

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

Forty-seventh meeting of the Standing Committee
Santiago (Chile), 1-2 November 2002

SUMMARY REPORT

1. Opening remarks by the Chairmanno document

The Chairman welcomed the participants.

Strategic and administrative matters

**2. Adoption of the Rules of Procedures
(Additional discussions on Rule 6)..... SC47 Doc. 2**

The Secretariat introduced document SC47 Doc. 2 noting that its Annex incorporated changes agreed at SC46. Discussion concerned Rule 6 regarding admission of observers, Rule 23 regarding speaking at the meeting, and Rule 28 regarding the summary record of the meeting. Interventions were made by Australia, China, Ecuador, Italy, Japan, Mexico, Saint Lucia, Switzerland, the United States of America, the Chairman of the Animals Committee and the Secretariat.

The Rules of Procedure as contained in the Annex to document SC47 Doc. 2 were adopted with the following amendments:

Rule 6, paragraph 1 now to read:

The Chairman may, after consultation with members of the Standing Committee and the Secretariat, invite any person or any body or agency technically qualified in protection conservation or management of wild fauna and flora to be represented at meetings of the Committee by observers. These observers shall have the right to participate only during the discussion of specific agenda items determined by the Committee, but not to vote. However, the right of any such observer to participate shall be withdrawn if so agreed by the Committee.

Rule 6, paragraph 2 now to read:

Any person or body wishing to participate in a meeting of the Committee in accordance with paragraph 1 shall submit a request to the Secretariat at least one month before the meeting, or in the case of an emergency meeting at least seven days prior to that meeting. This request shall be accompanied by relevant information with regard to the technical qualifications of the person or body and proof of the approval of the State in which the body is located. The Secretariat shall forward this request and relevant information to the Chairman and the members of the Committee.

Rule 23, paragraph 2 now to read:

The Chairman shall, as a general rule, call upon speakers in the order in which they signify their desire to speak and shall give precedence to the members of the Committee. Amongst observers, precedence shall be given to representatives of Parties, non-Party States, intergovernmental organizations and non-governmental organizations, in this order. However the Chairman may depart from this general rule and call on speakers in the order that he/she judges appropriate to ensure the timely progress of the debate.

The Secretariat was instructed to include on a trial basis a list of those who had intervened under each Agenda item in the summary record of each meeting of the Committee.

3. Acceptance of credentials.....no document

Because those attending the Committee meeting are required to present credentials for attendance at the 12th meeting of the Conference of the Parties, no additional credentials for attendance were required. The Secretariat was asked to ensure that all members of the Standing Committee had presented credentials, in case the Committee came to a vote.

4. Adoption of the Agenda.....SC47 Doc. 4

The Islamic Republic of Iran made an intervention and it was agreed to include discussion of Notification No. 2002/059, concerning trade in specimens of *Huso huso* from the Caspian Sea, under item 11. With this modification, the provisional Agenda in SC47 Doc. 4 was adopted.

5. Arrangements for the 12th meeting of the Conference of the Parties.....no document

Interventions were made by Australia, Canada, Chile, China, Switzerland, the United Republic of Tanzania, the United States of America and the Secretariat. The Government of Chile was thanked for the excellent arrangements it had put in place for the forthcoming meeting of the Conference of the Parties.

The Committee agreed by acclamation to nominate the following officers of CoP12: Sergio Bitar (Chile) as Chairman of the meeting; Uganda and the United States of America as Vice-Chairmen; Thailand as Chairman of the Credentials Committee; David Morgan (United Kingdom) as Chairman of Committee I; Anne-Marie Delahunt (Australia) as Chairman of Committee II.

The Committee agreed the following nominations for the Credentials Committee of CoP12: Botswana, Canada, Chile and Italy.

It was agreed that the Committee recommend to the Conference of the Parties that the provisional working programme of CoP12 set out in the annexes to document CoP12 Doc. 4 (Rev. 1) be modified as follows: the meetings of Parties on a regional basis scheduled for 14h00-17h00 on Monday 4 November 2002 be replaced by a plenary meeting; meetings of Parties on a regional basis to replace the plenary meeting between 09h00 and 10h00 on Tuesday 5 November 2002, with the meetings of Committees I and II to run from 10h30 to 12h00; a plenary meeting to replace meetings of Committees I and II between 16h00 and 17h00 on 8 November 2002; meetings of Parties on a regional basis to be held between 09h00 and 12h00 on Monday 11 November 2002, replacing meetings of Committees I and II for the period 10h30-12h00.

