to the benefit of the local people in SADC countries (USD 3,000,000 via WWF/IUCN); one on the creation of an information database on flora (USD 1,500,000); and one on a strategy for sustainable utilization of fauna moving across borders between Zimbabwe, South Africa and Mozambique (USD 1,500,000 via WWF/IUCN).

The observer from France noted that, as President of the European Union, his country was pleased with the good opinion of the Secretariat regarding a Member State of the European Union, and he complimented the Secretariat on its constructive attitude regarding co-operation with the Parties.

The observer from Israel, congratulating Italy on its extraordinary effort, requested information regarding the percentage of shipments checked at the ports of entry. The Secretariat responded that, at the points of entry visited, 100% of the CITES shipments were checked and a large number of the shipments containing specimens of non-CITES species. It was, however, difficult to give figures on trade through ports other than the designated ports of entry, since smuggle may always occur. Shipments of CITES specimens arriving at such ports would not be permitted to enter. Training of Customs officers remained important and still continued and the Secretariat was optimistic about the prospects, since there was, now, a good co-operation between the Management Authority and the Customs service of Italy.

The observer from New Zealand, speaking as Chairman of the Standing Committee at the time it decided on the suspension of trade with Italy, said that such decisions were not taken lightly, but that Italy should be heartily congratulated on its efforts and that it should be proud of the results.

The observer of the European Commission noted that at least this ban had had a very positive result. He felt, however, that it might be useful to develop some sort of guidelines or procedures, through the Standing Committee or the Conference of the Parties, to avoid giving the impression that actions against certain Parties are based on the opinions of individual members of the Secretariat.

The Secretariat, referring to Resolution Conf. 7.5, stressed that it made every effort to ensure that Parties implemented the Convention correctly, but that there were, unfortunately, also many countries that did not consult the Secretariat in case of doubt. In that respect the Secretariat expressed disappointment regarding the very few cases inside the European Union that end up in the Court of Justice in Luxembourg. After the observer of the European Commission had reiterated his concern regarding the need for criteria, the Secretariat responded that common sense should be a guide, and that the number of infractions should determine whether advice should be sought from the Standing Committee.

The representative of the Previous Host Country congratulated Italy and the Secretariat, indicating that the Secretariat had done exemplary work by using its own judgement when presenting those cases that needed the attention of the Standing Committee. Guidelines were not needed, and the Secretariat should continue to use its own judgement. The representative of Asia (Japan) also did not see the need for the development of guidelines, adding that recommendations to suspend trade with Parties should be avoided as far as possible.

The Standing Committee withdrew its recommendation regarding suspension of trade with Italy and urged the Italian Ministry of Environment to implement the task given to it.

#### Approval of Donors

The Chairman noted that the day before, after an open debate between members and non-governmental organizations, the Environmental Investigation Agency had made the formal offer of USD 5,000 to be used for enforcement purposes, and that the Standing Committee had to decide whether this cheque could be accepted and whether to include the organization in the list of potential donors. The representative of Europe (United Kingdom) indicated that the previous day it had not seemed to be a problem to accept the cheque, since the organization had set up a separate charitable trust which had offered the donation. However, one day later the situation seemed different. The Environmental Investigation Agency had issued a very negative and personalised press statement on the same day as their meeting with members of the Standing Committee, during which they had not mentioned any of the allegations made in the press statement. There was a need for the members of the Standing Committee to read this press release before continuing the discussion. The Chairman deferred the issue to the afternoon session.

#### 14. Consideration of new project proposals

The Chairman re-opened the discussion on this agenda item, returning to the projects relating to Madagascar, already discussed in an earlier session.

##### **Project S-083 - Investigation into the status of *Chamaeleo* spp. and *Phelsuma* spp. in Madagascar and Project S-084 Investigation into the population status of *Agapornis cana* and *Coracopsis vasa* in Madagascar**

The Secretariat indicated that it would ensure that the relevant information on the methodology would be provided, recognizing that this was not included in the proposals. However, the two projects related to items already discussed by the Animals Committee and it was important that they could be started. Postponing a decision, and sending the amended project proposals for postal approval, would result in too long a delay.

