

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



Fifty-fourth meeting of the Standing Committee
Geneva (Switzerland), 2-6 October 2006

SUMMARY RECORD

1. Opening remarks by the Chairman

The Chairman and the Secretary-General welcomed the participants. The representative of UNEP gave a speech on behalf of the Executive Director of UNEP (provided in document SC54 Inf. 9). The Chairman requested a minute of silence for the memory of the people working for conservation in Nepal, including the head of the CITES Management Authority, who had died tragically in a helicopter accident in Nepal on 23 September 2006.

Strategic and administrative matters

2. Adoption of the agenda and working programme

2.1 Agenda

The Secretariat introduced document SC54 Doc. 2.1. It was suggested that the Committee should discuss the outcome of the recent workshop on CITES and livelihoods and the periodic review of the Appendices. It was also suggested that the Committee should establish a working group to discuss the agenda items relating to sturgeons.

The agenda was adopted with the following amendments:

- the workshop on CITES and livelihoods, held in South Africa, 5-7 September 2006, would be discussed under agenda item 41 (Economic incentives); and
- the periodic review of the Appendices would be discussed under agenda item 44 (Any other business).

During discussion of this agenda item, interventions were made by the representatives of Asia (China), Central and South America and the Caribbean (Nicaragua) and Europe (Germany), and by Kazakhstan, Mexico and the Russian Federation.

2.2 Working programme

The Secretariat introduced document SC54 Doc. 2.2. After some discussion, it was agreed that agenda item 6.1 (Report of the Strategic Plan Working Group) should be discussed later in the week than proposed in the provisional working programme, and that agenda item 30 (Sturgeons and paddlefish) should be discussed earlier than

proposed. It was also suggested that the working group on compliance needed to meet early to complete its work before the Committee discussed agenda item 35 (Guidelines for compliance with the Convention). The Chairman requested a revised provisional working programme to be provided for consideration, incorporating these changes and with other items rearranged to accommodate them.

Later in the meeting, the Chairman sought comments on the revised provisional working programme provided in document SC54 Doc. 2.2 (Rev. 1). The document was approved. The Chairman undertook to carry out informal consultations regarding the need to discuss various items in closed session. Such a session was finally considered unnecessary.

During discussion of this agenda item, interventions were made by the representatives of Asia (Japan) and Europe (Germany), and by the Islamic Republic of Iran and Israel.

3. Rules of Procedure

The Secretariat introduced document SC54 Doc. 3. The Rules of Procedure in document SC54 Doc. 3 were noted.

There were no interventions.

4. Credentials

The Secretariat reported that delegations of 61 Parties had registered to attend the meeting. Credentials had been received from all delegations of 18 Parties that are members or alternate members of the Standing Committee, and from the delegations of all but five Parties that were represented by observers. Five intergovernmental organizations were represented by observers. In addition, 38 non-governmental organizations were represented by observers but for 14 of these organizations no credentials had been provided. The Committee noted this information.

There were no interventions.

5. Admission of observers

The Secretariat introduced document SC54 Doc. 5. The Committee originally agreed to the admission of all the organizations listed in the Annex to document SC54 Doc. 5, as well as the Union for the Conservation of Raptors. However, this agenda item was later re-opened at the request of Saudi Arabia, who requested that, in accordance with Rule 6.1, the Committee withdraw the right of the Union for the Conservation of Raptors to participate in the meeting. The Secretary-General informed the participants of a letter that he and the Chairman had received from this organization which vilified States represented at the meeting and staff of the Secretariat and which brought the Convention into disrepute. The Committee agreed unanimously to the request of Saudi Arabia.

During discussion of this agenda item, interventions were also made by the United States of America and IFAW.

6. CITES Strategic Plan: 2008-2013

6.1 Report of the Strategic Plan Working Group

The delegate from Ghana, as Chairman of the Strategic Plan Working Group, introduced the report of the Working Group and the draft Strategic Plan for the period 2008-2013 in document SC54 Doc. 6.1.

A number of participants thanked the Working Group for what it had already done; and some complained about the lateness of the document. Some expressed general support for the approach it had taken and for the overall structure of the draft Strategic Plan. Some participants expressed concern about the trend in CITES, reflected in the document, away from the core functions of CITES to take into account other international initiatives such as the Millennium Development Goals, the World Summit on Sustainable Development, and the 2010 Biodiversity Targets. Others, however, supported this trend and stressed the need for CITES to contribute to other relevant international processes. A number of participants suggested that there was a need to achieve a better balance between references to conservation goals and references to development goals, both in the mission statement and elsewhere.

Comments were also made or concerns expressed regarding the following issues: goal 2 could be moved to goal 1; the draft seemed not to respect the right of Parties to adopt stricter measures; there should be a reference to reservations; there was too much emphasis on financial matters; references to compliance were not in accordance with the considerations of the working group on compliance; regarding goal 2, different options should be considered, and the link between sustainable development, finance and MEAs; references to appropriate listings should be complemented by reference to monitoring of the effect of listings; an action plan was needed; there should be more emphasis on scientific aspects of CITES; the Strategic Plan should not seek to change CoP decisions; conservation issues should be given priority; the 'user pays' principle should be more emphasized; the Plan should seek to set priorities and not to expand the scope or activities of CITES; attention should be given to solving long-standing problems regarding specific species; non-listed species should not be a priority; attention was needed on how to achieve compatibility of conservation goals and human development goals.

The Standing Committee requested participants who had commented on the draft Strategic Plan during the discussion to give their comments in writing to the Secretariat for transmission to the Working Group. The Committee requested the Working Group to prepare a revised draft of the Strategic Plan taking these comments into account, and to submit this for consideration at the 14th meeting of the Conference of the Parties (CoP14).

Later in the meeting, the Committee agreed that 15 November 2006 was the deadline for the submission to the Secretariat of comments on the draft Strategic Plan contained in document SC54 Doc. 6.1.

During discussion of this agenda item, interventions were made by the representatives of Africa (Ghana and Kenya), Asia (Japan), Europe (Germany) and Oceania (Australia), and by Finland (on behalf of the Member States of the European Union), India, Israel, the David Shepherd Wildlife Foundation, IFAW, IUCN-The World Conservation Union, IWMC-The World Conservation Trust, SSN and Wildlife Trust of India.

6.2 Outline of a costed programme of work for the Secretariat for the triennium 2009-2011

The Secretariat had introduced document SC54 Doc. 6.2 in the meeting of the Finance Subcommittee. The Standing Committee endorsed the Secretariat's proposal for a costed work programme for the triennium 2009-2011.

There were no interventions.

7. Arrangements for the 14th meeting of the Conference of the Parties

7.1 Preparation for CoP14

The representative of the Next Host Country gave an oral report on the plans for CoP14 and, in particular, the plan to organize a short ministerial meeting during the second week, to raise the level of attention given to certain key issues. The report was noted by the Standing Committee.

There were no interventions.

7.2 Agenda

The Secretariat introduced document SC54 Doc. 7.2. Regarding the draft agenda for CoP14 in the Annex, they proposed the addition of an item to report on capacity-building activities. China proposed the inclusion of an item on 'CITES and livelihoods'. It was agreed that the Secretariat should also include this on the draft agenda and the Committee requested China to provide a discussion document on this subject. With these amendments, the Committee approved the draft agenda in the Annex.

During discussion of this agenda item, interventions were made by the representatives of Asia (China) and the Next Host Country (the Netherlands).

7.3 Working programme

The Secretariat introduced document SC54 Doc. 7.3. The Committee approved the draft working programme for CoP14 presented in the Annex, without discussion.

7.4 Rules of Procedure

The Secretariat introduced document SC54 Doc. 7.4.

Regarding the proposed amendments to Rules 5, 6 and 12, relating to the status of regional meetings, several participants spoke against these because they believed that the regional meetings during meetings of the Conference of the Parties should not be formally considered a part of the latter, and that the Parties of each region should have the flexibility to organize their meetings as they see fit. Concern was expressed that, in the Asian region, the Parties in the west were not adequately represented in the Standing Committee.

There were mixed views regarding the proposed amendments to Rules 14 and 15 relating to the appointment of an Alternate Chairman of the Conference of the Parties. Some participants believed that the existing arrangements to replace the Chairman were adequate. Others stressed that chairing the CoP should be the privilege of the

host country and that the amendments would help to guarantee this privilege while facilitating the appointment of a Chairman at a high level.

With regard to the proposed amendment to Rule 28, concerning informative documents, one participant requested that the number of such documents from the Secretariat be minimized and be presented as early as possible.

