

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

Forty-second meeting of the Standing Committee
Lisbon (Portugal), 28 September-1 October 1999

SUMMARY REPORT

Members:

Africa: K. Konate (Burkina Faso)
E. Hamunyela (Namibia – Vice-Chairman)
N. Imasiku
P. Lindeque
E. Severre (United Republic of Tanzania)

Asia: H. Eguchi (Japan)
T. Honnma
Y. Kaneko
N. Kiriyaama
K. Kokubu
M. Komatsu
M. Komoda
T. Mori
F. Nakao
M. Nishimura
H. Takahashi
F. Tonoki
T. Yamaura
K. Nitaya (Thailand)

Central and South America
and the Caribbean: V. Lichtschein (Argentina)
D. Botello (Panama)

Europe: J. Claxton (United Kingdom)
R. Hepworth (Chairman)
N. Hunter
A. King
C. Rigg
P. De Angelis (Italy)
U. Mereu
E. Morgante
A. Russi
I. Bazarov (Russian Federation)
E. Dyakova
G. Kovalev
S. Tveritinov

North America:	J. M. Reyes Gómez (Mexico)
Oceania:	J. Owen (New Zealand)
Depositary Government:	P. Dollinger (Switzerland)
Previous host country:	E. Chidziya (Zimbabwe) T. Chimuti C. Chipato W. Makombe
Next host country:	None

Observer – Parties:

Antigua and Barbuda:	D. Joseph
Austria:	G. Erdpresser
Belgium:	G. Evrard
Botswana:	J. Matlhare P. Monyatsi
Canada:	S. Gillis
China:	Y. Jiming J. Meng X. Meng S. Ming L. Wulin W. Ziming
Colombia:	A. Rivera Brusatin
Czech Republic:	J. Kucera
Egypt:	S. H. El-Fillaly H. Fekry Bassily N. Hamdy
Finland:	V. Miettinen
France:	S. Guillaume S. Jacquet-Pouillaude
Germany:	G. Emonds D. Jelden
Greece:	D. Pyrovalidou
Hungary:	K. Rodics
India:	C. Gururaj Rao A. Kumar V. Menon
Kenya:	P. Kahumbu N. Rotich
Malaysia:	S. Leng Guan Z. Shaari
Netherlands:	H. Eggink
Norway:	S. Owe
Portugal:	L. Carvalho C. Guerra J. Guerreiro J. Loureiro C. Magalhães J. M. Marques

Republic of Korea: T. Mouga
J. M. Vasconcelos
A. Vila Nova
D. Kang
J-h. Kim
J-r. Kim
Saint Lucia: C. Elias
South Africa: P. Botha
S. Meintjies
C. A. Rath
Spain: M. Núñez Román
P. Valiente Calvo
Sweden: E. Mehnert
United States of America: R. Chew
N. Daves
T. Saito
K. Stansell

Other observers:

Chairman of the Animals Committee: R. G. Jenkins
Chairman of the Plants Committee: M. Clemente Muñoz
UNEP: P. Chabeda
T. Kapiga

Secretariat:

J. Armstrong
M.-F. Barreto
P. Batteur
J. Barzdo
P. Benn
A. Burke
M. Lindeque
J. Sellar
W. Wijnstekers

Rapporteurs:

J. Caldwell
J. Roberts

First session: 28 September 1999

1. Opening remarks by the Chairman

The Chairman welcomed the participants and thanked to the Government of Portugal for all the arrangements and facilities for this meeting. He then introduced the Portuguese Minister of Environment.

The Minister gave a welcome speech in which he emphasized the importance of synergy between CITES and other Conventions related to nature conservation. The Chairman thanked the Minister for his remarks and wished well to Portugal for their term in the European Presidency.

The Chairman gave the floor to the Secretary-General, who expressed his pleasure in attending the Standing Committee in his new role and stated some of his wishes for the development of CITES.

2. Acceptance of credentials

The Secretariat reported that 33 delegations had registered, of which there were only five from whom credentials had not been received.

3. Adoption of the agenda

The Chairman asked if there were any comments regarding the draft agenda and the observer from Germany requested that Item 15 be discussed earlier in the working programme. This was agreed and the provisional agenda was adopted.

4. Finance and administration

a) Report of the Finance Subcommittee

The Chairman of the Finance Subcommittee presented his report (see Annex 1 of this document). Referring to Annex 6 of document Doc. SC.42.4, the observer from Saint Lucia expressed concern that there had been no appointment of a Coordinator for Small Island Development States (SIDS). The Secretariat explained that although no separate appointment had been made, the necessary work had been incorporated into an existing post.

Discussion of Annex 8 was deferred pending consideration of the report from UNEP in document Doc. SC.42.4.2.

Referring to Annex 9 (Rev.1), the regional representative for Europe (Italy) remarked that it would be prudent for the Parties to consider the coordination of activities with other Conventions in order to save money. He suggested as an example the sharing of information held in databases and the organization of meetings by various electronic means. The Secretary-General stated that such options were already being considered and would be discussed further under Agenda item 17.

The Chairman thanked the regional representative of Europe (Italy) for his constructive remarks and suggested that during discussion of document Doc. SC.42.17 it would be useful for the Secretariat to indicate savings that could be made by applying synergy with other Conventions.

Regarding Annex 10, the Chairman of the Finance Subcommittee reported that the Subcommittee recommended that the Standing Committee endorse the classification results and the fact that their implementation will not impact on the budgetary provisions already approved.

Document Doc. SC.42.4 was accepted with the exception of Annex 8, the discussion of which was deferred.

b) Permit confirmation

The Chairman reminded the Standing Committee that this issue had been discussed at the 41st meeting where a decision had been taken to allocate one staff post to the task as an interim measure and to reconsider the issue at this meeting. He asked whether the Parties felt that the experiment had been satisfactory or needed modification.

Following discussion on this topic with interventions from the regional representatives of Asia (Japan), Europe (Italy and the Russian Federation) and the observers from Belgium, China and the Republic of Korea, it was generally agreed that permit confirmation was an essential service provided by the CITES Secretariat, but that its use should be limited to problems rather than routine confirmation.

Document Doc. SC.42.4.1 was accepted.

c) Letterhead of the Secretariat

The Chairman reminded the Committee of the difficult debate on this matter at its previous meeting and asked if Parties had any problems with the compromise currently in operation.

The observer from the United States agreed that it was unnecessary to continue the debate, but noted that there was considerable support for retaining the CITES logo. This view was shared by the regional representatives of Central and South America and the Caribbean (Argentina) and Europe (Italy) and the observers from Germany.

e) Request for donor approval

The regional representative of Asia (Japan) introduced document Doc. SC.42.4.3 and provided some background information. There was no discussion and the document was accepted.

5. Preparation of the Strategic Plan for the Convention

The Chairman of the Strategic Plan Working Group introduced document Doc. SC.42.5 and thanked the Plants and Animals Committees and other participants for their considerable input into its drafting. He explained that the working group would reconvene during this meeting and welcomed any comments from the Committee. The Committee then discussed the seven goals and associated objectives set out in Annex 1 of the document.

The Chairman of the Working Group noted that objectives 2.5 and 2.6 were to be combined and that objective 2.4 would be deleted as it repeated objective 1.8. Goals 3 and 4 each had two new objectives:

Objective 3.5: To implement appropriate education and awareness programmes to encourage greater local community participation in combating illegal trade and to promote greater voluntary compliance by user groups.

Objective 3.6: To promote a greater understanding by the judiciary of the social and economic significance and conservation threats posed by illegal trade in wild fauna and flora.

Objective 4.5: To improve communication and collaboration with the media.

Objective 4.6: To strengthen knowledge, promote awareness and facilitate enforcement of flora issues in CITES.

Further discussion was adjourned to a later session.

6. Future meetings of the Conference of the Parties

a) Preparations for CoP11 (UNEP, Gigiri)

The Secretariat introduced document Doc. 42.6.1 and drew attention to its four main points: arrangements for the meeting, draft agenda, draft working programme and Rules of Procedure.

The Secretariat and the representative of UNEP reassured the participants that arrangements for the meeting were at an advanced stage and that there would be adequate facilities for all Parties and observers.

The Secretary-General reminded the Committee that Kenya was not the host country for the Conference and consequently there would be difficulties in targeting donor funding. However, the Conference of the Parties to the Convention on Biological Diversity was being hosted by the Kenyan Government on the same site two weeks later so there was a possibility that the costs of some facilities could be shared.

The Chairman suggested the possibility of holding a high-level seminar in association with the Conference and requested suggestions for particular themes that could be discussed.