A request that the Secretariat make every effort to ensure that documents for meetings of the Conference of the Parties are distributed as early as possible was noted.

**6. Implementation of the Strategic and Action Plans
(Report/recommendations of the Working Group)**

a) Standing Committee workplan(see SC46 Doc. 5.2)

The Secretariat introduced document SC46 Doc. 5.2, noting that changes agreed at SC46 had been incorporated.

It was agreed to change the time-frames for two items on p. 3 of document SC46 Doc. 5.2 from 2002 to 2003. The modified document was accepted by the Committee.

b) Draft revision of the Strategic Vision through 2005 Action Plan(see SC46 Doc. 5.3)

Document SC46 Doc. 5.3 was accepted by the Committee.

**7. Memorandum of Agreement with the Executive Director of UNEP
and the Secretary-General of CITES SC47 Doc. 7**

The Chairman introduced document SC47 Doc. 7, noting that he had been asked to examine the relationship between CITES and UNEP. He had originally been charged with the writing of a letter to the Executive Director of UNEP but had instead decided to present to the current meeting a revised version of the Memorandum of Agreement with the Executive Director of UNEP and the Secretary-General of CITES, contained in the Annex to document SC47 Doc. 7.

It was agreed to amend the Annex to document SC47 Doc. 7 so that the fifth preambular paragraph would now begin "RECOGNIZING that the 47th meeting of the Standing Committee recommended [...]". The Chairman of the Committee was requested to take forward with the Executive Director of UNEP discussions on the draft Memorandum of Agreement contained in the Annex to document SC47 Doc. 7.

**8. Establishment of
an Implementation Committee..... (see CoP12 Doc. 13.2 and CoP12 Doc. 13.3)**

Following an intervention from the United States of America, it was agreed to postpone discussion of this item pending the results of the discussion of the committee structure at CoP12.

9. Financial and administrative matters

a) Estimated expenditures for 2002.....(see CoP12 Inf. 3)

The Committee noted document CoP12 Inf. 3.

b) Payment of contributions by Parties..... SC47 Doc. 9.2

An intervention was made by Mexico.

The Committee noted document SC47 Doc. 9.2. The Committee requested that the most recent available version of the UN scale of assessments be used as the basis for calculating the contributions to the Trust Fund by Parties.

c) Budget for 2003-2005 (see CoP12 Doc. 9.1)

The Secretariat introduced Annex 4 (Rev. 1) of document CoP12 Doc. 9.1, explaining that they had not had time to modify Annex 2 of the document by including a column showing annual average real expenditure for 2000-2002, as had been requested by the finance sub-committee the previous day. Interventions were made by Australia, China, Italy, Mexico, Ecuador, Japan, Saint Lucia, the United Republic of Tanzania, the United States of America and the Chairman of the Animals Committee. The list of options for budget cuts in the event of zero growth in Parties' contributions, as set out in Annex 4 (Rev. 1) was discussed, but the Committee came to no conclusions. Some discontent was expressed with the way figures had been presented in document CoP12 Doc. 9.1 and its Annexes.

The Committee noted document CoP12 Doc. 9.1 and its revised Annex 4. It asked the Secretariat to prepare a revised version of the document, including a further revision of Annex 4, for consideration at CoP12.

Interpretation and implementation of the Convention

10. Implementation of the Convention in individual countries

The Secretariat reported that the legislation of the Democratic Republic of the Congo now qualified for inclusion in Category 1. A second mission to the country had confirmed compliance with the Standing Committee's recommendations and a Notification would be issued to withdraw the recommendation for a suspension of trade with the country once the Secretariat had determined that stamps and permits had been produced, and had received permit forms.

a) National Legislation Project

Fiji Coral Trade SC47 Doc. 10.1

An update on the information in document SC47 Doc. 10.1 was provided, in which it was noted that the national legislation referred to in paragraph 3 was not expected to be enacted until the first quarter of 2003. Interventions were made by Australia and Fiji. The representative of Fiji concurred with the information provided in the document and orally by the Secretariat. The need for capacity-building in the region was stressed.