IUCN-The World Conservation Union announced its intention to publish its analyses of proposals to amend the Appendices by April 2007 and that it was seeking funding to support the preparation of this document.

Regarding the proposed amendments to the Rules of Procedure of the Conference of the Parties presented in the Annex, the Committee:

- rejected the proposed amendments to Rules 5, 6 and 12; and
- endorsed the proposed amendments to Rules 14, 15 and 28, with the addition, in Rule 15, paragraph 1, of the words “, the Alternate Chairman” after “The Chairman”.

The Secretariat was requested to prepare a document with these proposed amendments that had been endorsed for approval at CoP14.

During discussion of this agenda item, interventions were made by the representatives of Africa (Ghana), Central and South America and the Caribbean (Chile), Europe (Germany), North America (Canada) and Oceania (Australia), and by Argentina, Israel, the United States, IUCN-The World Conservation Union, IWMC-The World Conservation Trust and Safari Club International.

7.5 Selection of nominees for chairmanship of the committees

The Secretariat introduced document SC54 Doc. 7.5. Several participants spoke in favour of the proposed procedure for selecting nominees for the chairmanship of the sessional committees of the Conference of the Parties. Amendments were suggested to extend the membership of the selection panel to include a representative of each region.

The Standing Committee agreed to the recommendations in paragraphs 8 to 14, with the following amendments:

- subparagraph 8 b) is amended to read, “four additional members of the Standing Committee to be chosen by the Standing Committee from regions not otherwise represented, in advance of each meeting of the Conference of the Parties”;
- a new subparagraph 8 c) is to be inserted, to read, “a representative of the Next Host Country as an *ex officio* member”;
- the existing subparagraph 8 c) is to become 8 d);
- a new subparagraph 10 d) is to be inserted, to read, “the Secretary-General shall inform the members of the Panel of all proposals referred to in subparagraph c) above”.

Later in the meeting, the Committee noted that the representatives of Asia, Oceania and North America in the selection panel for chairmen of committees at CoP14 were China, Australia and Canada respectively.

During discussion of this agenda item, interventions were made by the representatives of Asia (China, Japan and Malaysia), Europe (Czech Republic and Germany) and North America (Canada), and by India.

7.6 Summary records

The Secretariat introduced its proposals in document SC54 Doc. 7.6 to provide summary records in the form of executive summaries during meetings of the Conference of the Parties, in order to streamline the production of these documents, and to reduce costs. Several participants expressed opposition to this proposal, believing that the summary records should be as comprehensive as possible to facilitate understanding of the reasons for decisions that are made, in particular for those who did not attend the discussion, and to provide a record for subsequent research on the intention of the Parties. Some participants recommended that the proceedings of meetings be taped.

The Secretariat's proposal was not approved by the Committee.

During discussion of this agenda item, interventions were made by the representatives of Africa (Kenya), Asia (Malaysia), Central and South America and the Caribbean (Chile), Europe (Germany) and North America (Canada), and by Israel, the United States, the David Shepherd Wildlife Foundation and SSN.

7.7 Sponsored Delegates Project

The Secretariat introduced this agenda item. It explained that the Next Host Country, the Netherlands, had offered to provide hotel subsistence for sponsored delegates from developing and least developed countries. The Secretariat was therefore seeking funds to support airfares and accommodation for sponsored delegates. The Secretariat had issued Notification to the Parties No. 2006/045 in August 2006, requesting Parties to indicate to the Secretariat their need for financial assistance, specifying whether support was requested for one or two delegates. Priority would be given to Parties unable to fund the participation of two delegates. Parties requesting support were asked to indicate to the Secretariat the expected size of their delegation. The Secretariat informed the Committee that USD 178,352 had been raised so far, from the United Kingdom of Great Britain and Northern Ireland, the World Association of Zoos and Aquariums, and the balance of the Sponsored Delegates Project from the 13th meeting of the Conference of the Parties, and that funds in the order of USD 500,000 still needed to be raised for this project. The Committee noted the report from the Secretariat.

There were no interventions.

8. Legal personality of the Convention and the Secretariat

The Secretariat introduced document SC54 Doc. 8. It described the types of legal challenges that had hindered the Secretariat's ability to perform its functions and asked for the Standing Committee's assistance in clarifying its legal status. In this connection, it drew the Committee's attention to the draft resolution contained in the Annex. Some members of the Committee expressed their willingness to help the Secretariat clarify its legal capacity

through a resolution, so it could better deal with practical problems, but stated that they did not support a resolution which sought to clarify the Secretariat's independent international legal personality. They also raised questions about and suggested changes to the wording of the draft resolution. Other members of the Committee said that a resolution was not the appropriate way to address the issue and suggested instead that a solution might be found through closer cooperation with UNEP or some kind of special agreement with the host government.

At the suggestion of the Chairman, the Committee agreed that, under the coordination of the representative of North America (Canada), informal consultations should be held among the regional representatives of Africa, Asia and Europe, the Depositary Government and Israel, as all had made interventions during discussion of this item.

Later in the meeting, the representative of North America reported on the results of those consultations. He explained that concerns had been raised about addressing the Secretariat's legal personality, as distinguished from its legal capacity to deal with administrative tasks, and giving it authority beyond the Convention. Accordingly, the North American region drafted a revised text which was the basis of further discussions with interested Parties and read as follows:

Legal capacity of the Convention's Secretariat

RECOGNIZING the Secretariat's important role in carrying out the work of the Convention; and

RECOGNIZING the specific responsibilities of the Secretariat as described in Articles XI and XII of the Convention;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOGNIZES that the Secretariat, under the overall guidance of the Conference of the Parties, possesses the legal capacity, without seeking the prior approval of the Conference of the Parties or the Standing Committee, to:

- a) enter into contracts;*
- b) acquire and dispose of immovable and movable properties; and*
- c) perform any act in furtherance of its functions and objectives as directed to it by the Standing Committee or the Conference of the Parties.*

The representative of North America advised the Committee that some support for the revised text had been obtained during the extensive informal consultations but that it had not been possible to obtain consensus. He suggested that the revised text nevertheless be included in the summary record of the meeting to provide a starting point for any future discussions on the issue. The revised draft resolution met with both support and opposition in the Committee.

The Committee agreed that no draft resolution would be submitted at CoP14 but decided that the revised text of the draft resolution developed during the consultations should be reflected in the summary record of the meeting, together with the reservations expressed by the representatives of Europe (Germany) and of the Depositary Government.

During discussion of this agenda item, interventions were made by the representatives of Africa (Kenya), Asia (Japan), Europe (Germany), North America (Canada), Oceania (Australia) and the Depositary Government, and by Israel.

9. Relationship with the United Nations Environment Programme (UNEP)

9.1 Report of UNEP

The representative of UNEP introduced document SC54 Doc. 9.1 (Rev. 1). The Committee noted the report.

9.2 Memorandum of Agreement between the Executive Director of UNEP and the Standing Committee

The Chairman reported on the activities that he had undertaken to progress towards the signature of a Memorandum of Agreement with the Executive Director of UNEP. The representative of UNEP stated that the new Executive Director was committed to addressing this issue in the context of the United Nations' reform objectives and the review of effectiveness and synergies currently being undertaken by the UN Joint Inspection Unit. But he asked for more time while this review was going on. The Committee agreed that the Chairman should write to the Executive Director to agree to the request to allow more time and to ask that the Committee be kept informed of progress through the Secretary-General.

There were no interventions during discussion of agenda item 9.

10. Cooperation with the Food and Agriculture Organization of the United Nations

The Secretariat introduced document SC54 Doc. 10, drawing attention to the Memorandum of Understanding (MoU) between CITES and the Food and Agriculture Organization of the United Nations (FAO) that had been approved by the CITES Standing Committee at its 53rd meeting (Geneva, 2005) and the Sub-Committee on Fish Trade of the Committee on Fisheries of FAO (COFI:FT) at its 10th session (Santiago de Compostela, 30 May – 2 June 2006). The CITES Secretary-General countersigned the Memorandum of Understanding (MoU) which had already been signed by the FAO Assistant Director-General for Fisheries and expressed hope that the MoU would help further combine CITES and FAO technical expertise to ensure management and conservation of aquatic resources. The representative of FAO noted the growing cooperation between CITES and FAO during the four years of negotiations that had led to finalizing the MoU, and highlighted specific activities regarding commercially-exploited fish species listed in the CITES Appendices.

The Committee welcomed the conclusion of the MoU between CITES and FAO.

There were no interventions.