The Secretary-General drew attention to the Sponsored Delegates Programme and proposed a means to attract more donor funds to sponsor participation of delegates from developing countries to attend the Conference. The proposal was to limit the sponsorship to two members of a delegation of two participants, reduced to sponsorship of one member if the delegation amounted to three members and no sponsorship for larger delegations.

Following considerable discussion on this proposal, particularly from the regional representatives of Africa (Namibia and the United Republic of Tanzania), Central and South America and the Caribbean (Argentina and Panama), Europe (Russian Federation), the Depositary Government, the Previous Host Country and the observers from India, Kenya, Malaysia, Saint Lucia and the United States, the Chairman summarized the discussion and put the following proposal to the Committee:

- i) Depending on the availability of funds, every Party from the developing countries would receive sponsorship for two delegates.

- ii) If funds were insufficient, sponsorship for delegations of five or more would be reduced to zero.
- iii) If funds were still insufficient, delegations of four would receive sponsorship for one delegate only and delegations of three would receive sponsorship for two.
- iv) When establishing the size of a delegation, politicians and staff from resident missions in Nairobi would not be counted.

The regional representative of Europe (Russian Federation) requested that the Secretariat take account of the discussion and circulate a proposal for later consideration by the Committee.

Regarding paragraph 12, subparagraph 4, the regional representative of Asia (Japan), supported by the observer from Saint Lucia, was concerned that document distribution needed to be strictly controlled to avoid circulation of offensive material. The Chairman agreed that this was a difficult subject and suggested further discussion at the NGO presentation.

The Chairman drew attention to the action requirements in Paragraph 13 and, before opening the floor for discussion, made some comments on security matters for CoP11 and stressed the need for personal vigilance at all times. The Secretary-General and the representative of UNEP reported that strict security arrangements had been made particularly with regard to transport to and from the Conference.

Paragraph 13 a). was noted and the Chairman invited discussion on paragraphs 13 b) and c).

With regard to paragraph 13 c) the observer from Germany requested that in the working programme the discussions of plant matters should be scheduled before those of animals. This was agreed.

The observer from the United States noted that budget issues were scheduled for the second week of the Conference and supported this idea as some budget items may change as a result of discussions.

The representative of the Depositary Government drew attention to some items missing from the agenda. The Chairman noted the comments and reminded the delegates that the agenda was only provisional at this stage.

Concerning paragraphs 13 d) and 13 e) the Chairman reminded the Committee that a working group would be established to discuss the Rules of Procedure, however he invited comments to Parts I – VIII set out in document Doc. SC.42.6.1 Annex 3A.

Regarding Part II, concern was expressed by the regional representatives of Asia (Japan) and Central and South America and the Caribbean (Panama) and the observers from France and Spain with regard to the lack of facilities for simultaneous interpretation in meetings of the Budget Committee and regional and working groups. The Secretary-General pointed out that as CoP11 was to be held in the UNEP Headquarters, there would be no shortage of interpreters. However, there would need to be some rotation of rooms available with necessary equipment.

Concerning Rule 11, the regional representative of Europe (United Kingdom) indicated that they would be raising the subject of delegation seating and would be seeking

dispensation for executive bodies and members of regional economic groups to be seated together.

With regard to Part VI, Rule 25, the regional representative of Europe (United Kingdom) suggested that the working group should pay serious attention to reducing the number of secret ballots. However, the regional representative of Central and South America and the Caribbean (Argentina) felt that this was something that should be discussed at CoP11.

There were no further comments and the following delegations volunteered to join the working group:

Japan, Saint Lucia, South Africa, Spain, Switzerland, United Kingdom, United States and Zimbabwe

b) Organizational and procedural arrangements

The Secretariat introduced document Doc. SC.42.6.2 and drew attention to the problems and proposed solutions listed in the Annex.

In response to concerns expressed by the regional representative of Europe (Italy) and the observer from Saint Lucia regarding paragraph 2, the Chairman suggested that these should be dealt with by the working group on the Rules of Procedure.

Regarding paragraph 12, concern was expressed by the regional representative of Central and South America and the Caribbean (Argentina) and the observers from France, Germany and Spain about decisions having to be made on a three page summary where translation of the whole document was not possible due to its exceeding 12 pages.

Following the discussion of this point the Chairman reminded the Committee that the decision that proposals should not exceed 12 pages had been taken at CoP10. He then summed up that only one copy of a proposal in any of the working languages of the Convention was required by the deadline of 12 November 1999, but if it exceeded 12 pages translations by the proponents would need to be submitted later. This would also apply to those proposals that had already been submitted to the Secretariat.

The proposed solution in Paragraph 12 in the Annex of document Doc. SC.42.6.2 was reworded to: *"If the Secretariat receives a document longer than 12 pages, it will request the Party concerned to provide the translations"*. The document was accepted.

The Chairman closed the meeting at 17:00.

The observer from India reported that they had produced a document in which they referred to Taiwan. However India did not treat Taiwan as a separate country and the mistake in the document would be rectified.

5. Preparation of the Strategic Plan for the Convention (continued)

The regional representative of Oceania (New Zealand) felt that training was an important contribution to the effective implementation of the Convention and suggested that it should be specifically mentioned in the Strategic Plan. She added that its inclusion in Objective 1.5 would give a specific mandate with respect to Objective 7.3 when approaching funding agencies for training initiatives. The regional representative proposed the following amendment to Objective 1.5:

“To use the organizations specializing in supporting the Convention to assist the Secretariat and Parties in building national capacities through training and other activities and to facilitate access to and management of databases”.

The regional representative of Central and South America and the Caribbean (Argentina) noted that Objective 1.6 was an obligation under the Convention and suggested the inclusion of the recommendation from the Plants Committee was more appropriate. This was agreed by the Standing Committee.

Referring to the second preambular paragraph, the observer from India, supported by the observer from Hungary, stated that they did not recognize that harvest in wild animals could secure the objective of biodiversity conservation. However, the observer from South Africa did not support the statement made by the observer from India, believing that sustainable harvest of fauna and flora can make a major contribution to the conservation of biodiversity. This view was echoed by the regional representative of Africa (United Republic of Tanzania), the representative of the previous host country, the observer from Antigua and Barbuda and the Chairman of the Animals Committee.

The regional representatives of Africa (United Republic of Tanzania) and Central and South America and the Caribbean (Argentina), whilst supporting the essence of the paragraph, suggested that the language used could be slightly amended to reduce any ambiguity. This suggestion was supported by the Chairman, who asked the working group to consider it. The Chairman of the working group concurred.

The regional representative of Oceania (New Zealand) referred to the title in Annex 1 of document Doc. SC.42.5. The Chairman of the working group explained that a second objective of the Plan was to provide information for those people who did not have a good knowledge of the Convention. For this reason the working group had considered it appropriate to produce a title to encompass the meaning of CITES, with a footnote to the specific language of the Convention. He welcomed additional comments from the Committee.

Considerable discussion ensued with comments and suggestions proposed by the Chairman, the observers from Antigua and Barbuda, India, Malaysia and Norway, the Depository Government and the Secretariat.

After consideration of all these comments, the Secretary-General suggested that the title should be changed to: "CITES and international trade in wild fauna and flora" with a footnote referring to the full title.

With regard to Goal 3 there was some discussion concerning the title and the working group was asked to consider amending it to convey a goal that was realistically achievable.

The regional representative of Oceania (New Zealand) suggested that the inclusion of Objective 4.6 with regard to flora issues, was superfluous adding that the strengthening of knowledge and awareness was covered in Objective 3.5 and applied to both fauna and flora.

After explanations by the Chairmen of the Plants Committee and the working group it was agreed that there needed to be an increased focus on flora, particularly with regard to enforcement issues. The Chairman of the working group further explained that, as there were a number of areas of concern that applied to each of the various goals, the working group had decided by consensus to establish a goal specifically to draw attention to plants and it was within this context that objective 4.6 had been included. The regional representative of Oceania (New Zealand) agreed, in order to achieve consensus, to concur with this inclusion.

The Secretary-General reported a few textual changes to Objectives 5.2 and 5.4:

Objective 5.2: To ensure close cooperation and coordination with Conventions and Agreements in the area of species management and associations such as IATA.

Objective 5.4: To ensure continuing recognition and acceptance of CITES measures by GATT/WTO and ensure greater harmonization of decision-making processes between these bodies.