The representative of North America asked for the comments of the Animals Committee with regard to these proposals. The representative of the Previous Host Country noted that it was clear that the Animals Committee was concerned about these species, suggested approval on certain conditions, and noted a need to improve co-ordination between the Standing Committee and the Animals Committee.

The observer from Israel complimented the Secretariat on its effort to include all the relevant information in the project proposals, recognizing that deficiencies were apparently the responsibility of the proponents. He expressed concern about the high costs involved, and the high cost of petrol compared to the low mileage to be covered. He also indicated that the quality of the proposal might be used as an indicator of the expected quality of the results.

The representative of North America fully agreed with the observer from Israel, mentioning the need for a more simple approach, and the need to have all the relevant

information presented. The representative of the Depository Government said that the Standing Committee was not supposed to decide on the funding, but that it would approve the seeking of funding. He suggested that the projects be approved with reservations regarding the budgets, having every confidence that the Secretariat would look into the issue.

This suggestion was supported by the representative of South and Central America and the Caribbean (Trinidad and Tobago).

The proposals were approved on the condition that the Secretariat be satisfied with the proponent's amendments to the budget and the methodology. The Secretariat was also requested to ensure uniformity in the presentation of the budget in future project proposals.

**Project S-089 - A programme for the sustainable utilization of *Caiman* in Bolivia**

The representative of the Previous Host Country expressed strong support, mentioning that the proposal was very good and detailed. The project was approved.

**Project S-097 - Distribution and population status of two species of Amphibia of Madagascar - *Mantella aurantiaca* and *Mantella crocea***

The Secretariat referred to the discussion regarding these species that took place during the ninth meeting of the Conference of the Parties, when Madagascar was requested to prepare a project proposal. The contracts were ready and the duration would be only four months. The representative of the Previous Host Country expressed support. The project was approved.

**Project S-098 - The tegu lizard (*Tupinambis nigropunctatus*) in Venezuela: Study of its status and ecology with a view to establishing a management and conservation plan**

After a short introduction by the Secretariat, the project was approved.

**Project S-099 - Current status of the Andean cat *Oreailurus jacobita* in South America**

Following a question from the observer from Israel, the Secretariat explained that, after a meeting of the representatives of range States during the ninth meeting of the Conference of the Parties, Argentina had been requested to prepare a project proposal in order to study the status of this species, since skins apparently regularly turned up in national trade. The observer from the European Commission noted that, owing to the limitation of funding, it might be better for the Secretariat to concentrate its projects on significantly traded species or on establishing the appropriate listings of species included in the CITES appendices. The project was approved.

**Project S-100 - The reproductive biology of the maned wolf (*Chrysocyon brachyurus*) in the wild in Argentina**

The representative of South and Central America and the Caribbean (Argentina) explained that, after consultation with the candidate consultant, it had been decided to change the duration of the project from one year to two years, without any modification in the total costs. The project was approved.

**Project S-101 - Census of wild specimens of species subject to significant levels of trade in Togo**

The Secretariat introduced the project, explaining that, although the proposal itself was not very well developed, this does not decrease the value of the research needed. The representative of North America noted that the situation regarding this project was similar to the ones related to Madagascar. The project was approved on the condition that more information be provided before it could be started.

15. Any other business

Trade in whale meat

The representative of the Previous Host Country referred to Resolution Conf. 9.12, in which the Secretariat is directed to share with the International Whaling Commission (IWC) any information it collects regarding illegal trade in whale meat. Noting that the IWC would meet in May, the representative of the Previous Host Country asked that all Parties that are also members of the IWC provide relevant information to the IWC for discussion at that meeting, and asked the Secretariat to be represented at that meeting. The representative of Asia (Japan) indicated that his country strictly controlled the trade in whale meat to prevent any illegal trade. The Secretariat confirmed that it would be represented at the IWC meeting in May.