11. Cooperation with the World Trade Organization

The Secretariat introduced document SC54 Doc. 11, highlighting the different provisions of the Doha Ministerial Declaration that were being negotiated in Special Sessions of the World Trade Organization (WTO) Committee on Trade and Environment (CTESS) and noting that these and other negotiations were still suspended.

Appreciation was expressed for the successful work that had been done on improving information exchange between CITES and WTO, but also regret that there was still a lack

of reciprocity regarding the ability of each to participate in the other's meetings. WTO could participate in all CITES bodies but CITES was not able to participate in all WTO bodies. It was pointed out that other MEAs also lacked observer status in WTO despite the importance of ensuring that the environment and trade regimes were mutually supportive. Members noted that CITES could contribute to a number of issues under consideration in WTO (e.g. illegal logging, environmental label schemes and market access) and could assist in WTO decision-making related to the environment. It was suggested that the Chairman write a letter to WTO asking for CITES to have observer status in all WTO meetings. The representative of the WTO Secretariat expressed appreciation for the contributions of the CITES Secretariat to discussions in the CTESS. She explained that clarification of the observer status requirements for CITES and other MEAs had been blocked by a political discussion in the General Council.

The complementarity of CITES and WTO was stressed and it was suggested that the coordination of environment and trade be strengthened at the national level. It was also suggested that the Secretariat seek observer status in the World Association of Investment Promotion Agencies.

The Committee noted the document and requested the Chairman to send a letter to WTO asking it to accord full and permanent observer status to the Convention. It further requested the Chairman to report to the Committee at future meetings any response received from or relevant action taken by WTO. The Committee also requested that, when reporting at future meetings on the cooperation with WTO, the Secretariat take into account the comments made during the present meeting.

During discussion of this agenda item, interventions were made by the representatives of Africa (Ghana and Kenya), Europe (Germany), Oceania (Australia) and the Depositary Government, and by the Islamic Republic of Iran, Israel, the United States and WTO.

12. Financial matters

12.1 Report for 2005

The Secretariat had introduced document SC54 Doc. 12.1 in the meeting of the Finance Subcommittee. The Standing Committee noted the report for 2005.

There were no interventions.

12.2 Estimated expenditures for 2006

The Secretariat had introduced document SC54 Doc. 12.2 in the meeting of the Finance Subcommittee. The Standing Committee approved an increase of USD 359,001 in the budget for 2006 to cover the increased staff costs caused by the changes in the UN staff costs for the Geneva duty station. Furthermore the Committee agreed that the above amount could be drawn down from the accumulated Trust Fund balance since the Secretariat's current budget did not contain any provision for contingencies or allow any savings. The United Kingdom referred to the Ramsar Convention on Wetlands finance committee model and proposed to establish such a committee, which would involve Parties in assisting the Secretariat in the preparation of the costed workplan for 2009-2011 and in other financial matters. The Secretary-General said that he would liaise with the Ramsar Convention Secretariat concerning the proposed finance oversight committee.

There were no other interventions.

12.3 Collection of arrears

The Secretariat had introduced document SC54 Doc. 12.3 (Rev. 1) in the meeting of the Finance Subcommittee. The Standing Committee noted the Secretariat's report on Parties' outstanding contributions to the CITES Trust Fund.

There were no interventions.

13. Review of the scientific committees

The Secretariat introduced document SC54 Doc. 13.1, stressing that it was not making any recommendations itself at this stage. The Chairmen of the Animals and Plants Committees introduced document SC54 Doc. 13.2, explaining that document SC54 Inf. 5 was an integral part of their self-evaluation.

Speakers were of the view that the current performance and structure of the scientific committees were generally satisfactory and that substantial changes in arrangements were not required. Some called for increased resources for the scientific committees for certain activities, others were not in favour of changes in the budget. The Chairman convened a meeting of the External Evaluation Working Group to examine all the comments made and to report to the committee.

Later in the meeting, the Committee adopted the proposal contained in document SC54 Com. 3.

During discussion of this agenda item, interventions were made by the representative of Europe (Germany) and by Argentina, Mexico (speaking on behalf of the North American region) and the Chairmen of the Animals and Plants Committees.

14. Improving regional communication and representation

The Chairman of the Animals Committee clarified that the report in relation to Decision 13.12 had been incorporated into document SC54 Doc. 13.2. This was noted by the Committee.

There were no interventions.

15. Master's course on Management, Access and Conservation of Species in Trade

Spain introduced document SC54 Doc. 15. Several participants spoke in support of this programme. The Secretariat announced that it had signed a Memorandum of Understanding with the University of Kent to collaborate with the Durrell Institute of Conservation and Ecology on their new Master's programme on International Wildlife Trade and Conservation. The Secretariat was also encouraged to participate in these capacity-building initiatives. The Committee noted the report.

During discussion of this agenda item, interventions were made by the representatives of Africa (Kenya) and Central and South America and the Caribbean (Chile), and by Hungary and Mexico

Review of Resolutions, Decisions and the Appendices

16. Review of Resolutions and Decisions

The Secretariat introduced document SC54 Doc. 16 (Rev. 1). Several participants expressed general support for the process of reviewing and consolidating Resolutions but made comments regarding specific aspects of the proposals in the document. The Secretariat took note of these and of the countries that expressed a wish to be consulted during the review.

The Standing Committee requested the Secretariat to prepare a document on this subject for CoP14 taking account of the comments made in the discussion and in consultation with the Parties that had requested to be involved in the drafting.

During discussion of this agenda item, interventions were made by the representatives of Asia (Japan), Europe (Germany) and North America (Canada), and by the United States, IUCN-The World Conservation Union and SSN.

17. Species-specific Resolutions concerning Appendix-I species

The Secretariat introduced document SC54 Doc. 17. Participants from several countries expressed a wish to be consulted during the drafting of the consolidated resolutions and the Secretariat took note of this. Some NGO observers were opposed to the proposed consolidation of the Resolutions concerned, believing that the issues and threats they deal with are quite separate, and that consolidating them would diminish the importance given to each of the species.

The Committee approved the Secretariat's plan for the preparation of draft consolidated resolutions relating to Appendix-I species and requested that it consult with the Parties that had expressed the wish to be involved.

During discussion of this agenda item, interventions were made by the representatives of Asia (China and Malaysia) and Europe (Germany), and by Italy, the United States, Conservation Force, IUCN-The World Conservation Union, SSN, TRAFFIC and WWF.

18. Annotation of various *Taxus* species

The Secretariat introduced document SC54 Doc. 18 and the draft proposal to amend the Appendices in the Annex. It was noted that the Secretariat's conclusion was correct, that the annotation adopted at CoP13 was contrary to the Convention. However, it was also suggested that deleting the annotation would not reflect the original intent of the Conference of the Parties to solve the problem that huge numbers of artificially propagated specimens of *Taxus* hybrids are traded (in particular of *T. cuspidata*), and that controlling this trade would be a large burden with no conservation benefit.

It was agreed that the document should be revised to propose an amendment to the existing annotation for *Taxus* species to refer to "artificially propagated hybrids and cultivars of *Taxus cuspidata* in pots" instead of to "whole artificially propagated plants in pots". The Secretariat was requested to work with Canada and China to revise the supporting statement. The Depositary Government was requested to submit the revised proposal for consideration at CoP14.

During discussion of this agenda item, interventions were made by the representatives of Asia (China and Japan), Europe (Germany), North America (Canada) and Oceania (Australia), and by India, the United States, the Chairman of the Plants Committee and IWMC-The World Conservation Trust.

Trade control

19. Introduction from the sea

The Secretariat introduced document SC54 Doc. 19, referring to the workshop on Introduction from the sea issues (Geneva, 30 November – 2 December 2005) had been chaired by the Chairman of the Standing Committee. It drew the Committee's attention to the recommendation contained in paragraph 10 of document SC54 Doc. 19 as well as the four Annexes and acknowledged that paragraph 4 should be corrected to reflect that Mexico had participated in the workshop. The Secretariat suggested that the Committee might consider whether a working group should meet on the margins of CoP14 to identify a more precise mandate and structure for future work. The Secretariat also suggested that it could request reports on specific issues from individual Parties that had offered to submit information on their experience or from selected regional fishery bodies.

The Chairman said that the workshop report and the comments received on it reflected the complexities involved with introduction from the sea and stressed that important work remained to be done by the Committee and the CoP in developing a mechanism for implementing it.

Committee members and observers commended workshop participants for their report and for making progress on the clarification of introduction from the sea. They generally welcomed the draft definition of 'marine environment not under the jurisdiction of any State' and the establishment of a process for clarifying, *inter alia*, the State of introduction and how an IFS certificate is issued. Many found that the workshop report was essentially complete and could be forwarded as a discussion document for CoP14. General support was also expressed for forwarding to CoP14 the comments on the workshop report contained in Annex 2, the draft resolution contained in Annex 3 and the draft decision contained in Annex 4 to document SC54 Doc. 19.