Outlining some recent history of the IWC, the regional representative of Asia (Japan) felt that reference to that organization in the preambular paragraph of Goal 5 might lessen the credibility of CITES and suggested it be deleted. The Chairman asked if the participants considered that all reference to ICCAT and IWC should be deleted. The regional representative of Oceania (New Zealand) supported this view but noted that there were still a number of Resolutions that referred to those organizations.

The observer from India requested that the views expressed by the regional representative of Asia (Japan) should be considered as those of Japan as there had been no regional consultation.

The regional representative of Europe (Italy) noted that specific reference to Interpol only appeared in Objective 3.1. The Chairman concurred and asked the working group to note this.

In response to a concern raised by the observer from France, the Secretary-General reported that the text of Objective 7.3 had been changed to:

Objective 7.3: To seek funding from GEF and others for priority actions of the Convention.

The Chairman thanked the working group for their efforts to date and was confident that an excellent Strategic Plan would be presented at CoP11.

15. Cross-border movements of live animals

The Chairman reminded the Committee that a working group had been established at its 40th meeting but had been unable to reach agreement and thus sought advice from the Standing Committee.

Document Doc. SC.42.15 was introduced by the Secretariat who pointed out that there were three possible solutions to the problem:

- a) amending Resolution Conf. 10.16;
- b) amending Resolution Conf. 5.11; or
- c) taking no action to amend the existing provisions.

Referring to a draft resolution developed by the United States to replace Resolution Conf. 8.16 on 'Travelling live-animal exhibitions', the Chairman asked the Parties to indicate their current use of the simplified procedures that had already been agreed at CoP10. The representative of the Depository Government noted that Canada accepted the certificates designed by the United States and that Switzerland and France had had discussions on the possibility of a similar system.

The observer from Germany did not think that there should be any amendments to Resolutions 5.11 or 10.16 but supported the need to replace Resolution 8.16 and suggested that the Standing Committee should ask the United States to prepare draft proposals.

The regional representative of Central and South America and the Caribbean (Argentina) supported the comments of the observer from Germany. She added that in her region it was very important to have a means of identification of travelling circus animals in order to ensure that there was no substitution of specimens. The regional representatives of Europe (Italy and the United Kingdom) supported this view.

The Chairman noted all the comments and concluded that the Standing Committee could not resolve the issue at the present time. It was agreed that the working group did not need to continue its work. The Secretariat was asked to prepare a document for CoP11 that would be available for consideration by the 43rd meeting of the Standing Committee.

7. Decisions regarding improvement of the effectiveness of the Convention (Decision 10.111)

a) Implementation of the Action Plan

The Secretariat introduced document Doc. SC.42.7 and led the discussion through the decisions contained in Annex 1. Regarding Decisions 10.7 and 10.12 directed to the Parties the Secretariat asked to be informed of any bilateral training and capacity building being undertaken and noted the problem of countries that participate in CITES expressing different views when participating in other international fora.

The Chairman of the Plants Committee noted the synergy between Decision 10.7 and 10.102 directed to the Secretariat, and informed the Standing Committee that a number of training courses had been carried out in Europe, but that Africa was continually requesting training and capacity building. The Chairman of the Plants Committee also pointed out that in Decision 10.102 it should be noted that the

Master's Course in Spain was organized by the Scientific Authority and not the Management Authority.

The observer from Colombia, also referring to Decision 10.102 and the paragraph relating to the *Crocodylus* project, informed the Secretariat that although a bilateral agreement had been signed between Columbia and the United States, the project was still under analysis. The Secretariat thanked the observer from Colombia for the comments, stating that they highlighted the difficulty of the Secretariat when they were not properly informed of bilateral arrangements.

Regarding Decision 10.61 directed to the Standing Committee, the Secretariat noted the difficulties of communication between Parties, regions and individuals within regions and recognized that these problems applied to all three of the technical committees. He asked that the Secretariat be informed of all regional meetings and of their outcome.

The regional representative of Central and South America and the Caribbean (Argentina), supported by the observers from Antigua and Barbuda and Colombia, stated that her region had never had a regional meeting and that the sole limitation was lack of funding. The observer from Kenya expressed regret that there had never been an opportunity to meet with its regional representative (Sudan) and also noted the problem of funding.

Regarding Decision 10.96 directed to the Secretariat, the Secretariat reported that a memorandum requesting comments had been sent out with Notification 1999/33 but to date only one Party had replied.

With regard to Decision 10.83, the Chairman of the Plants Committee wished to have her thanks recorded for the work carried out without payment by Australia, Canada, Italy, the Netherlands and the United Kingdom.

The Chairman thanked all participants for their comments and recommended that the Standing Committee direct the Secretariat to update the document and present it at CoP11.

b) Consolidation of Resolutions

The Secretariat introduced document Doc. SC.42.7.1 and its three annexes. Regarding the draft consolidated Resolution on Enforcement and Compliance in Annex 2B, the regional representative of Europe (United Kingdom) fully supported the proposal.

The Secretariat indicated some amendments to Annex 3B, the draft consolidated Resolution on 'Non-commercial loan, donation or exchange of museum and herbarium specimens'.

It was agreed that both proposals should be presented at CoP11.

Regarding Annex 1 on the draft consolidated resolutions relating to Cetaceans, the Secretariat indicated an error and omission that would be rectified in a later document.

The observer from Antigua and Barbuda questioned the situation of a Party wishing to table a resolution that would have the effect of neutralizing an existing resolution and stated that it would only agree to consolidation of any resolutions if they were scheduled for the end of the working programme. The Chairman agreed that this was a

logical suggestion that would be possible with some rearrangement of the agenda according to the proposals received.

The observer from Norway stated that it was opposed to any consolidation of the Resolutions outlined in Annex 1 but if there were to be discussion Norway would prefer discussion of Annex 1A. The regional representative of Asia (Japan) did not want to debate any consolidation of Resolutions concerning cetaceans because there could be new proposals at CoP11 relating to past resolutions, in particular Resolution Conf. 2.9.

The Chairman pointed out that the Secretariat had a clear remit from the Conference of the Parties to consolidate the resolutions and suggested further discussion on this point should be left until the following session.

8. Responsibilities of members of the Plants Committee

The Secretariat introduced document Doc. SC.42.8 and noted that the issues identified by the Plants Committee applied to the other Committees referred to in Resolution Conf. 9.1 (Rev.). He was therefore seeking guidance from the Standing Committee as to whether it was appropriate to prepare harmonized terms of reference for both the Plants and Animals Committees to present at CoP11.

The Chairman of the Plants Committee drew attention to the requirements for regional representatives to produce a regional report for each Committee meeting. She explained that the Committee had established a basic document template to allow uniform compilation of the regional reports, but pointed out that although some regions had produced very comprehensive reports there were other regions for which no reports had been received. With regard to regional meetings, she recognized that there were problems for some regions due to the lack of funding. It was for this reason that she requested an additional small amount of funding to cover these specific needs, suggesting as an example donations from those countries that had nominated the members of a particular delegation.

The Chairman thanked the Chairman of the Plants Committee for giving thought to the issue and noted the problem of funding.

With regard to the responsibilities of both technical committees the representative of the Depository Government was concerned that the Animals Committee, although originally established to be a scientific committee, was increasingly being asked to become involved with management issues. The Chairman believed that this implied a review of the functions of all committees might well be necessary.

This view was shared by the Chairman of the Animals Committee who believed it would be a good idea to harmonize the activities of both Plants and Animals Committees and thought there was a clear need to review the mandate of both committees. The range and scope of tasks currently given to the Animals Committee went far beyond what was initially envisaged when it was established by the Parties and he thought the Secretariat should consider undertaking such a review before CoP11. He noted that funding of both Committees had been increased to CHF 90,000 which he presumed was to allow for the provision of simultaneous interpretation. He was concerned that future meetings might only be held in countries with the resources to provide such a service and thought that the Secretariat should be responsible for provision of interpretation and that adequate funding should be made available.

The Secretary-General explained that although it was a possible option for the Secretariat to establish a team of interpreters to cover all CITES-related meetings this would be very

expensive. Cheaper options were to arrange for local interpreters or to hold all meetings in Geneva.

The Chairman of the Plants Committee reported that they had had no problems with interpreters at their meetings in Costa Rica or Chile, where the host country had covered these costs, or in Australia where Plants Committee funds had been used. She felt however that there should be more flexibility in the way the Committees could use their funding, for example funds not used because the Committee did not meet could have been used to make it easier to have regional meetings, etc. The regional representative of Oceania (New Zealand) supported the Chairman of the Plants Committee on this in principle but thought more clarification on the extent of that flexibility would be required.