Upon a suggestion from the Chairman, it was agreed that this issue would be discussed at a subsequent meeting, on the basis of information provided by the IWC.

Captive breeding operations

The Secretariat introduced document Doc. SC.35.14 and received strong support from the representative of the Previous Host Country. It was agreed that the Secretariat should consult the Parties before registering an operation for a species for which another operation is already registered if it has doubts about full compliance by the unregistered operation with Resolutions Conf. 2.12 (Rev.) and Conf. 8.15, or if it suspects that some Parties may object to such registration.

Small Island Developing States

The observer from New Zealand reminded the meeting that the ninth meeting of the Conference of the Parties had directed the Secretariat to give more attention to the possible accession to CITES of small island developing States (SIDS). New Zealand had sought to investigate the status and position of such small States, in particular since Oceania, though being one of the larger regions, mainly consisted of salt water. It was recognized that there were also many SIDS outside this region. The principal barrier to membership of CITES for SIDS seemed to be the lack of information, although many had agencies that could potentially be nominated as CITES Management Authorities. The observer from New Zealand suggested that Oceania be selected as a case study, to further develop this issue, and that a CITES delegation should visit these States. He suggested that this project be developed in close co-operation with France and the United States of America, as well as the Secretariat.

The Secretariat, recognizing its role as co-ordinator stated that it would like to participate in such a delegation, but time and finances would be limiting factors. It also indicated that it had already established good contacts with SIDS, in particular in the Caribbean, as well as with two regional organizations. It had also provided financial assistance for the organization of a meeting of the South Pacific Regional Environmental Programme and suggested that it might be more effective to participate in such regional meetings to encourage the accession of SIDS to CITES. TRAFFIC Oceania already had visited some of the States, although this organization currently had some financial problems that would hopefully be solved in the near future.

The representative of Oceania supported the suggestion by the observer from New Zealand and recommended that it be approved by the Standing Committee. The representative of South and Central America and the Caribbean (Trinidad and Tobago) also supported the proposal, recognizing the importance of SIDS, though noting the mushrooming of the number of conventions, which would place a burden on those States

because of the contributions that had to be paid. The observer from Israel applauded the observer from New Zealand for reminding the Standing Committee that the Asian region still had big gaps in CITES implementation, with more than 20 States that are still not Parties.

The Secretariat informed the meeting that it does not neglect the non-party States and that it made all efforts to have them join the Convention. Yemen had prepared its instrument of accession, but this needed to be deposited, Cambodia and Saudi Arabia had been represented at COP9 and good contacts had been established with Myanmar. Some States may join in the near future. The Secretariat also provided some details about particular problems with some States as a consequence of their changed political status (as was the case for a number of States of the former USSR) and the level of contributions related to it.

The Chairman suggested that the Secretariat continue improving its contacts with non-party states, and that the regional representatives and the Parties should assist in promoting these contacts.

The proposal by the observer from New Zealand was agreed, the need for active involvement of regional representatives reiterated.

In the context of the discussion on the United Nations scale of contributions the representative of UNEP announced that the General Assembly of the United Nations had recently approved a new scale of contributions. However, it was agreed that the contributions to the budget as adopted by the ninth meeting of the Conference of the Parties (Resolution Conf. 9.2, Annex), although based on the old scale of contributions, could not be changed.

12. Information on the status of the budget and on staffing issues including the position of the Deputy Secretary Generalship

The Chairman drew the attention of the meeting to a draft text prepared by the representative of the Depositary Government, the observer from Canada, the representative of the Next Host Country, the observer from Panama and the representative of Africa (Namibia). The representative of Africa (Namibia) briefly introduced the document. The representative of the Depositary Government indicated that although they had been requested to prepare a draft resolution, it might be advisable to send the text in the form of a letter to the Executive Director of UNEP, to avoid confusion.