One Committee member suggested that input from regional fishery bodies and DOALOS should be obtained, perhaps during another workshop or consultation, before a discussion document was forwarded to CoP14. It was pointed out, however, that no funds were available for another workshop and there was little time in which to organize one before CoP14.

As the Committee considered the definition of 'marine environment not under the jurisdiction of any State' in the draft resolution, attention was drawn to the related comments contained in Annex 2. Several additional amendments to the definition were proposed by observers, which prompted objections from some Committee members. They noted that workshop participants had extensively discussed the definition before reaching agreement on it and urged that the definition be forwarded to CoP without any changes. The differences of opinion led the Chairman to suggest that the definition and one of the preambular paragraphs contained in the draft resolution be put in brackets.

As the Committee considered the draft decision, it was suggested that the terms of reference for the working group should be clearer and its composition should be broader. It was further suggested that the report of any working group might be considered by the Standing Committee rather than the CoP because its next meeting would not occur until 2010.

The representative of FAO supported the proposal to include regional fishery bodies in future planned work and expressed FAO's willingness to participate.

The Committee agreed that the Chairman would prepare and circulate a draft text reflecting amendments that had been suggested with regard to the draft resolution contained in Annex 3 and the draft decision contained in Annex 4.

Later in the meeting, the Secretariat introduced document SC54 Com. 1, which contained the amended versions of Annex 3 and Annex 4 to document SC54 Doc. 19. It stated that the following sentence was to be added to the introductory note at the top of document SC54 Com. 1: "Participants in the introduction from the sea workshop will work electronically to refine the definition of 'marine environment not under the jurisdiction of any State', based on issues raised in this meeting and the comments contained in Annex 2 to document SC54 Doc. 19, for consideration at CoP14". The Committee agreed to this addition as well as to a suggestion to maintain the original version of paragraph d) of document SC54 Doc. 19 Annex 4. The Committee requested the Secretariat to submit at CoP14 the workshop report contained in Annex 1 to SC54 Doc. 19, the comments contained in Annex 2 of that same document, and document SC54 Com. 1 (as revised).

The following statement was made by Argentina:

Argentina has noticed a conceptual mistake in the section entitled 'Initial discussion' of the report of the CITES Workshop on Introduction from the Sea Issues, (Geneva, 30 November – 2 December 2005) annexed to document SC54 Doc. 19.

This section includes the following comment: "It was explained that any extension of national jurisdiction over the continental shelf beyond the 200-mile limit required approval from the Commission on the Continental Shelf and would only cover living organisms found on or in the continental shelf".

This statement does not concur with the provision of Article 76 of UNCLOS, which establishes the sovereign rights of the coastal State on the continental shelf beyond the 200-mile limit. It also contradicts the provision of Article 77 of the same Convention that states that States exercise sovereign rights over the continental shelf for the purpose of exploring it and exploiting its natural resources, defining those resources as the mineral and other non-living resources of the seabed and subsoil together with living organisms belonging to sedentary species (paragraphs 1 and 4 of this article). Argentine requests that the mistake mentioned above be corrected.

The following statement was made by Turkey:

Regarding the references to the United Nations Convention on the Law of the Sea (UNCLOS) contained in document SC54 Doc. 19 on Introduction from the sea, since Turkey is not a Party to UNCLOS, Turkey's position regarding the said Convention remains unchanged.

During discussion of this agenda item, interventions were made by the representatives of Africa (Ghana), Asia (China), Central and South America and the Caribbean (Chile), Europe (Iceland and Germany), North America (Canada), Oceania (Australia) and the Depositary Government, and by Argentina, Mexico, Norway, Turkey, the United States, Conservation Force, the European Commission, FAO, the International Environmental Law Programme and IWMC-The World Conservation Trust.

20. Trade in Appendix-I species

The Secretariat introduced document SC54 Doc. 20. Several Parties expressed general support of the conclusions and recommendations. However, some did not support recommendation b), suggesting that, instead, the Secretariat should ask the Parties concerned to investigate indications that captive-bred specimens are being imported from non-registered operations, and be reminded of the recommendations in Resolution Conf. 12.10 (Rev. CoP13). Some participants did not agree with the conclusions in the document or did not think they were supported by the data. In addition, one or more participants expressed the following views: the process of registering captive-breeding operations for Appendix-I species should be simplified; the Secretariat should identify the anomalous records and bring them to the attention of the Parties concerned; there was a lack of clarity in the use of source codes; there was disagreement about the relative difficulty of breeding species indicated in the document; there were a number of indications in the report of potentially illegal trade, which needed to be looked into.

The Committee thanked UNEP-WCMC for its report and adopted the recommendations in paragraph 5, subparagraphs a), c) and d), and rejected the recommendation in subparagraph b). It also agreed to the following:

- The Secretariat should investigate the cases of anomalous records and seek to solve any problems in consultation with the Parties concerned; and
- Where records from annual reports appear to indicate that a Party has been authorizing commercial exports of captive-bred animal specimens that do not originate from operations included in the Secretariat's Register, the Secretariat should ask the Parties concerned to investigate and remind them that such trade is contrary to the agreement in Resolution Conf. 12.10 (Rev. CoP13).

During discussion of this agenda item, interventions were made by the representatives of Africa (Zambia), Europe (Germany), North America (Canada) and Oceania (Australia), and by Israel, Mexico, the United States, the Chairmen of the Animals and Plants Committees, SSN and UNEP-WCMC.

21. Management of annual export quotas

The representative of Cameroon as the Chairman of the Export Quota Working Group introduced document SC54 Doc. 21 (Rev. 1). Participants expressed the following views on the draft guidelines in the document: a reference to non-detriment findings should appear in paragraph 3 e); paragraph 3 d) should be deleted; there should not be a need for a new non-detriment finding for each species, each year; in Annex 3, first paragraph b), the words in the first square brackets should be selected. A number of participants made further detailed suggestions about specific parts of the document and the Chairman therefore requested that these be submitted in writing.

The Standing Committee requested those who had intervened in the discussion to submit their comments in writing to the Chairman of the Working Group and the Secretariat. It requested the Working Group to continue its work and to complete a revised document by 4 January 2007, taking into account the comments submitted, and to attempt to find a solution to the two items on which agreement had not yet been reached.

During discussion of this agenda item, interventions were made by the representatives of Africa (Cameroon), Asia (Malaysia), Central and South America and the Caribbean (Chile),

Europe (Germany), North America (Canada) and Oceania (Australia), and by Argentina, Botswana, the United States and SSN.

22. Electronic permitting

The Secretariat introduced document SC54 Doc. 22 and reported that it had received funding from the United Kingdom to support the tasks outlined in Decision 13.70.

The Secretariat drew attention to advances being made worldwide to facilitate trade methods and procedures. These initiatives would be explored in a document that the Secretariat planned to submit to the Working Group on Electronic Permitting. In view of the importance for CITES of the development of a world standard for electronic trade documents, this report of the Secretariat would also include information collated after consultation with the International Air Transport Association (IATA) on the relevance of electronic CITES permitting to the IATA e-freight initiative, the United Nations Economic Commission for Europe on the UN electronic Trade Documents (UNeDocs) Project, and UNEP-WCMC on Internet-based software.

The Chairman of the Working Group (Italy) reported on its activities and its meeting held in Rome in September 2006. The Working Group asked the Secretariat to issue a Notification to the Parties seeking input from Parties on progress made towards developing electronic permitting systems and advising that the Working Group would approach certain Parties with a more detailed questionnaire. A document would be presented by the working group at CoP14. Concern was raised that many Parties may lack the capacity to use electronic permitting for CITES purposes and it was therefore recommended that there be no immediate move to implement such a system. The Committee noted the reports of the Secretariat and of the Chairman of the Working Group.

During discussion of this agenda item, interventions were made by the representatives of Africa (Kenya), Asia (Malaysia), Europe (Germany) and North America (Canada), and by Ireland and the United States.

23. Identification Manual

The Secretariat introduced document SC54 Doc. 23 and thanked Parties for their efforts to produce identification materials. Canada noted that their next CITES Identification Guide would be on amphibians and would be published before the end of 2006, and that a guide on falcons would be published in 2007. The Committee noted the report.

There were no other interventions.

Species trade and conservation issues

24. Great apes

The Secretariat introduced document SC54 Doc. 24.