The Committee noted document SC47 Doc. 10.1. The Secretariat reported that it had recently extended the project conducted in Indonesia on non-detriment findings in trade in corals to include Fiji. The Committee noted this as an example of the Secretariat's involvement in capacity building in the Oceanian region.

b) Enforcement matters SC47 Doc. 10.2

Regarding trade with the United Arab Emirates, interventions were made by Germany, Saudi Arabia, Switzerland, the United Arab Emirates, the United States of America and the Secretariat. It was noted that a new federal law regarding wildlife trade had been signed by the President of the United Arab Emirates and would be in force within six months. Some concerns were raised about possible continuing illegal caviar trade. It was explained that traders had been operating in duty-free zones where government officials had been unaware of their activities, but that enforcement was now being undertaken at municipal level.

In view of the progress made, the Committee agreed to authorize the Secretariat to issue a Notification to the Parties withdrawing completely the recommendation for a suspension of trade with the United Arab Emirates. The Committee also agreed that the Secretariat should monitor the resumption of trade by receiving copies of all permits and certificates issued by the United Arab Emirates for a period of six months.

Problems in the implementation and enforcement of the Convention in Nigeria were highlighted, in particular the case of four *Gorilla gorilla* that had been exported from Nigeria to Malaysia falsely declared as captive-bred.

The Committee agreed that the Secretariat should undertake a technical mission to Nigeria to assist in the resolution of problems in the enforcement of the Convention in that country.

11. Significant trade in Appendix-II species SC47 Doc. 11

The Secretariat introduced document SC47 Doc. 11 noting the progress made by the countries concerned, but noting that some of the requirements for action set out in document SC45 Doc. 12.2 were onerous and needed resources, such as specialist fisheries management expertise, that were not always available locally. Interventions were made by Australia, the Islamic Republic of Iran, Italy and the United States of America. It was suggested that the Secretariat should pursue other ways of funding the necessary work and should look into the possibility of establishing a mechanism for exchanging information on efforts to control illegal trade in Caspian Sea caviar.

The Committee noted the actions outlined in paragraphs 6 a), b) and c) of the Annex to document SC47 Doc. 11 and agreed to the Secretariat's recommendation that the deadline for the implementation of the Committee's recommendations dependent on external agencies be extended by a further 12 months.

The Committee encouraged the five Caspian States and the Secretariat to meet during CoP12 to resolve the problems in the trade in specimens of *Huso huso* from the Caspian Sea outlined in Notification No. 2002/059 of 22 October 2002.

12. Late or non-submission of annual reports(see SC46 Doc. 17)

The Secretariat introduced document SC46 Doc. 17, drawing attention to the list of Parties in paragraph 10 and noting that the following had now either submitted annual reports for three consecutive years within the period 1997-2000 or had provided an adequate justification for having failed to do so: Antigua and Barbuda, Burkina Faso, Comoros, Fiji, Myanmar, Saint Vincent and the Grenadines, and Uganda. Interventions were made by Australia, China and Saint Lucia.

The Committee determined that the following countries had failed, without having provided adequate justification, to provide the annual reports required under Article VIII, paragraph 7(a), of the Convention for three consecutive years within the deadline established in Resolution Conf. 11.17 or the extended deadline that is provided for in that Resolution: Afghanistan, Bangladesh, Cambodia, Djibouti, Dominica, Liberia, Rwanda, Somalia and Vanuatu.

The Secretariat was thereby instructed to issue a Notification to the Parties recommending suspension of trade in specimens of CITES-listed species in relation to these Parties.

The Committee noted interventions made on behalf of Dominica and Vanuatu by their respective regional representatives.

13. Any other businessno document

The Secretariat referred to seven proposals from Madagascar to amend the Appendices. These had been received before the deadline for submission for consideration at CoP12 but at a time when it had been impossible for the Secretariat to confirm that they had been submitted by an agency that represented the Government of Madagascar. The Secretariat drew attention to its position on these proposals as set out in paragraph 3 of document CoP12 Doc. 66.

14. Determination of the time and venue of the next meeting.....no document

It was agreed that the next meeting would be held in Santiago, Chile, on 15 November 2002.