The Secretariat thought that it might be possible to look at the question of the allocation of unused funds whilst harmonizing the Committees' terms of reference.

The Secretary-General noted that the points raised in point 7 of the document also applied to the Standing Committee and recommended that the information requested in paragraphs 7a) and b) be made available on the website.

The Chairman asked if the Standing Committee could accept the document and mandate the Secretariat to review the terms of reference of existing inter-sessional committees for submission at CoP11 and this was agreed.

9. Small island developing States (Decision 10.112)

The Secretariat introduced document Doc. SC.42.9 (Rev.) which highlighted the activities undertaken by the Secretariat in response to the 15 items of work requested in Decision 10.112. He drew particular attention to the activities involving capacity building and fund raising.

The observer from the United States was concerned that the document suggested harmonization with the Cartagena Convention and SPAW Protocol but the Secretariat explained there was no conflict as SPAW was simply a regional implementation of stricter domestic measures and that it was synergy that was being sought.

The regional representative of Oceania (New Zealand) expressed appreciation on the progress so far but was concerned that funds had not yet been secured for workshops planned for 1999. As it might not be feasible to hold those workshops in 1999, she sought assurance that if funds were available before CoP11 they could be accessed in 2000.

The observer from Saint Lucia commended the Secretariat on the speed with which they had implemented the directives and urged them to try to facilitate some sort of training session before CoP11. This point was echoed by the Chairman of the Animals Committee who was not aware whether the Secretariat had visited the new Party in Oceania. He hoped that Saint Lucia would be supported through the donor programme and stressed the importance of ensuring they had some grounding of their objectives and responsibilities before CoP11.

The Chairman noted that there was an outstanding point concerning resources but decided it would be best to return to that issue in the next session.

Third session: 30 September 1999

The Standing Committee approved the Executive Summary of 29 September 1999

9. Small island developing States (Decision 10.112) (continued)

Before continuing with the Agenda, the Chairman asked if offers of donor funding had been received for the facilitation of regional meetings in the small island developing States. No offers had been forthcoming.

10. Issues relating to species

a) Bears (Decision 10.65)

Document Doc. SC.42.10.1 was introduced by the Secretariat. He drew attention to a seminar being organized by the University of California in conjunction with USFWS that would centre on forensic issues. The Secretariat planned to issue a Notification to the Parties concerning the seminar, and basic guidelines on forensic science support would be produced later in the year. He reported that the Secretariat would be present at the Third International Symposium on Trade in Bear Parts in Seoul, Republic of Korea, later this year and that TRAFFIC International had prepared a report that would be presented at that symposium.

The Chairman expressed thanks to the Republic of Korea for lending support to the symposium. He believed there were many positive factors that the Committee could report at CoP11 and that they would be included in the Chairman's report.

Document Doc. SC.42.10.1 was approved.

b) Elephants

The Chairman reminded the Committee that there should not be a reopening of the debate of CoP10 and the Secretariat introduced documents Doc. SC.42.10.2.1 and Doc. SC.42.10.2.2 and asked that they be considered simultaneously.

In response to a request for clarification by the representative of the Depositary Government, the Secretary-General confirmed that no action was required by the Depositary Government regarding Decision 10.1, Part A, paragraph g).

The regional representative of Asia (Japan) referred to a document which Japan felt contained a lot of misinformation and unsubstantiated allegations against Japan. He asked that the rules of distribution of documents should be examined.

The regional representative of Asia (Japan) thanked the Secretariat, members of the technical mission and the Governments of Botswana and Namibia, and reported that Japan welcomed further verification. He added that a new registration system had been implemented and that all efforts were in place to carry out border and internal controls.

The observers from India and Kenya voiced concerns following the sale of ivory to Japan believing that it was too soon to establish the causal effects in range States. The observer from Kenya also requested more detailed information on the utilization of the funds from the sale and on markets and prices of ivory in Japan.

The Secretariat agreed that the observer from Kenya had raised some important issues. Referring to the issue of prices, the Secretariat responded that details of prices had deliberately not been released at the request of the countries concerned who would rather the focus be placed on the provision of funds to benefit conservation programmes and community projects.

Responding to the question on market effects, the Secretariat reported that information was being compiled in partnership with TRAFFIC through ETIS and that a report would be available for communication to the Parties by the end of the year.

Regarding monitoring for illegal activities, the Secretariat replied that it had not received any reports referring to an increase in poaching as a result of the auctions. He reminded the Committee that at its 41st meeting the Secretariat had invited countries to make use of the incident report forms. Kenya had done so but none had been received from Asia or other African countries.

The observer from Hungary allied itself with the position of India and Kenya, believing that funds would be better spent on guards in national parks rather than on expensive monitoring systems.

The regional representative of Africa (Burkina Faso) raised the question of ivory stockpiles believing that it had been agreed these could be used to raise funds for the conservation of habitats and local communities. He asked for clarification on the current situation in that process.

The Chairman stated that responses from donor agencies had been disappointing but reassured the regional representative that the process was ongoing. In response the Secretary-General stated that Resolution Conf. 10.4 had not yet been put into practice and donors were unsure of their responsibilities. He suggested that a guide for donors be developed.

The representative of the previous host country reassured the Committee that all funds from the sale would be invested in elephant conservation and development of projects in local communities.

The observer from Kenya drew attention to the abuse of diplomatic privileges, and reported that diplomats were the main handlers of ivory at their airports. She also noted an increase in the price of illegal ivory crossing their borders so believed there was a general public awareness of the ivory sale.

The Secretariat congratulated the observer from Kenya on the measures they had taken to stop the illegal export of ivory and drew attention to document Doc. SC.42.12.7 concerning smuggling of ivory by diplomats. They explained that there was no diplomatic immunity from CITES controls but there was a natural reluctance to stop and search diplomats.

The Chairman also referred to document Doc. SC.42.12.7 and invited observations from the Committee. The regional representative of Africa (Tanzania) expressed concern over the complicated situation regarding diplomats and wildlife which could lead to difficulties between donor and recipient countries. He asked the Secretariat to contact all diplomatic missions in Geneva.

The Committee agreed to note document Doc. SC.42.12.7 for information.

Regarding document Doc. SC.42.10.2.2, the Secretariat noted that it provided a summary of actions carried out by the MIKE subgroup that had been established at the 41st meeting of the Standing Committee. CHF 140,000 had been allocated from the Trust Fund to act as seed funds to help in the development, refinement and implementation of MIKE.

The acting Chairman of the subgroup reported on the work of the group to date and the progress of MIKE. He reported that the subgroup had held two consultations via teleconference and had had a meeting in Lisbon on 26 October. An MoU was being developed between the Secretariat and IUCN to facilitate the implementation of MIKE and a Central Coordination Unit had been established. This Unit was currently based in Nairobi but the subgroup believed this responsibility should ultimately lie with the Secretariat. A sub-regional approach had been identified as the most effective way forward for the pilot phases of MIKE and a meeting had been held in Libreville for the Central African region. An outline of the pilot phase structure and programme for that region had been established and a subset of sites had been identified in Central African Republic, Congo and Gabon. Funding had already been provided for training and the Secretariat had visited the countries in the area.

Regarding the South East Asian Pilot Phase, a consultant had been appointed and negotiations with countries in the area had taken place. A meeting of the range States was scheduled for later in October 1999 and the Secretariat planned to visit all the range States by the end of the year.

With regard to future activities, it was expected that the pilot phases in Central Africa and Southeast Asia would be fully implemented in the next 18 months. A meeting had been requested in West Africa and a donor country had already made funding for that meeting available. Countries with existing capacity or programmes relevant to MIKE would be encouraged to adapt surveys and data to ensure compatibility with MIKE and Southern African countries had indicated their willingness in that regard. It was planned that information on MIKE would be made available on the CITES website.

The regional representative of Africa (Namibia) was looking forward to liaising with the Secretariat and the subgroup and had no need for additional funding. The representative of the previous host country and the observer from Botswana also expressed keen support for MIKE and were committed to its implementation. They offered to provide assistance to other range States if necessary.

The regional representative of Asia (Japan) also supported MIKE and said that Japan was considering providing financial assistance. The Japanese Federation of Ivory Arts and Crafts Association (JIA) was also planning to contribute funds to MIKE in the future.

Expressing regret that MIKE was not established before the sale of ivory to Japan, the observer from Kenya felt that the concerns of the range States regarding the effects of the sale had not been addressed. In particular, she felt that funds should be used to assist Management Authorities of range States with elephant conservation rather than being used to establish the Central Coordination Unit. The observer from India supported this view and was concerned that the number of study sites being planned for Asia omitted most of the elephant range.