Indonesia, in response to the findings of the CITES/GRASP technical mission, advised the Committee of the efforts it was making in relation to conservation of and trade in orang-utans. Malaysia said that it looked forward to welcoming a similar technical mission in November 2006. Thailand reported on the work it had done in relation to illicit trade in this species and on its current efforts to repatriate illegally-imported animals.

The Committee noted the document and requested that Indonesia report to the Secretariat, by 31 March 2007, on its enforcement work in relation to illicit trade in orang-utans. The Secretariat should, thereafter, report at CoP14 on this subject in order to enable the Conference to determine whether additional measures were necessary. The Committee also requested that the mission report and Indonesia's response be placed on the CITES website.

During discussion of this agenda item, interventions were also made by the representatives of Africa (Cameroon) and Europe (Germany).

25. Tiger

The Secretariat and the United States introduced documents SC54 Doc. 25.1 and SC54 Doc. 25.2 (Rev. 1) respectively.

In response to these documents, China and India advised the Committee that they felt that there was no lack of political support or law enforcement priority in relation to tigers and that, thus, high-level meetings or missions were not necessary but that technical support would be appropriate. Although several delegates made interventions stressing the seriousness of the situation facing wild populations of tigers and other Asian big cat species, there seemed to be no consensus as to how the Committee should respond. The Chairman, therefore, proposed that this subject be discussed at CoP14.

The Committee requested that Asian big cat range States report at CoP14 on the implementation of Resolution Conf. 12.5 in order to enable the Conference of the Parties to determine whether additional measures were necessary. It also requested the Secretariat and the United States to consult on a document for the Secretariat to submit at CoP14, suggesting possible measures. Finally the Committee noted requests for a technical workshop from some range States and asked the Secretariat to pursue that, if possible and if funds were available, prior to CoP14.

During discussion of this agenda item, interventions were also made by the representatives of Asia (Japan and Malaysia), Europe (Germany) and the Previous Host Country (Thailand), and by Israel, the United Kingdom, Conservation Force, IFAW, IUCN-The World Conservation Union, IWMC-The World Conservation Trust, TRAFFIC, Wildlife Trust of India and WWF.

26. Elephants

26.1 Control of trade in African elephant ivory

The Secretariat introduced document SC54 Doc. 26.1 (Rev. 1) and recommended that Japan be designated a trading partner but that no decision regarding China be taken at the present meeting.

Satisfactory progress was expressed in relation to the implementation of the action plan adopted at the 13th meeting of the Conference of the Parties, but delegates also noted that several African elephant range States had yet to make progress and encouraged the Secretariat to pursue this actively. In relation to discussions regarding possible trading partners, delegates noted the progress made by China and Japan but several delegates also stressed the serious levels of illicit trade and the need for caution before agreeing that legal trade in ivory should resume. Some delegates questioned the adequacy of Japan's internal trade controls and particular

reference was made to: the number of registered traders; ivory in personal ownership; and the database that has been created to monitor the flow of ivory.

Based on information provided in the Annex to document SC54 Doc. 26.1 (Rev. 1), the Committee designated Japan as a trading partner. However it requested the Secretariat to provide an update on the situation at its 55th meeting. This update report, which should be comprehensive, should take account of any new information, including reference to ETIS, and should also address all the concerns expressed during the discussions at the present meeting, and bring to the attention of the Committee any reason for reviewing Japan as a designated trading partner at the Committee's 55th meeting.

The Committee also noted the Secretariat's report in document SC54 Doc. 26.1 (Rev. 1) in relation to the ivory trade controls in Zimbabwe. It encouraged Zimbabwe to maintain its current voluntary suspension of sales from governmental ivory stocks. It agreed that a mission should be conducted to Zimbabwe by the Secretariat to assess the controls; assist in any appropriate amendment or development of the controls; and discuss with the authorities in Zimbabwe, including the Office of the Attorney General, the investigation and prosecution of violations of national legislation and the Convention. The Secretariat should report on this subject at CoP14.

During discussion of this agenda item, interventions were made by the representatives of Africa (Cameroon, Ghana and Kenya), Asia (China and Japan), Europe (Germany and Iceland), North America (Canada), Oceania (Australia) and the Previous Host Country (Thailand), and by Botswana, the Democratic Republic of the Congo, India, Israel, Namibia, South Africa, the United Republic of Tanzania, Zambia, Zimbabwe, IFAW, IWMC-The World Conservation Trust, the Japan Ivory Association, Species Survival Network and TRAFFIC.

26.2 MIKE baseline information

The Secretariat introduced document SC54 Doc. 26.2 (Rev. 1), referring to the definition for the MIKE baseline information adopted by the Standing Committee at its 49th meeting and clarified at its 53rd meeting. The Secretariat pointed out that the definition requirements were met for the 45 African sites and for the South Asian sites, but that the information was not yet complete for six Southeast Asian sites. The remaining law enforcement monitoring data and population estimates should be completed by early 2007. The Secretariat also stressed that the MIKE programme represented cost-effective national capacity building aimed at providing information to facilitate elephant management, and to prioritize and guide enforcement initiatives and protection efforts.

The representative of Africa (Kenya), as Chairman of the MIKE-ETIS subgroup, introduced document SC54 Doc. 26.4, which summarized discussions of the subgroup which met on 3 October 2006. The subgroup meeting was attended by Cameroon, China, Germany and Kenya (Chairman). Ghana, the United Kingdom and the European Commission were also present as observers. Malaysia and Zambia did not attend. The subgroup was of the view that the baseline information presented in document SC54 Doc. 26.2 (Rev. 1) did not yet meet the criteria for the baseline as adopted by the Standing Committee at its 53rd meeting, as data were incomplete for six MIKE sites in Southeast Asia. Concern was also expressed over the use of alternate sites, and the fact that the revised document was only available immediately before the meeting. The subgroup noted that the baseline information,

including all Southeast Asian sites, was expected to be completed by early 2007. The Chairman, with the support of subgroup members present, recommended that the baseline information be reviewed at the 55th meeting of the Standing Committee.

A lengthy discussion followed. Attention was drawn to the fact that the data deficiencies were minor and that the information was sufficiently complete, and the Committee was asked to adopt the baseline information. A suggestion was made to accept the baseline information provisionally on the understanding that the remaining information was forthcoming, and subject to a later verification. However other participants insisted that the information needed to be complete before it could constitute the baseline information.

In view of the discussions of this agenda item and of document SC54 Doc. 26.4, the Committee agreed that the baseline information was not yet complete and requested that the Secretariat present the complete baseline information at the 55th meeting of the Standing Committee.

During discussion of this agenda item, interventions were made by the representatives of Africa (Cameroon, Ghana, Kenya and Zambia) and Europe (Germany), and by Botswana, Israel, Namibia, South Africa, the United Republic of Tanzania, the United States, the David Shepherd Wildlife Foundation, the International Elephant Foundation and IWMC-The World Conservation Trust.

26.3 Funding of and administrative arrangements for MIKE

The Secretariat introduced document SC54 Doc. 26.3 on the current funding situation of the MIKE programme and its administrative arrangements. The Secretariat clarified that the organigram in the Annex should be disregarded as it did not reflect the organigram previously adopted by the MIKE-ETIS subgroup and indicated that Botswana had made a contribution towards the reimbursement to the CITES Trust Fund, thus bringing the figure mentioned in paragraph 15 to USD 124,827.

The representative of Africa (Kenya), as Chairman of the MIKE-ETIS subgroup, expressed concern on behalf of the subgroup on the lack of communication from the Secretariat on the administrative arrangements for the Phase II of the MIKE Programme, and the lack of involvement of the subgroup in the staff recruitment process. The Chairman of the subgroup also expressed regret that the process towards obtaining foreign mission status for the MIKE CCU had been halted at the request of the Secretariat. The Secretariat explained that since the administrative arrangements were now integrated within UNEP in Nairobi, UN staffing procedures needed to be followed and the CCU office could not have a separate legal status. The Secretariat and the MIKE-ETIS subgroup were encouraged to work closely together. The Committee noted the report.

During discussion of this agenda item, interventions were made by the representative of Europe (Germany) and by the United States, the David Shepherd Wildlife Foundation and IUCN-The World Conservation Union.

26.4 Report of the MIKE and ETIS subgroup

The delegate of Kenya, as Chairman of the MIKE-ETIS subgroup, introduced document SC54 Doc. 26.4 as part of the discussions on agenda items 26.2 and 26.3.