Some small textual changes were proposed by the representative of the Depositary Government and the observer from Canada. The representative of the Previous Host Country expressed concern about the risk of indefinitely extending the deadline for applications. The representative of the Depositary Government responded that the deadline given was 30.04.95, and that the extension of the deadline would depend on the response of the Executive Director.

The representative of UNEP mentioned that all staff had been recruited under UN Rules and Regulations and were therefore UN employees. He suggested that a reference to this be included. He also said that there were problems with regard to the deadline for response, since consultation procedures might extend beyond that time.

The representative of South and Central America and the Caribbean (Argentina), recognizing the position of the representative of UNEP, felt that earlier discussion should not be repeated, although it could be useful to include reference to the particular relationship between CITES and UNEP and felt also that the latter should provide a

structural framework for the functioning of the staff of the former. The representative of the Depositary Government, agreeing with these comments, indicated that a deadline for response was included to avoid an indefinite continuation of the discussion, and stated that it was not necessary to include the comments of the representative of UNEP in a letter addressed to the Executive Director of the same organization.

The observer from Panama, although having insisted earlier on the translation of documents into Spanish, recognized that this would not have been possible in this particular case, and insisted that the drafted text not be modified. The representative of the Next Host Country, as a point of order, requested that the text be agreed including the few amendments proposed by the representative of the Depositary Government and the observer from Canada.

The representative of UNEP insisted on having included in the minutes that the UN Charter states that all staff shall be appointed by the Secretary General under the UN Rules and Regulations, as requested by the Parties.

The Standing Committee agreed to the text, including the amendments proposed by the representative of the Depositary Government and the observer from Canada, and agreed to have it sent to the Executive Director of UNEP in the form of a letter (copy attached as Annex 1).

The Deputy Secretary General thanked the Standing Committee for their support in this issue.

The Chairman closed the session at 12h45.

#### Eighth session: 24 March 1995: 14h40 - 16h55

### 3. Revision of Rules of Procedure

The representative of South and Central America and the Caribbean (Trinidad and Tobago), as the chairman of the working group on this subject, reported that the group comprised the representatives of Africa (Namibia), Europe (Russian Federation) and the Depositary Government and the Secretariat, and that it had identified two tasks: 1) to amend the existing Rules of Procedure; and 2) to clarify the representation of regions in the Standing Committee. The first of these was the primary task, and there was a need to provide clarity, to look in particular at Rules 11 and 14, and to consider rules on consultations with non-governmental organizations and whether meetings should be open or closed. The group had felt that there was a need to establish rules for communication between meetings and had stressed the need for continuity of representation in the Committee. Regarding the second task the group had identified the following points for consideration: the balance of representation in the region regarding issues; whether representation should be shared or split; voting - as a regional block or separately; method and timing of replacement of regional members; the roles of alternate members (e.g. replacement of members by alternates); structure of regional meetings. The Group had suggested that it should operate by mail and fax and that there was a need for consultations within each region. The chairman of the working group would try to cover all the costs of communication, this being made possible by a donation from Canada to cover such costs. The working group proposed to report to the next meeting of the Standing Committee and to circulate draft documents to the members of the Committee in advance for comment.

The Standing Committee agreed to this procedure.

The Secretariat announced that the first volume of the Identification Manual was now available in Spanish, thanks to the Government of Spain, which had paid for the preparation. The first Identification Manuals in Russian had also just become available, thanks to the provision of funding by the Government of Germany, the translation having been checked by the Management Authority of the Russian Federation. In addition, a new series of postage stamps featuring threatened species had been published that day by the United Nations Postal Administration and could be bought through the CITES Secretariat, which would receive a commission of 20 per cent.