The regional representative of Europe (Italy) and the observer from France were also anxious that monitoring should not be delayed. They hoped that the MIKE process

could be accelerated and that intermediate reports on progress would be made available in order to evaluate its effectiveness.

The Secretariat addressed the items raised by the observers from India and Kenya, explaining that the only reason why study sites were in small number in Asia was because it was a pilot phase.

The Chairman drew attention to Annex 3 paragraph 7 of document Doc. SC42.10.2.2 concerning the World Bank/GEF and outlined that he and the Secretariat were urgently looking for funding for the project, particularly from bilateral donors, as there were insufficient funds available from the Trust Fund. If funding was significantly less than required then MIKE would have to be scaled down.

c) Tiger

The Chairman noted that document Doc. SC.42.10.3, prepared by the Secretariat, laid out the actions undertaken in relation to Decision 10.66 and provided recommendations for the Standing Committee's report at CoP11. Document Doc. SC.42.10.4 was the report of the technical mission and he sought the Committee's advice on its recommendations.

The Secretariat suggested that document Doc. SC.42.10.4 should be considered first to allow assessment of the recommendations made in document Doc. SC.42.10.3. He thanked the members of the technical team and all other personnel who had helped make the missions successful. He particularly commended the honesty shown by frontline field staff.

He noted that Canada and Russia had provided comments, for example Canada was improving legislation concerning labelling and Russia had provided copies of legislation which they felt were not accurately reflected in the document. Three specific points were raised. Firstly the team had found very poor communication both within and between range States. Secondly, many range States had insufficient legislation to allow proper implementation of the Convention and, thirdly, specialized enforcement units were successful. He drew particular attention to task forces in the US Fish and Wildlife Service in the United States, the CITES enforcement team at Heathrow airport, United Kingdom, and Inspection Tiger in the Russian Federation.

The observer from India felt that insufficient emphasis had been put on the fact that sport hunting was not a viable option and also believed more emphasis should be placed on improving tiger habitats as conditions were not currently suitable to allow re-introduction. Specialized enforcement units were essential but they would need funding from donors. He stressed that unless the use of tiger parts was controlled in importing countries, enforcement in range States would be ineffective.

The observer from China appreciated the team's comments about enforcement efforts being made in China and reported that they were now considering the creation of a National Enforcement Coordination Committee for CITES. In addition, specialized enforcement units would be established at the provincial level. However, regarding the suggested destruction of all current stocks of tiger parts and derivatives, he pointed out that this was not possible as they were legally acquired pre-Convention material, and he believed the report would need to be modified before CoP11 to take this into account.

The regional representative of Asia (Japan) reported that Japan would be producing posters for display at airports, both within and outside Japan, warning that international

trade in any tiger derivatives, including Traditional Medicine (TM) and tiger penis, was prohibited by the Foreign Exchange and Foreign Trade Law. Domestic trade was regulated by the Law for the Conservation of Endangered Species of Wild Fauna and Flora that prohibited display and sale of some tiger products. In response to a request for clarification from the Chair, he stated that for the purpose of that law, tiger penis was now classified as 'skin' and thus regulated.

The regional representative of Europe (United Kingdom) outlined some of the work they were doing to increase awareness of the problem amongst the TM community including the production of posters and television advertisements broadcast on Chinese language programmes in Europe. He reported they were working with trade associations to develop literature in Chinese providing guidance to the TM community.

The observer from the United States supported the idea of a CITES Enforcement Task Force and also thought the Committee should consider the idea of assessing the benefits of introducing reporting forms and databases currently being piloted by MIKE.

The regional representative of Europe (Russian Federation) expressed regret that the technical mission had been unable to meet with the Management Authority of his country and drew attention to a sub-regional meeting in Vladivostock, Russian Federation, planned for October. He reported that two proposals for anti-poaching brigades were to be submitted to the World Bank for funding by GEF.

The regional representative of South and Central America and the Caribbean (Argentina) commented that the report mentioned a workshop on Tibetan antelopes that the Secretariat was organizing in autumn 1999 and offered the assistance of the experience gained by the Convenio de la Vicuña.

Thanking the regional representatives of Europe (Russian Federation) and South and Central America and the Caribbean (Argentina) and the observers from India, the United Kingdom and United States for their comments, the Secretariat welcomed China's news concerning the national coordination committee. He pointed out that the idea of destroying China's stocks of tiger parts and derivatives was merely a suggestion and not a formal recommendation. He also welcomed the information provided by the regional representative of Asia (Japan) concerning regulation of Japan's domestic trade but was concerned that this was contrary to what the technical team had been told in Japan, i.e. that tiger bone parts were not readily recognizable. However if the term 'skin' was taken to include penis, this was an improvement but he did not believe that material containing tiger derivatives, e.g. tonics, could be included in the same category.

The Chairman drew discussion to a close and explained that the technical mission reports would be sent to each of the range and consumer States visited with two sets of recommendations: a) those relating directly to CITES controls that required urgent action and, b) more general recommendations for consideration. He clarified that the suggestion concerning possible disposal of stocks was not a recommendation of the Standing Committee and asked if China could accept the document with these adjustments. The observer from China concurred and document Doc. Sc.42.10.4 was agreed.

Referring to the political missions, the Secretary-General stressed that these were positive missions aimed at supporting Parties where work was already in progress and where they would have more effect than the technical missions. In this regard missions to China, India and Japan were being planned.

d) Rhinoceroses: indicators of conservation success

The Secretariat introduced document Doc. SC.42.10.5 and its Annex, the results of a workshop held to investigate development of indicators, and noted that the workshop had developed a number of options and had recommended the most expensive of these. It was estimated that an allocation of USD 85,000 from the Trust Fund would be needed to develop a detailed proposal for establishing a monitoring system.

The regional representatives of Europe (Italy and United Kingdom) were concerned that these costs were simply for developing a proposal and were worried about the implication for the Trust Fund of implementing the full monitoring system. The observer from the United States and the representative of the previous host country however believed that donor funds would be more appropriate in this eventuality.

The observer from India, supported by the observer from Kenya, was in favour of long-term monitoring processes for rhinoceroses but had reservations, especially about fixed-site monitoring. They believed it would be more effective to provide funds to range States to allow them to conduct the monitoring.

The regional representative of Africa (Namibia) believed that many of the range States already monitored rhinoceros populations closely and it would be possible to reduce costs by bringing this information together.

The Secretariat suggested that data processes developed during the establishment of MIKE could be used to make savings, however the Chairman thought that any linkage of rhinos to MIKE was premature.

After considerable discussion the Chairman proposed a working group be formed and asked that the Secretariat be assisted by the regional representatives of Africa (Namibia and Tanzania) and Europe (Italy) plus the observers from India and Kenya. He indicated that the group was not preparing a resolution, just a paragraph to take the committee forward.

e) Approval of new projects

The Secretariat introduced document Doc. SC.42.10.6 concerning project S-99/08, Conservation of the Orinoco crocodile (*Crocodylus intermedius*) in Colombia. There being no dissent the project was approved.

Documents Doc. SC.42.10.6.1 and 10.6.2 showing the status of projects already approved had been provided by the Secretariat for information only. The Secretary-General drew attention to the number of projects that had been approved as long ago as the 28th meeting of the Standing Committee and suggested the list needed urgent review. This view was shared by the observer from Germany and also the Chairman of the Animals Committee who suggested that the projects could be reviewed in the light of the Significant Trade process as some of the species may no longer be considered a priority.

The observer from the European Commission suggested that, in the interests of transparency, future tables should show costs and donors, and thought that it would be useful for donors to have idea of priorities attached to each of projects for which funding was sought.

6. a) Preparations for CoP11 (UNEP, Gigiri) (continued)

The results of the working group were presented in document Doc. SC42.6.1 Annex 3A (Rev.). The document was accepted.

Fourth session: 1 October 1999

The Standing Committee approved the Executive Summary of 30 September 1999.

6. a) Preparations for CoP11 (UNEP, Gigiri) (continued)

As requested, the Secretariat had produced a draft text on the conditions under which delegates might be sponsored. The text read:

At its 42nd meeting, the Standing Committee decided that, at future meetings of the Conference of the Parties, sponsorship of delegates from Parties who are entitled to financial assistance would be allocated as follows:

- i) When sufficient funds are available, sponsorship will be provided for two persons, regardless of the size of delegation;
- ii) In cases where funds are insufficient, delegations consisting of five or more persons will not receive financial assistance;
- iii) If funding is then still insufficient, delegations consisting of four persons will receive sponsorship for only one person;
- iv) Delegates from a Party's embassy or mission in the host country shall not count as delegation members for the purposes of points 1. to 3. above. This also applies to Ministers or other members of Governments who do not intend to be present throughout the whole meeting.