27. Rhinoceroses

The Secretariat introduced document SC54 Doc. 27. The Committee encouraged all rhinoceros range States and former rhinoceros-horn trading and consumer countries to provide greater support to the IUCN/SSC African and Asian Rhinoceros Specialist Groups and TRAFFIC in compiling the data requested in Decision 13.23 and at the 53rd meeting of the Standing Committee, in time for reporting at CoP14.

The Committee also encouraged Parties to provide financial support to IUCN/SSC and TRAFFIC to complete their compilation and analysis of information for reporting at CoP14.

It recommended that IUCN-The World Conservation Union and TRAFFIC formulate proposals for amending Resolution Conf. 9.14 (Rev. CoP13).

There were no interventions.

28. Tibetan antelope

The Secretariat introduced document SC54 Doc. 28. Several delegations advised the Committee of recent activities in relation to combating illicit trade and China reported that populations of Tibetan antelope seemed to have increased to approximately 200,000 throughout China. The Committee noted the report.

Interventions were also made by the representatives of Asia (Japan) and the Previous Host Country (Thailand), and by India, the United States and Wildlife Trust of India.

29. Saiga antelope

The Secretariat introduced document SC54 Doc. 29 and gave an oral update of the implementation of Decisions 13.29 to 13.33. In addition to Turkmenistan and Uzbekistan, Kazakhstan had signed the CMS 'Memorandum of Understanding concerning Conservation, Restoration and Sustainable Use of Saiga Antelope (*Saiga tatarica tatarica*)' thereby bringing it into effect. The fourth range State of *Saiga tatarica tatarica*, the Russian Federation, had still not signed the MoU. The Secretariat also reported on the successful 'First Meeting of the Signatories to the Memorandum of Understanding concerning Conservation, Restoration and Sustainable Use of Saiga Antelope (*Saiga tatarica tatarica*)' in Almaty, Kazakhstan, which had been convened jointly by the CMS and CITES Secretariats in September 2006. It had been attended by all range States of *Saiga tatarica* and leading IGOs, NGOs and experts in the area of saiga antelope conservation. The range States adopted at that meeting a five-year international work programme to conserve and restore saiga populations, in support of the implementation of the MoU. The Secretariat noted that China, Kazakhstan and Malaysia had provided information on their implementation of Decision 13.27, but that Japan, the Russian Federation, the Republic of Korea and Singapore had not or had provided insufficient information. The Secretariat mentioned that trade studies that it had commissioned from TRAFFIC and WCS would be finalized before the end of the year so that their results and recommendations could be taken into consideration in the Secretariat's report for CoP14. Finally, the Secretariat thanked all those that had responded favourably to Decision 13.28 by providing assistance

to saiga antelope range States, stressing that comprehensive support for implementing the five-year saiga programme was of vital importance for its success.

Participants recognized the importance and overall positive outcome of the actions that saiga antelope range States, consumer States, relevant IGOs and NGOs, and CITES and CMS had undertaken to improve the conservation status of saiga antelopes. They expressed broad support for the recommendations of the Secretariat. Japan described its implementation of Decision 13.27, and the Republic of Korea made the following statement on this Decision:

Thank you Mr Chairman,

On behalf of the Korean Government, I would like to make a brief report to the Standing Committee on Korea's implementation efforts concerning Decision 13.27.

Firstly, let me inform this committee that Korea's CITES Management Authorities are the Korea Food and Drug Administration (KFDA) and the Ministry of Environment. The former controls plant and animal medicine and the latter other general items.

Secondly, regarding the recent statistics on the trade of Saiga antelope in Korea, I would like to inform the Committee that the import of Saiga tatarica amounted to 90 kg in 2004, but dropped to 17 kg in 2005, and exports similarly dropped in the same period from 65 kg to 19 kg.

All of the Saiga tatarica imported to Korea is used in medical supplies. In particular, Saiga antelope is raw material for a herbal medicine called 'Uhwangchungsimwon', which is known to be effective in healing cerebral apoplexy, high blood pressure and difficulty in breathing. Saiga tatarica is distributed in the form of a finished pharmaceutical product, namely as Uhwangchungsimwon, rather than being kept and distributed as horns.

The Korea Natural Drug Standards, which sets standards for oriental medicine, identifies Gazella subgutturosa and Saiga tatarica as having antelopes as their origin, and Saiga tatarica is managed as a CITES species. To better protect the Saiga antelope, Korea believes it is important to use Gazella subgutturosa as the raw material for the medicine replacing Saiga tatarica. To this end, sustained public education and other efforts are being undertaken by the Korean Management Authorities.

Thirdly, for the period of 2002 to 2005, there were no cases of illegal transactions of Saiga tatarica reported at the Customs and other places. I believe that these positive trends are largely due to the provision in the 'Pharmaceutical Affairs Act' that stipulates imprisonment or a fine for persons who import/export CITES species without authorization. Additionally, there are strict controls in place on illegal transactions of CITES species in the 'Korean Customs Act' and the 'Act on Aggravated Penalties for Specified Offences'. Building on those developments, the Korean Government will step up its law implementation and enforcement efforts.

Finally, Mr Chairman, let me conclude by expressing my Government's firm commitment to the conservation of Saiga antelope and the implementation of the CITES decision. To this end, the Korean Government will work closely together with the CITES Secretariat and other related international organizations.

Thank you.

The Committee requested Japan, the Republic of Korea, the Russian Federation and Singapore to report in detail and promptly to the Secretariat on their implementation of Decision 13.27 so that the Secretariat could submit a report at CoP14.

The Committee urged the Russian Federation to sign the CMS 'Memorandum of Understanding concerning Conservation, Restoration and Sustainable Use of Saiga Antelope (*Saiga tatarica tatarica*)' as soon as possible. The Chairman of the Committee agreed to write to the Russian Federation about this matter.

The Committee encouraged all range States of *Saiga tatarica* and relevant Parties to fully implement the medium-term international work programme adopted at the First Meeting of the Signatories to the Memorandum of Understanding concerning Conservation, Restoration and Sustainable Use of Saiga Antelope (*Saiga tatarica tatarica*). It urged donor Parties, aid agencies, businesses using and producing saiga products, intergovernmental organizations and non-governmental organizations to assist in implementing Decision 13.28, focusing their efforts on the actions specified in the medium-term international work programme.

The Committee agreed to change its current recommendation to Parties not to accept imports of specimens of *Saiga tatarica* from Kazakhstan and the Russian Federation in order to allow the export from these two range States of live specimens from breeding facilities for conservation purposes.

During discussion of this agenda item, interventions were also made by the representatives of Asia (Japan) and Europe (Germany).

30. Sturgeons and paddlefish

30.1 Report of the Secretariat

The Secretariat introduced document SC54 Doc. 30.1.

The Russian Federation stated that actions taken by the Standing Committee and the Secretariat in 2001 and 2006 respectively in relation to sturgeon species in the Caspian Sea had led to an increase in illegal fishing, financial losses for law-abiding fishermen as well as job losses. It called for decisions to be made which took due consideration of the actual state of the fish stocks, the necessity to promote legal fishing, and the social component of the sturgeon fisheries, including the lack of other employment opportunities in Caspian coastal areas.

The Committee noted paragraphs 2-7, 8 and 9-12, and agreed to the recommendation in paragraph 16 of document SC54 Doc. 30.1 and, with that, approved the document.

30.2 Conclusions of the international sturgeon enforcement workshop to combat illegal trade in caviar

At the request of the Czech Republic and Germany, the European Commission introduced document SC54 Doc. 30.2.

Speakers congratulated the European Commission on its initiative in hosting the workshop and many agreed with the recommendations arising from it.

30.3 Caviar export quotas for the Caspian Sea basin for 2006

Kazakhstan introduced document SC54 Doc. 30.3.

The Chairman of the Animals Committee clarified that his committee had neither discussed in detail nor agreed to the Annex to that document.

30.4 Strategy for sturgeon conservation

The Russian Federation introduced document SC54 Doc. 30.4, stating that previous assessments of sturgeon stocks in the Caspian Sea had been an underestimate of the real population. It wished to add extra recommendations to this document to the effect that the Standing Committee should reconsider the earlier decision of the Secretariat and agree to publish export quotas for the year 2006 according to the proposal of the Commission on Bioaquatic Resources of the Caspian Sea. It also requested that the period of quota utilization be extended until 1 July 2007. The Russian Federation called for the committee to request the Secretariat to study the possibility of holding a workshop on the issue of establishing a similar legislation on sturgeon preservation in all States party to regional commissions on sturgeon species, preferably in the first quarter of 2007, and to include the new mathematical method of sturgeon species assessments in the agenda of CoP14. Finally IUCN-The World Conservation Union reported on work on DNA-identification of sturgeon that it is undertaking for the Secretariat.