15. Any other business

Giant pandas

The representative of Europe (United Kingdom) noted that there had recently been some trade in live specimens of giant panda *Ailuropoda melanoleuca*. He suggested that the Secretariat should update its Notification to the Parties on this subject, it having been issued in 1988 and being primarily concerned with short-term loans. He believed that captive-breeding schemes should be able to proceed in a way that would benefit the species.

The representative of the Previous Host Country reported that the American Association of Zoological Parks and Aquariums (AAZPA) had signed an agreement to import several pairs of giant pandas from China into the United States of America over the next decade if the United States Government allowed the import. This Government had drafted a policy on this matter and now invited comments, including from the Secretariat.

The Secretariat reported that, for some time, it had not followed Notification to the Parties No. 477, because it was out of date. The position of the Secretariat had been to recommend that transactions not be approved until there was a globally agreed management plan for the conservation of the giant panda. It did not seem that the population of the giant panda had increased in recent years. The Secretariat felt it was important not to act in favour of trade where the chance of captive breeding was low, and there should certainly be no commercial nature to any transaction.

It was agreed that the Secretariat should prepare a new Notification to the Parties to replace Notification No. 477, in consultation with the Government of China, and should then circulate it to the members of the Standing Committee for comment. The Secretariat should then present a revised version for consideration at the next meeting of the Committee.

The Secretariat expressed concern that every time a loan was approved it provided a further basis to justify the continuing trade and this did not seem to be benefitting the species. For this reason, the Secretariat asked whether the Standing Committee supported its view that there should be a global conservation plan taking account of the many concerns before any transaction is accepted.

The representative of the Previous Host Country stated that China had adopted a management plan, based on long consultations with WWF and other organizations. The proposed policy of the United States was intended to be a contribution to a co-ordinated management plan. A plan had also been produced for the zoo community in the United States by AAZPA. The representative of the Previous Host Country added that it would be useful to co-ordinate the existing plans, to produce a global plan, in consultation with the Government of China.

The representative of Europe (United Kingdom) felt that the Standing Committee was not in a position to require all trade in pandas to be within the scope of a global plan that had been not yet finalized, especially as no observer was present from China. He re-emphasized that breeding and research should be the primary purpose of any loan.

### Sharks

The observer from Panama had, the previous week, attended the 21st meeting of the FAO Committee on Fisheries, where the Committee took note of Resolution Conf. 9.17 and agreed to implement the requests to FAO, and to join the group of experts being put together by Panama. He thanked the Chairman of the Animals Committee and the Secretariat for their help. During the meeting he had arranged to consult with ICCAT and other organizations. He had also consulted direct with the representatives of various fisheries ministries to seek their support for the implementation of the Resolution. He reported that he was seeking information on the identification of species of shark. He planned to submit a written report to the Secretariat in due course.

The representative of the Previous Host Country thanked the observer from Panama for his work on behalf of the Animals Committee and noted that this would be discussed at the next meeting of the Animals Committee.

The representative of Asia (Japan) expressed interest in the proposed group of experts and stated that it should be of an inter-governmental nature, not open to non-governmental organizations in a manner consistent with the precedent established by the Timber Working Group, although non-governmental organizations should be able to make comments on the report of the group of experts. He added that every effort should be made to implement Resolution Conf. 9.17 and that CITES should take into account the views of fisheries management bodies such as FAO and ICCAT.

The observer from Panama pointed out that the purpose of setting up the group of experts was to make a critical assessment of the information held by FAO, to see what additional information was required.

The Committee took note of the report of the observer from Panama.

#### 5. Review "How to improve the effectiveness of the Convention"

The representative of Europe (United Kingdom) offered to contribute GBP 10,000 to the review. He also proposed that the Committee appoint an advisory group to monitor progress in conducting the review.

The representative of Asia (Japan) announced that Japan would make a further contribution of USD 30,000 (bringing its total contribution to USD 86,000).

The representative of the Next Host Country said that he believed that the USAID office in Zimbabwe would match the contribution of Japan.