The regional representative of Europe (Russian Federation) and the observer from India felt that it was important to provide a country's officials with the maximum exposure to a meeting of the Conference of the Parties and believed the new proposal hindered this. The Secretary-General however, pointed out that the first paragraph made it clear that the intention was to sponsor as many delegates as possible.

The regional representative of South and Central America and the Caribbean (Argentina) reminded the Committee that the document fully reflected the decision already taken under earlier discussion of the item. The Chairmen noted this and the proposed text was agreed.

10. d) Rhinoceroses: indicators of conservation success (continued)

The convenor of the working group reported that the group recommended that:

- i) The Standing Committee, taking account of the status of rhinoceros populations, continues to support the development of a standardized monitoring systems in Asia and Africa;
- ii) The Secretariat, in conjunction with the Management Authorities of rhinoceros range States and other parties involved in rhinoceros conservation, assesses the status and compatibility of existing monitoring systems for all key populations of all five species of rhinoceros and informs the Standing Committee accordingly;
- iii) The Secretariat further refines the proposal to establish a standardized monitoring system which should aim to achieve maximum synergy with existing monitoring systems and to enhance national capacity to implement the system;

- iv) The Standing Committee requests TRAFFIC to further develop the monitoring of trade in rhinoceros parts and derivatives in end user markets;
- v) The Secretariat submits a revised proposal at CoP11 (or at the next ordinary meeting of the Standing Committee).

The Chairman thanked the group and believed a sensible compromise had been achieved. Agenda item 10 d) was agreed.

12. b) Implementation of Decisions 10.18 and 10.64 (possible trade measures)

The Secretariat introduced document Doc. SC.42.12.2 and reported that despite ongoing correspondence with Guyana, new legislation had not been enacted and therefore a Notification had been issued to the Parties informing them of the Committee's recommendation of a trade suspension. Regarding Senegal, there appeared to have been little progress so a Notification concerning suspension of trade with Senegal would be issued on 31 October 1999.

The Chairman noted that there were no decisions for the Committee to make but the lack of progress was disappointing and the regional representative of South and Central America and the Caribbean (Argentina) urged the Secretariat to contact Guyana outlining the measures they need to take to fulfil their obligations.

Difficulties in communicating with the Secretariat were reported by the observer from Antigua and Barbuda who said they needed technical assistance to develop the required legislation. The Secretariat reassured him they were moving ahead with capacity building programmes, especially in regions such as the Caribbean, that had serious legislative problems. He also confirmed that once the Secretariat was informed that Guyana had enacted their draft legislation, the Notification would be withdrawn.

Regarding the situation in Egypt, the Secretary-General introduced document Doc. SC.42.2.1, a report on the Secretariat's mission to Cairo in September 1999. He reported that a Ministerial Decree drafted during the mission and published in the Official Journal of Egypt on 18 September 1999 fully met the requirements for implementation of the Convention and the conditions established at the 41st meeting of the Standing Committee. He wished in particular to thank the Deputy Premier of Egypt who had taken a personal interest in the project.

The observer from Egypt thanked the Secretariat and the Standing Committee for their work and drew attention to the technical assistance which could be provided by the Secretariat including legislature, capacity building and training. The Egyptian Government was submitting a project proposal concerning capacity building to be considered for funding by GEF.

The Chairman thanked Egypt and the Secretariat for the quantity and quality of the work carried out at very short notice and noted that no further action by the Committee would be necessary.

7. b) Consolidation of Resolutions (continued)

The Chairman asked if the regional representative of Asia (Japan) could decide whether Annex 1A or B should be put forward at CoP11. However the regional representative, commenting on the text of Decision 10.60, believed it was neither necessary nor

appropriate to consolidate Resolutions on cetaceans. This view was shared by the observers from Antigua and Barbuda, Norway and Saint Lucia.

The regional representative of Europe (United Kingdom) reported that there had been discussion within their region and that Europe would like to see the Resolutions consolidated. However the observer from Norway reported that Norway had not been consulted.

The regional representative of South and Central America and the Caribbean (Argentina) reminded the Committee that the decision to continue the process of consolidating Resolutions had been taken at CoP10 so the process itself should not be discussed. If a consensus could not be reached then the problem should be resolved by the Conference of the Parties. The Secretariat expressed appreciation of this intervention and noted that CoP10 had requested the Secretariat to redraft the document presented there for submission at CoP11.

The regional representative of Oceania (New Zealand) agreed that this was the case and noted that the Committee's mandate was to decide if the Annexes accurately reflected the text of previous resolutions. She suggested Annex 1B be put forward.

The Chairman asked if the Committee could "note Annex 1B reflects the text of existing Resolutions on cetaceans and agrees that it should be put forward by the Secretariat at the next Conference of the Parties". However, the regional representative of Asia (Japan) explained that this did not reflect the discussion in Committee which had mostly centred around the necessity or appropriateness of consolidating Resolutions on cetaceans. There had been no discussion of the Annexes themselves.

The regional representative of South and Central America and the Caribbean (Panama) agreed the annexes had not been discussed but pointed out that if both annexes reflected the text of previous resolutions it should be possible to present them both at CoP11.

The representative of the Depository Government suggested a neutral text that could move the process forward. After some minor amendments the following was drafted: "The texts prepared by the Secretariat fully reflect the texts of existing Resolutions on the subject. These texts should now be forwarded for consideration at CoP11."

The regional representative of Asia (Japan) wished to record strong reservations on this as the texts of the Annexes had not been discussed, however he would not hold the process up. The observer from Norway also objected to the procedure and the Chairman agreed that his objection would be recorded.

4. d) Report of UNEP (continued)

The Chairman of the Finance Subcommittee introduced document Doc. SC.42.4.2 produced by UNEP and recommended the Committee accept it for information purposes. He noted that it provided additional information to document Doc. SC.42.4 and drew attention to the section relating to changes to investment procedures outlined in Annex 8 of that document. He recommended that future reports to the Standing Committee and the Conference of the Parties should be submitted as early as possible to allow enough time to review them properly.

The observer from UNEP agreed it was important for documents to be submitted early. He noted that the committee was treating the document as information material so its format and content could be improved before it was presented at CoP11.

The Chairman stressed the importance of making in the report of UNEP cross-references to the MoU between the Executive Director of UNEP and the Standing Committee.

11. Review of the criteria for amendment of Appendices I and II (Resolution Conf. 9.24)

The Secretariat introduced document Doc. SC.42.11 and its Annex and thanked the Chairmen of the Animals and Plants Committees for their work in preparing them.

The Chairman of the Animals Committee outlined the Annex to the document that proposed the establishment of a criteria working group at CoP11 that would be composed of a representative of both the Animals and Plants Committees from each of the six regions. It was also proposed that the working group could co-opt up to four experts, including representatives from organizations such as FAO and ITTO, to assist in the review. He noted that it would be necessary for CoP11 to allocate sufficient funds for the activities of the working group and the joint meeting of the technical committees.

The observer from Malaysia, supported by the observer from China, was strongly in favour of the proposal to set up a working group and welcomed the idea of including experts from other organizations. He noted that the representatives of the Animals and Plants Committees would be nominated by the Chairmen of those Committees and proposed rather that nominations for the Group should be based on Parties, not individuals. He believed there should be wider participation and that Parties should be allowed as observers to meetings of the working group and at the proposed joint meeting of the two technical committees.

The regional representative of Asia (Japan) supported the review process but queried the mechanism and composition of the working group as the membership of the technical committees would change after CoP11. With regard to allowing up to four invited experts, he thought that, due to the complex nature of the process, more experts might be necessary. Furthermore, he was concerned that the criteria may not be appropriate for some groups of taxa, e.g. marine species, and that the work of other bodies, e.g. FAO, should be respected.

The observer from Canada also thought that the number of outside experts should not be limited to four and that the make-up of the group should reflect technical expertise within the constraints of the budget. The observer from the United States supported the document and stressed that it was important that time should be allowed for peer review of the report to be produced by the working group.

The observer from the European Commission fully supported the proposal and suggested that it might be possible for the Commission to host a meeting of the working group in Brussels after CoP11. He believed such support to CITES would be easier if the Gaborone Amendment were to enter into force and appealed to the Parties to ratify it.