After some discussion, the Standing Committee established a working group on sturgeons and agreed to the proposed terms of reference and membership contained in document SC54 Com. 2, with the addition of the following members: Canada, the United States, IUCN-The World Conservation Union and IWMC-World Conservation Trust.

The following statement was made in relation to agenda items 30.3 and 30.4 by the Russian Federation, also on behalf of Azerbaijan, the Islamic Republic of Iran and Kazakhstan:

Despite numerous and persistent efforts of all the Caspian States, the CITES Secretariat has still not published the sturgeon export quotas for 2006.

We are convinced that this situation came as a result of unfortunate misunderstandings and some technical problems. The attempts of the Caspian States to find mutually acceptable solution to this problem brought no results. The meeting between the representative of the Secretariat and the delegates of the Caspian States in the course of the 54th meeting of the Standing Committee also did not solve the problem.

Such a situation not only creates serious socio-economic problems but also leads to the increase of illegal trade and a lack of resources for restocking and other conservation measures, without any benefit to the sturgeon populations. All these problems cause a grave concern to all the Caspian States.

In this regard, we call the Standing Committee to instruct the Secretariat to reconsider its earlier decision on quotas for 2006 as soon as possible and we also request the members of the Standing Committee to support our call.

Finally, we would like to express gratitude to the Standing Committee for their efforts to assist the sturgeon range States to solve the sturgeon-related issues by establishing a Working Group on Sturgeons and Paddlefish.

We would also like to reconfirm our willingness and readiness to cooperate with the Secretariat in future to avoid any problems with publishing export quotas for sturgeon.

Later in the meeting, Germany, as the interim Chairman of the Working Group on Sturgeons, presented the results of the discussions of the group, including a recommendation that the personal effect exemption for caviar should be reduced to 125 g and that caviar traded as personal effect must meet the labelling requirements of Resolution Conf. 12.7 (Rev. CoP13). In response to requests that the Standing Committee ask the Secretariat to publish the caviar export quotas for Caspian States for 2006, the Chairman ruled that it was not possible for the Committee to consider this. He explained that this was because, in accordance with the terms of reference of the Committee in Resolution Conf. 11.1 (Rev. CoP13), it could only act in accordance with the policy established by the Conference of the Parties. In this case, the policy was contained in Resolution Conf. 12.7 (Rev. CoP13) on Conservation of and trade in sturgeons and paddlefish, and it was agreed that the Secretariat had done what the Resolution required. Moreover the deadlines established by the Conference of the Parties in that Resolution had long passed and they could not be extended by the Standing Committee. Consequently the matter was closed.

During discussion of agenda item 30, interventions were made by the representatives of Asia (China), Europe (Germany) and North America (Canada), and by the Islamic Republic of Iran, Kazakhstan, the Russian Federation, the United States, the Chairman of the Animals Committee, the European Commission, FAO, International Caviar Importers Association, IUCN-The World Conservation Union, IWMC-The World Conservation Trust and Seaweb.

31. Timber trade

31.1 Bigleaf mahogany

The Secretariat introduced document SC54 Doc. 31.1 and withdrew its recommendation in paragraph 13 of the document.

The Chairman of the Plants Committee welcomed the withdrawal of the recommendation in paragraph 13, stressed the activities of the Plants Committee concerning this species and announced that, following recent resignations, candidates from Mexico and Peru had been identified to fill the roles of Chairman and Vice-Chairman respectively of the Bigleaf Mahogany Working Group. Other speakers generally welcomed the document but many expressed concerns about the immediate need for Parties not to authorize import of specimens of the species from Peru. Peru emphasized its commitment to fully implement the provisions of the Convention with respect to the bigleaf mahogany and its intention to develop a plan of action in this regard. The Standing Committee noted the initiative from Peru and requested the Secretariat to visit Peru in order to review progress, and to report at the 55th meeting of the Standing Committee.

During discussion of this agenda item, interventions were made by the representatives of Asia (Japan and Malaysia), Central and South America and the Caribbean (Chile), Europe (Germany) and North America (Canada), and by Brazil, Mexico, Peru, the United States, the Chairman of the Plants Committee, Defenders of Wildlife and the International Wood Products Association.

31.2 Ramin

The Secretariat introduced document SC54 Doc. 31.2.

Malaysia announced that the third meeting of the Tri-National Task Force on Ramin would be held in Singapore before the 55th meeting of the Standing Committee.

The Committee requested Malaysia to submit a report to the Secretariat before CoP14 to explain the scientific basis for its non-detriment findings in relation to its export quotas of ramin (*Gonystylus* spp.). It also requested China, Italy, Japan, Malaysia, the United Kingdom, and the United States to provide written reports on the same taxon at its 57th meeting.

During discussion of this agenda item, interventions were made by the representatives of Asia (China, Japan and Malaysia) and Europe (Germany), and by Indonesia, Italy, the United Kingdom, the United States, the Environmental Investigation Agency (also speaking on behalf of Defenders of Wildlife and Telapak) and TRAFFIC.

32. Annual reports on ranching operations

The Secretariat introduced document SC54 Doc. 32. Participants welcomed the report by the Secretariat and generally supported the actions and recommendations proposed therein. The compliance by Ecuador, Malawi and Uganda with the provisions of Resolution Conf. 11.16 (Ranching and trade in ranched specimens of species transferred from Appendix I to Appendix II) was questioned, and the Secretariat was encouraged to contact these Parties again. Indonesia mentioned errors contained in its report to the Secretariat, and said it would provide a corrected version for publication on the CITES website. South Africa explained that its lack of reporting was because ranching as envisaged in Resolution Conf. 11.16 was no longer practised on its territory.

The Committee endorsed the Secretariat's proposal to visit and examine the ranching operations for *Crocodylus niloticus* in Madagascar.

The Committee noted the Animal's Committee's proposed amendments to the reporting requirements in Resolution Conf. 11.16.

The Committee took note of the evaluation of production systems that is being undertaken by the Animals and Plants Committees for consideration at CoP14, which may result in significant amendments to Resolution Conf. 11.16 or, as suggested by the Secretariat, its integration into other Resolutions.

During discussion of this agenda item, interventions were made by the representative of Europe (Germany) and by Indonesia, South Africa and Pro Wildlife.

Exemptions and special trade provisions

33. Personal and household effects

The Chairman of the Working Group on Personal and Household Effects introduced document SC54 Doc. 33. He provided the Committee with an update on the Working Group's progress, noting that it had met on the margins of the present meeting, and appealed for more Parties to submit information on their legislative treatment of personal and household effects. The Committee took note of the progress report.

There were no interventions.

34. Relationship between *ex situ* production and *in situ* conservation

Mr Colmán O'Críodáin, as the representative of the Standing Committee's Clearing House, introduced document SC54 Doc. 34 and announced the following changes to the terms of reference in the Annex:

- The introductory text of paragraph 1 is amended to read “The study should examine the following issues in relation to CITES-listed species”;
- In the heading of paragraph 1 a), the words “and scope” are inserted after “benefits”;
- The following new subparagraphs are inserted in paragraph 1 a), and the other subparagraphs renumbered:
 - “v) The extent to which range States are able to transfer benefits from *ex situ* production in their territories to *in situ* conservation work;” and
 - “vii) The scope of economic activity generated by *ex situ* production”;
- In paragraph 1 b), subparagraph ii), the following words are inserted at the end: “with a simpler regulatory regime”; and
- Paragraph 1 c) is deleted.

In the discussion that followed, participants thanked the Clearing House for its work and generally supported the proposal for a study as outlined in the Annex to the document with the amendments that had been announced. Some participants agreed that the study should be paid for from the Trust Fund. Others disagreed. Participants made the following points: there is a need to maximize the benefits of *in situ* production, while minimizing risks; the terms of reference for the proposed study should not deal with matters beyond the scope of the Convention and should state that it relates specifically to international trade. One organization stated that it was against legalized trade in tiger specimens, and did not support breeding of tigers.

It was agreed that the Clearing House should conduct email consultations to verify changes in language based on SC54 interventions and amend the terms of reference for the proposed study on the basis of those interventions, then work with the Secretariat, to prepare a proposal for consideration at CoP14.

During discussion of this agenda item, interventions were made by the representatives of Asia (China), Europe (Germany) and Oceania (Australia), and by Mexico, the United States, the Chairman of the Animals Committee and WWF.