On the basis of these statements, the Standing Committee agreed to ask the Secretariat to proceed with the arrangements for the study.

The observer from New Zealand reminded the Committee that it had to nominate two members of the review team. It was agreed to leave this nomination to the Chairman of the Standing Committee in consultation with the selection committee, at the appropriate time.

It was also agreed to ask the selection committee to serve as an advisory panel to monitor progress in carrying out the review and to report to the next meeting of the Standing Committee.

15. Any other business

Approval of donors

The Chairman drew attention to the cheque that the Secretariat had received from the Environmental Investigation Agency (EIA), as a donation earmarked for a training seminar in Georgia, United States of America.

The representative of Europe (United Kingdom) noted that the donation had come from the EIA Charity Trust, a registered charity. He also noted the press release issued by EIA on 22 March (of which copies had been provided to the participants), and that it referred in rather strong terms to a member of the Standing Committee.

The representative of Asia (Japan) stated that he was not opposed to accepting the cheque from EIA but felt that it was not appropriate to include the organization in the list of approved donors. He said that the press release contained groundless criticism, noting that there had been no legal imports of tiger products into Japan since January 1993 and that Japan had taken the necessary measures to control the domestic trade.

The representative of South and Central America and the Caribbean (Argentina) said that she recognized the important role that non-governmental organizations played in CITES and that it was their prerogative and duty to confront governments. However, she considered the methods used by EIA to be unethical and she was strongly opposed to approving it as a donor and to accepting the cheque. She suggested that a way be sought for the funds to be paid direct to the United States to support the meeting. These comments were fully supported by the representative of South and Central America and the Caribbean (Trinidad and Tobago).

The representative of the Depositary Government also opposed acceptance of the funds and said that EIA should not be approved as a donor, for the reasons indicated in section 3.2.3 of the procedures for approval of externally funded projects (document SC/23 Annex 2). He believed that EIA had not only deliberately brought the Convention into disrepute but that it had deliberately withheld information.

The representative of the Next Host Country stated that the press release issued by EIA was an unwarranted attack on the Chairman of the Standing Committee. Zimbabwe had much experience with EIA and had noted their tendency to make small donations to projects and then to claim ownership of them. The representative of the Next Host Country opposed the inclusion of EIA in the list of donors.

The representative of the Previous Host Country regretted that, on 22 March, representatives of EIA had been welcomed by the Chairman of the Committee and other members to make an informal presentation but had not even mentioned the press release it had issued on the same day. He believed that it was the right of EIA to say what it believed but it would be understandable if the Committee decided not to accept the funds offered.

The observer from Israel commented that, when the rules for establishing a list of donors were drafted, the main concern had been to exclude individual traders but this concern was being expanded. He said that the statements made by EIA about Japan were not the concern of the Standing Committee and that, as enforcement required money, the donation should be accepted.

Also recalling the original purpose of the list of donors, the observer from New Zealand suggested that EIA not be included in the list but the cheque be accepted.

The representative of Africa (Namibia) believed that there was a need for decency and responsibility and that EIA had gone too far, breaching the trust of the Standing Committee. He suggested that the Committee reconsider whether to agree to meet with EIA in the future, and added that its offer of funds should be declined. These comments were supported by the representative of Africa (Senegal) who believed that accepting the funds would serve the interests of people who were not honourable.

The Standing Committee agreed that EIA would not be included in the list of donors, for the reasons given in section 3.2.3 of document SC/23 Annex 2, and the cheque offered would not be accepted. The Secretary General was requested to convey this to EIA and to return the cheque.

The representative of Africa (Namibia) asked for a copy of the letter to EIA to be attached to these minutes; it is attached as Annex 2.

The Secretary General reported that Argentina had requested the inclusion in the list of donors of the Asociación Natura de Argentina. The Secretariat stated that this was one of the oldest conservation organizations in Argentina and that it enjoyed a close working relationship with the Management Authority and the Scientific Authority there. After sending representatives to the ninth meeting of the Conference of the Parties, the organization had asked to be included in the list of donors so that they could support projects in Argentina and elsewhere in the same region. The Standing Committee approved the inclusion of this organization in the list. The revised list of donors is attached to these minutes as Annex 3.