The Secretariat thought that it would be easy to revise the document slightly in the light of the Standing Committee's discussion and noted that there would be further opportunity to discuss the process at CoP11.

The Chairman of the Animals Committee believed that it would be easy to accommodate some of the comments in the document. He agreed that the composition of the committees would not be known until after CoP11 and therefore was very conscious of the importance of including outside experts. Synergy with the FAO working group might also be possible.

5. Preparation of the Strategic Plan for the Convention (continued)

The Chairman of the working group reported that all the recommendations had been included in document Doc. SC.42.5 Annex 1 (Rev.) and although not everyone might accept them all, the document was adequate to be sent to the Parties for further review and comments. These comments would then be collated and included in the final document for consideration at CoP11.

The Chairman thanked the working group and the Standing Committee agreed the document should be circulated to the Parties.

2. Acceptance of credentials (continued)

The Secretariat reported that credentials had been received from 13 delegations representing the regions (including alternates), 25 delegations from observer Parties, two delegations from observer organizations (UNEP and the European Commission) and the Chairmen of the Animals and Plants Committees. Credentials had not been received from one delegation representing the regions (United Republic of Tanzania – alternate for Africa), one observer Party (Hungary) and one observer non-Party (Grenada).

12. a) National legislation project: progress and future development

The Secretariat introduced document Doc. SC.42.12.1 and sought the Committee's endorsement of the strategy. They particularly emphasized paragraph 8 that indicated that the Secretariat intended to draw attention to countries that had not implemented the Convention.

The regional representative of Europe (United Kingdom) believed that possible suspension of trade should be given greater prominence in the document.

The observer from United States, supported by the regional representative of South and Central America and the Caribbean (Argentina), suggested the Secretariat should prepare a detailed analysis of the funding requirements so that the implications for the budget were transparent. However, the Secretariat responded by pointing out that the strategy was linked to one of the staff positions already approved by the committee, namely the Trade Policy Analyst. The Secretariat already had a substantial national legislation budget.

The Committee agreed to endorse the strategy.

c) Stricter domestic measures (Decision 10.103)

The Secretariat introduced document Doc. 42.12.3 indicating that they had only received 11 responses from Parties to Notification No. 1999/57 requesting details of legislation. These responses had varied from simple to highly complex.

The Secretary-General explained that it was important for Parties to indicate aspects of their legislation which were negative to trade so perhaps more specific questions

needed to be developed. The Chairman agreed this was a possible way forward and perhaps a new Notification was needed.

Another idea suggested by the regional representative of South and Central America and the Caribbean (Argentina) was the possibility of a database on the Internet, so that domestic measures could be accessible to all Parties.

The Committee accepted document Doc. 42.12.3.

d) Enforcement matters

The Secretariat introduced document Doc. SC.42.12.4 as an information document outlining their enforcement work and announced that an MoU between the Secretariat and the Lusaka Agreement was in the process of being drafted. He further reported that a display of enforcement initiatives and material, posters, etc. would be presented at CoP11 and requested donations of such material.

e) Import and export controls

The Secretariat introduced document Doc. SC.42.12.5 and reported that there had been no response to Notification No. 1999/52. There had however been a positive response from the World Customs Organization suggesting they meet with the Secretariat.

In view of the lack of progress, the Chairman suggested the subject should be deferred for discussion until after CoP11 and the Committee agreed.

f) Implementation of Resolutions

The Secretariat introduced document Doc. SC. 42.12.6 and reported that a notification would be issued to collect information for analysis in order to prepare a report for CoP11. He explained that the information collected should be updated after each meeting of the Conference of the Parties and the Chairman noted that the role of the regional representatives was to keep that information updated once a baseline had been established. There being no further discussion the document was accepted.

14. Guidelines for the preparation and submission of annual reports (Decision 10.131)

The Secretariat introduced document Doc. SC.42.14 and its Annex and asked for comments. The observer from Germany suggested a few minor amendments and additions to the Annex, however the Secretary-General believed these would best be dealt with bilaterally.

Regarding stony corals, the observer from United States thought the Secretariat did not have a remit to decide when higher taxa could be used and that it was rather the role of the Conference of the Parties. Referring to Resolution Conf. 10.2 Part IX, the Secretary-General pointed out that higher-taxon names could be used if the Party concerned could show that it was well justified and had communicated this to the Secretariat. This was especially so in the case of base rock and substrate.

The Chairman of the Animals Committee reported that corals had been discussed extensively at their meeting in Madagascar. Although the Animals Committee had been unable to resolve all the outstanding identification issues, a working group that would report back through the Secretariat was now addressing them.

The Chairman pointed out that the Annex was a set of guidelines only and that the Parties could decide themselves whether they were appropriate for them.

The observer from United States believed the guidelines should be circulated to the Parties in a notification but also expressed the wish that it should indicate that there were outstanding concerns on corals that would need to be addressed subsequently.

There being no further discussion the document and its annex were accepted.

13. Transport of live animals (Resolution Conf. 10.21)

The Secretariat introduced document Doc. SC.42.13 noting that it was for information. There had been very few responses to Notification No. 848 and a subsequent Notification, No. 1999/48, had been issued after the Animals Committee had modified the form to include a reduced list of species. Again there had been a poor response so Parties trading in the short-listed species would be contacted directly.

16. Traditional medicine (Decision 10.143)

The Secretariat introduced document Doc. SC.42.16 for information and noted that the focus of the instruction in Decision 10.143 needed to be narrowed in order for it to be implemented.

The observer from the United States enquired whether it was the intention to move forward with redrafting the Decision and the Chairman invited comments in writing to the Secretariat so that a text could be prepared for consideration at CoP11.

The Secretariat informed the Committee of an important meeting on traditional medicine to be held in Beijing in December 1999 and suggested that it might be an appropriate forum to develop more targeted issues.

Document Doc. SC.42.16 was accepted.

17. Synergy between the biodiversity-related conventions (Decision 10.63) and relations with other organizations

The Secretary-General introduced document Doc. SC.42.17 noting that although there had been little implementation of synergy, the Secretariat was stepping up its actions in that direction. He intended to participate in a meeting between Secretaries-General on the fringe of a meeting organized by UNEP in October 1999 and to be represented at meetings of other conventions. He reported that UNEP planned to create a body of the chairmen of the technical committees of all biodiversity-related conventions. It was important that synergy was realized in a holistic and far more practical way and the document listed 10 policy areas where this could be done. He requested that the Committee endorse the ideas and proposals contained in the document.

The Chairman congratulated the Secretary-General for producing such a comprehensive document and thought that there would be another even better one at CoP11 representing a major opportunity to put synergy into practice.

The observer from UNEP reported that the new structure of UNEP had six coordinated divisions, of which one was the Division of Environmental Conventions that was responsible to promote synergy between multilateral environmental agreements. UNEP intended to make full use of all of its divisions to enhance and promote synergy. He noted

the importance of establishing a special relationship between CITES and the Convention on Biological Diversity and the need to do this for all the global conventions, particularly with regard to scientific and technical bodies. With regard to funding, he pointed out that UNEP was one of the implementing agencies of GEF and was quite ready to assist CITES and other global conventions to put forward to funding proposals to GEF and the Turner Foundation.

The observer from United States expressed general support for the document but warned that caution was necessary in policy area 10 to avoid compromising the rules and spirit of CITES.

The observer from the European Commission thought the document could be enhanced by including references to areas that were not covered by specific conventions and thought more emphasis should be put on the Commission for Sustainable Development (CSD) with a specific reference to the Intergovernmental Forum on Forests (IFF).

Document Doc. SC.42.17 was approved.

18. Trade in bushmeat

The observer from the United Kingdom presented document Inf. SC.42.11 that was intended to inform the Standing Committee of the work on this issue currently being conducted in his country. He asked that the Parties might provide ideas for a possible way forward as it was a growing problem with implications for other conventions.

The observer from Kenya believed the problem in West and Central Africa had now become a CITES issue and welcomed the initiative. She suggested the subject be raised at CoP11.

The Chairman noted that the observer from the United Kingdom was happy to receive feedback on a bilateral basis and recommended this process.

19. Organization of work of the Committee until CoP11 – Time and venue of the next meeting

The Chairman reported that the Committee had had preliminary discussions concerning potential chairmen for the committees of CoP11 and that the next meeting of the Standing Committee was scheduled for April 2000 at Gigiri.