#### 6. Working Group on Timber

The representative of Asia (Japan) offered to contribute at least USD 30,000 for the work of the Timber Working Group (TWG). The observer from Canada added that he was looking for ways to support the administrative work of the TWG and would work with the Chairman of the TWG and the Secretariat to help enable the consultancies.

The representative of the Previous Host Country said that he would seek funds to support the work, both from government and from non-governmental organizations. They noted that International Wood Products Association could be approached for financial support and, in anticipation, asked for the inclusion of this organization in the list of approved donors. This was agreed.

The Chairman of the Plants Committee thanked the previous speakers for their offers of help. He also reported that the European representatives had agreed to reduce their participation in the TWG to two people, bringing the total in the group to 17.

#### 4. Tasks for the CITES Standing Committee given by CoP9 and tentative timetable for the next Standing Committee meetings and for the discussions on modalities of representation of the regions in the Standing Committee

The Secretary General proposed that the 36th meeting of the Standing Committee be held in the second half of January or the first half of February 1996 and that the 37th meeting be held in the first half of December 1996. This was agreed and the Secretary General was requested to inform the Committee members of the precise dates.

#### 15. Any other business

### Tenth meeting of the Conference of the Parties

The representative of the Next Host Country reported on actions taken to prepare for the next meeting of the Conference of the Parties, including a visit of Secretariat representatives and MKI to Zimbabwe in February 1995. Possible venues in Harare and Victoria Falls had been visited and it was now suggested that the meeting be held in Victoria Falls from 9 to 20 June 1997.

The Secretariat reported on their mission to Zimbabwe where their meetings with authorities, organizations and persons had been very successful. They agreed that Victoria Falls would be the better venue for the meeting, which would take place in a temporary structure. The professionalism and enthusiasm of the hoteliers and others in Victoria Falls were a bonus.

The Committee agreed that the tenth meeting of the Conference of the Parties should be in Victoria Falls from 9 to 20 June 1997.

### International Tropical Timber Organization

The representative of the Previous Host Country drew attention to the meeting of ITTO planned for May in Ghana, and expressed the hope that CITES would be represented. The Secretariat responded that it would be represented at the meeting by the Plants Officer.

Following thanks from the Chairman and the Secretary General to all the participants for their constructive work, the Chairman closed the meeting at 16h55.

30.10.95

Ms Elizabeth Dowdeswell  
Executive Director  
United Nations Environment  
Programme  
P.O. Box 30552  
NAIROBI  
Kenya

Geneva, 24 March 1995

Dear Mrs Dowdeswell,

Thank you for your letter of 13 March 1995 and for the discussion we had in our subsequent telephone conversation.

On 23 March 1995, the Standing Committee of CITES discussed the question of the extension of the contract of the current Deputy Secretary General. I am sure that, by now, you have received from Professor Reuben Olemba a report of the discussions, in which he participated on behalf of UNEP.

The following text is the official report of the discussions taken from the minutes of the meeting. I should note that, although the minutes are in draft, this particular text was unanimously agreed by the Standing Committee.

The Standing Committee discussed the report of the Chairman concerning progress on the implementation of the decision of the Conference of the Parties regarding the extension of the contract of the present Deputy Secretary General until the next meeting of the Conference of the Parties, which is reported in document Com. 9.22. The Standing Committee took note of the efforts of the Chairman, and expressed its appreciation to the Executive Director of UNEP for her efforts to date pursuant to this decision. Participants noted that the present extension of the contract of the Deputy Secretary General by six months falls short of what was expected by the Parties. Participants were informed that, notwithstanding existing administrative guidelines of the United Nations, precedents exist for the extension of contracts beyond the age of retirement.

The Standing Committee decided to request that:

1. The Executive Director of UNEP continue efforts to extend the contract of the present Deputy Secretary General of CITES until the next meeting of the Conference of the Parties including, if necessary, consultation with the Secretary General of the United Nations;

.../2

2. The Executive Director of UNEP report the results to the Chairman of the Standing Committee by 30 April 1995;
3. The Executive Director of UNEP suspend in the meantime the already initiated recruitment procedure for the post of Deputy Secretary General;
4. The Secretary General of the CITES Secretariat take all measures that may assist in implementing the decision of the Parties, including continued support to the Chairman of the Committee and further liaison with the Executive Director of UNEP; and
5. The Chairman of the Standing Committee inform all Parties of progress towards the implementation of the decision recorded in document Com. 9.22.

In view of the need for further action as a result of the decision of the Standing Committee, I should be glad to discuss this matter with you again. I should suggest that we follow up on this issue when we meet in Berlin early next month.

With best wishes,

Yours sincerely,

Ambassador N. Akao  
Chairman of the CITES Standing  
Committee

## ANNEX 2 MISSING TEXT IN ENGLISH

List of Donors for Externally Funded Projects

- AEF-Z (Association des exploitants de la faune du Zaïre)
- All Japan Association of Reptile Skin and Leather Industry
- All national airlines
- All non-profit Zoological Societies
- American Fur Institute (USA)
- American Fur Merchants' Association (USA)
- ASICUSA (Bolivia)
- Asociación Natura de Argentina
- Association La Nature et des Hommes (France)
- Associazione Nazionale Calzaturifici Italiani (Italy)
- Association nationale des parcs zoologiques (France)
- Association professionnelle suisse de la fourrure (Switzerland)
- Brasseries Bonaparte (Switzerland)
- Cámara Argentino-Suiza de Comercio (Argentina)
- Cámara de Industriales Curtidores de Reptiles (Argentina)
- Canadian Wildlife Federation
- Chambre syndicale de la fourrure (France)
- Conservation and Management International Foundation
- Conservation Treaty Support Fund
- Delachaux et Niestlé (Switzerland)
- Elf Aquitaine (France)
- Fondation de France
- Foreningen af danske dyreimportører (Denmark)
- Fondation Roi Baudouin (Belgique)
- Friends of Animals (USA)
- Fur Institute of Canada
- German Marshall Fund (USA)
- German Fur Trade Association (Germany)
- Hong Kong & Kowloon Ivory Manufacturers Association
- Humane Society International of Canada
- Humane Society of the United States
- Imprimerie Beck (Switzerland)
- International Air Transport Association
- International Council for Bird Preservation
- Internationaler Reptilederverband
- Internationaler Reptilverband (Germany)
- International Exotic Leather Council
- International Foundation for the Conservation of Game
- International Fund for Animal Welfare
- International Fur Trade Federation
- International Olympic Committee
- International Pet Trade Organization
- Japan General Merchandise Importers' Association
- Japan Leather and Leather Goods Industries Association - CITES Promotion Committee
- Japan Livestock Importers Association
- Knie Frères Cirque national suisse S.A.
- Kodak S.A. (Switzerland)
- Le Livre de Paris-Hachette (France)
- Migros (Switzerland)
- MKI Travel and Conference Management Inc. (Canada)
- Nagao Natural Environment Foundation (Japan)

- Nicaraguan Traders Association
- Pet Industry Joint Advisory Council
- Philip Morris Europe
- Reptilartenschutz e.v. (Germany)
- Rolex S.A. (Switzerland)
- Royal Society for the Protection of Birds (UK)
- Safari Club International
- Sustainable Management System (USA)
- Syndicat national des tanneurs de reptiles français
- TRAFFIC International and all TRAFFIC Offices
- Unione Nazionale Industria Conciaria (Italy)
- WWF-International and all its national organizations

6.11.95