The Chairman noted that one budget item had been left open. The Secretariat now believed there was an estimated CHF 270,000 in the Trust Fund not allocated for 1999 which could provide resources for three projects, namely an enforcement workshop in Egypt or a neighbouring country, SIDS workshops in Oceania and the Caribbean, and a regional meeting for South and Central America and the Caribbean, should donor funds not be available. With regard to the possibility of having a high level seminar at Gigiri, it would be left to the Secretariat to explore possibilities.

20. Any other business

None.

21. Closing remarks

The Chairman expressed the Committee's thanks to Portugal for hosting the meeting and for the evening reception.

The observer from Portugal believed the main objectives of the meeting had been achieved but warned that there was still work to do before CoP11. He complimented the Chairman for his chairmanship.

The Secretary thanked the Committee for their support to the Secretariat and also expressed thanks to the hosts, the Secretariat staff, the interpreters and the rapporteurs.

Summary report of the first meeting of the Finance Subcommittee

27 September 1999

The Secretary-General welcomed participants to the first ever meeting of the Finance Subcommittee. A quorum was established with representatives from Africa (Namibia), Asia (Japan), Europe (Russian Federation), Central and South America and the Caribbean (Argentina) and North America (United States of America).

The Secretary-General requested nominations for a Chairman of the Subcommittee meeting; the regional representative of Asia nominated the representative of the United States of America. There being no other nominations the representative of the United States of America was honoured to accept.

The Secretariat introduced document Doc. SC.42.4 and explained that it contained 10 annexes.

Annex 1: CITES Trust Fund – Status of Contributions as of 30 June 1999

The Secretariat explained that this document had been drawn up as of 30 June 1999 and since then further contributions had been received. However, there were still contributions outstanding from 59 per cent of Parties.

There being no questions, the Subcommittee recommended that the Standing Committee should adopt document Doc. SC.42.4 Annex 1.

Annex 2: CITES Trust Fund – Income, Expenditure and Accumulated Fund Balances as of 30 June 1999 (in CHF)

The representative of the Depository Government requested an explanation of the steady decrease in 'Other Income' since 1994. The representative of UNEP explained that this was due to the decrease in donor contributions, for example to support staff positions.

It was recommended that the Standing Committee should accept document Doc. SC.42.4 Annex 2 for information.

Annex 3: CITES Trust Fund – Certified Accounts for 1998

The representative of UNEP introduced the document and, in response to a question from the representative of the Depository Government, explained that in accordance with United Nations (UN) regulations all accounts of the UN are reported in US dollars.

The Secretariat suggested that Annex 4 contained the basis for expenditure for the summary outlined in Annex 3, therefore it was decided to pause the discussion on Annex 3 and move to discuss Annex 4.

Annex 4: UNEP/CITES Secretariat – 1998 Expenditures (Final) – in CHF

The representative of North America (United States) asked for an explanation of the overspending in budget line 2109, 'Trade Monitoring and Technical Support'. The Secretariat explained that this was due to a delay in financial reporting from the

World Conservation Monitoring Centre (WCMC) and this question had already been raised at the forty-first meeting of the Standing Committee.

The representative of the Depository Government drew attention to the previous meeting of the Standing Committee at which it was suggested that attempts should be made to seek alternative investment accounts in order to generate more income from the interest. The Chairman recommended that this should be discussed under Annex 8.

The representative of Central and South America and the Caribbean (Argentina) referred to budget line 3302 'Plants Committee' and asked for an explanation as to why a budget had been included for the Plants Committee when there had been no meeting of that Committee in 1998. The Secretariat contacted the Plants Officer in Geneva who explained that there had been expenditures for 1999 meeting preparations, publication of proceedings of the 1997 Plants Committee meeting, European Regional meetings and the CITES Slide Pack.

The representative of the Depository Government requested an explanation of why the Animals Committee exceeded their budget by 60 per cent. The Secretariat explained that this had been due to the funding of the caviar meeting with the expectation that alternative funding would be found at a later date, however these funds had not materialized.

The representative of the Depository Government asked if any payments had been included following the departure of the previous Secretary-General. The Secretariat explained that payments had been and were still being made pending the resolution of the sick leave position of the previous Secretary-General.

The representative of Asia (China) asked for an explanation of the allocation of funds for budget line 5203, 'Permits on security paper'. The Secretariat explained that provision was made by the Secretariat to assist the Parties in organizing the printing of permits on security paper, but that a reimbursement of the costs was usually requested.

The Finance Subcommittee recommended that the Standing Committee accept documents Doc. SC42.4 Annexes 3 and 4.

Annex 5
(Rev.):

UNEP/CITES Secretariat – 1999 Expenditures to 30 June (Provisional) – in CHF

The representative of Europe (Russian Federation) asked the Secretariat to give an exact budget plan. With reference to budget line 3301, 'Standing Committee', he asked for an explanation of the overspending. The Secretariat explained that there had been an additional meeting of the Standing Committee in 1999 and other formal meetings which had not been projected at the 10th meeting of the Conference of the Parties. He also explained that some of the budget lines had been split in order to show specific expenditure.

The representative of Europe (Russian Federation) asked if there could be further discussion on this Annex in the meeting of the Standing Committee. The Chairman agreed that this would be sensible.

Annex 6: Additional Funds for Priority Activities (1999)

The Secretariat presented the document and directed attention to the table on the final page which referred to proposed new staff posts within the CITES Secretariat. He stressed that the budgets outlined in the table were unlikely to be realized due to the time delays in recruitment. He added that no additional contributions from Parties would be necessary to enable these appointments as they could be funded using the facility of the draw-down capacity. However, these figures would have to be considered for the mid-term plan which would be discussed at the 11th meeting of the Conference of the Parties. The representative of Africa (Namibia) supported the Secretariat's request for the increase in personnel.

There was general approval for an increase in the number of Secretariat personnel. However, concerns regarding a future increase in contributions required from the Parties to meet the costs of new personnel were expressed by the representatives of Central and South America and the Caribbean (Argentina), the Depositary Government, North America (United States) and Oceania (New Zealand).

After further discussion and clarification, the Subcommittee recommended that the Standing Committee approve the following appointments:

Budget line 1115: 'Legal and Trade Policy Analyst' (P4)

Budget line 1116: 'Senior Capacity Building Officer' (P4)

Budget line 1117: 'Senior Enforcement Officer' (P4)

Budget line 3306: 'SIDS Implementation'

It was noted that budget lines 1118, 'Senior Enforcement Officer' (P4) and 1311, 'Permit and Data Assessment Assistant' (G5) had been approved at the 40th meeting of the Standing Committee.

Annex 7 (Rev.):

CITES Trust Fund – Estimated Financial Requirements for the Operations of the UNEP/CITES Secretariat in the Year 2000 – in CHF

The representative of the Depositary Government drew attention to the previous discussions under Annex 6 and it was agreed that in light of these the budget lines 11, Professional Staff and 130, General Service Staff would need to be modified.

The representative of North America (United States) asked why no provision had been included in the budget for the rhinoceros monitoring programme. The Secretariat explained that it had not been identified as an additional priority at the 10th meeting of the Conference of the Parties (as presented in Annex 6). He added that the issue would have to be presented separately to the Standing Committee.

The Chairman of the Plants Committee asked about the fate of funds that were allocated but not spent. The Secretariat explained that they currently go to an accumulated fund balance.

The representatives of Africa (Namibia) and Europe (Russian Federation) were concerned about the reduction in the budget for both travel of participants to seminars and for training courses and materials. The Secretariat explained that due

to the increased workload in a Conference year it was likely that there would be fewer training seminars and the budget was decreased accordingly.

At the suggestion of the representative of the Depositary Government, it was agreed that the title in budget line 4301, Rent of Office Premises, should be changed to 'Maintenance Costs'.

After further questions and clarifications the Subcommittee agreed to recommend that the Standing Committee adopt the document with modifications to reflect the discussions under Annex 6.

Annex 8: CITES banking arrangements

This document was deferred for discussion under Standing Committee Agenda Item 4. d) when document Doc. SC.42.4.2 would be available.

Annex 9: CITES Trust Fund – Estimated financial requirements for the operations of the Secretariat for the medium-term plan 2001 – 2005

The Subcommittee supported the medium-term budget as presented, taking account of the reservations discussed in Annex 6.

Annex 10: Classification review of posts in the Secretariat

The Secretariat gave some background on the classification review and, in answer to a question from the representative of Europe (Russian Federation), confirmed that the terms of reference of the UNEP consultant could be made available to interested Parties.

The Subcommittee recommended that the Standing Committee adopt the document.

The Chairman closed the meeting at 16:00.