General compliance issues

35. Guidelines for compliance with the Convention

The Chairman of the Compliance Working Group (CWG) introduced this agenda item and advised the Committee that a small drafting group was working on the draft guidelines in parallel with sessions of the Standing Committee. He noted that input had been received from Japan after the publication of document SC54 Doc. 35 and that these had been included in that document as an ‘Addendum’ and ‘Comments’. He mentioned that participants in the Working Group’s sessions had comprised Australia, Canada, China, Japan, Malaysia, Mexico, the Netherlands, Norway, Peru, the United Kingdom, the United

States and the European Commission. He expressed appreciation of the cooperative and positive spirit that had characterized the discussions so far.

The CWG Chairman explained that, on the basis of the texts before it, the Working Group had been considering the draft provisions on party-specific compliance (i.e. how compliance problems are identified and handled). At an earlier stage, it had decided that its overall aim would be to describe current practice and not to make new rules. Its discussions, however, had shown that 'current practice' was not always based on underlying legal texts (e.g. the Convention as well as Resolutions and Decisions of the Conference of the Parties) but, rather, had occasionally evolved beyond the express language found in those texts. This had made it necessary to redraft certain provisions, such as those dealing with recommendations to suspend trade. It was expected that closer examination of the legal sources for compliance practice would be a dominant feature during the rest of the drafting process. After finishing its first reading of the entire draft, the Working Group planned to go through the text again to remove as much bracketed text as possible.

The Chairman and the Working Group were congratulated on their efforts and the importance of taking a facilitative and supportive rather than punitive approach to compliance was stressed. It was suggested that the draft guidelines should be practical and uncomplicated and should not create any additional administrative burden. A careful review of existing CoP Resolutions had showed that the Standing Committee had the authority to recommend a trade suspension in relation to annual reports, national legislation and the Review of Significant Trade. In relation to major implementation problems, the Standing Committee had the general authority to help find a solution but not to recommend a trade suspension. Attention was drawn to the primary role of the Animals and Plants Committees, together with the Secretariat, in dealing with potentially detrimental trade identified under the Review of Significant Trade.

Support was expressed for the ongoing work to agree a set of compliance guidelines but it was also said that the guidelines should not be used to develop new procedures. The fact that the Standing Committee, in dealing with major implementation problems identified under Article XIII of the Convention, had adopted recommendations to suspend trade in 13 instances since 1986 and that these recommendations had brought about responsive action, led to a statement that the Standing Committee's authority came from the CoP and was not independent of it. Acknowledgment was made that recommendations to suspend trade had been useful and that there was no objection to their use, except where no explicit delegation of power had been given to the Standing Committee. Should the Committee be able to adopt trade sanctions at will, it would become an independent prosecutor. In response to a query as to whether NGOs could participate in the Working Group, the CWG Chairman explained that the issue had been debated and the Working Group had decided to restrict its discussions to government representatives.

The Committee expressed appreciation for the progress report and reminded Parties that the drafting group was open-ended and that they should provide it with their views. It urged the Working Group to reach consensus on the draft compliance guidelines with as few unresolved points as possible in order to facilitate the Committee's decision-making.

Later in the meeting, the Chairman of the Working Group on Compliance reported that the Working Group had completed a revised draft of compliance guidelines with only nine segments of the text in brackets (document SC54 Com. 4¹). He noted that the Working Group's modest objective (i.e. to describe current compliance procedures) had proved

¹ *This reference number was given after the meeting; the document was distributed during the session under the title Guidelines for compliance with the Convention.*

difficult to attain because not every compliance practice was readily substantiated by reference to authoritative texts. He recalled that Decision 12.84 of the Conference of the Parties had directed that a set of guidelines for compliance with the Convention be drawn up. Although that task had not yet been completed, it was nearing completion and he expressed his thanks to WG members and the Secretariat for their support.

The Committee requested that the Working Group continue its negotiations on the revised text with the aim of reaching agreement on the bracketed text before the document deadline for CoP14.

During discussion of this agenda item, interventions were made by the representatives of Asia (Japan and Malaysia) and by Norway, the United States and the David Shepherd Wildlife Foundation.

36. National laws for implementation of the Convention

The Secretariat introduced document SC54 Doc. 36, drawing the Committee's attention to the Annex to that document, which had been prepared in English only and distributed during the meeting. This Annex contained a revised legislative status chart showing the progress that had been made by Parties and dependent territories as of 2 October 2006. The Secretariat also provided an additional oral update of the progress more recently reported by the Barbados, China, Ireland, Madagascar, Malaysia, Namibia, Senegal, Slovenia and South Africa. Parties were encouraged to contact the Secretariat directly regarding any questions about or corrections to their legislative status.

Overall, the Secretariat noted that a great deal of legislative progress had been achieved and was continuing to be achieved. There were now over 70 Parties and dependent territories with legislation in Category 1. Some delegates provided details on the legislative developments in their countries. Appreciation was also expressed for legislative assistance that had been provided or was now being planned by the Secretariat.

Cameroon requested that it be recognized as having sufficient legislation. Support was expressed for the recommendations and a suggestion was made to work through the diplomatic channel and to provide regional assistance to Parties with long-term trade suspensions.

The Committee agreed to the following:

Regarding Parties with a deadline of 31 March 2003

to review at its 55th meeting the legislative progress of Mozambique and South Africa.

Regarding Parties with a deadline of 31 December 2003

- a) to review at its 55th meeting the legislative progress of Afghanistan, Algeria, the Bahamas, Bangladesh, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, the Central African Republic, Chad, Chile, the Congo, Côte d'Ivoire, Ecuador, Equatorial Guinea, Eritrea, Gabon, Ghana, Grenada, Guinea, Guyana, India, Israel, Jordan, Kenya, Liberia, Malawi, Malaysia, Mali, Mauritius, Morocco, Namibia, Nepal, Niger, Papua New Guinea, Peru, the Philippines, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Seychelles, Sierra Leone, the Sudan, Suriname, Togo, Trinidad and Tobago, Tunisia, Uganda, the United Republic of Tanzania, Uruguay, Venezuela (the Bolivarian Republic of) and Zambia; and

- b) to review at its 55th meeting the legislative progress of Benin, El Salvador and Sri Lanka provided that a revised CITES Legislation Plan or draft or enacted legislation is received by the Secretariat by 15 November 2006. It instructed the Secretariat to issue a Notification to the Parties recommending a suspension of commercial trade in specimens of CITES-listed species with those three countries if no revised CITES Legislation Plan or draft or enacted legislation is received by this deadline.

Regarding Parties and dependent territories with a deadline of 30 June 2004

- a) to review at its 55th meeting the legislative progress of Antigua and Barbuda, Cambodia, Dominica, Georgia, Latvia, Mongolia, Myanmar, Saint Helena and Dependencies, and Saudi Arabia; and
- b) to review at its 55th meeting the legislative progress of Swaziland provided that a revised CITES Legislation Plan or draft or enacted legislation is received by the Secretariat by 15 November 2006. It instructed the Secretariat to issue a Notification to the Parties recommending a suspension of commercial trade in specimens of CITES-listed species with this country if no revised CITES Legislation Plan or draft or enacted legislation is received by this deadline.

Regarding Nigeria, Paraguay and Thailand

- a) to maintain the recommendation of suspension of trade already in place for Nigeria until adequate legislation is adopted;
- b) to review at its 55th meeting the legislative progress of Paraguay provided that a revised CITES Legislation Plan or draft or enacted legislation is received by the Secretariat by 15 November 2006. It instructed the Secretariat to issue a Notification to the Parties recommending a suspension of commercial trade in specimens of CITES-listed species with this country if no revised CITES Legislation Plan or draft or enacted legislation is received by this deadline.
- c) to review at its 55th meeting the status of prosecution of CITES-related offences in Thailand to verify whether its legislation is adequate for implementation of the Convention.

Regarding Parties and dependent territories with a deadline of 30 September 2006

- a) to review at its 55th meeting the legislative progress of Albania, Aruba, the Bailiwick of Guernsey, the Bailiwick of Jersey, Bermuda, Bhutan, the British Indian Ocean Territory, the British Virgin Islands, the Cayman Islands, French Polynesia, Greenland, Iceland, the Isle of Man, Kuwait, the Lao People's Democratic Republic, Lesotho, Lithuania, Macao, Montserrat, the Netherlands Antilles, New Caledonia, Qatar, the Republic of Moldova, Serbia, Ukraine, and Wallis and Fortuna Islands; and
- b) if no CITES Legislation Plan or draft or enacted legislation is received by 15 November 2006, to instruct the Secretariat to issue a caution to Libyan Arab Jamahiriya, Palau, Sao Tome and Principe, the Syrian Arab Republic and The former Yugoslav Republic of Macedonia:
 - i) warning them that they are in non-compliance with Decision 13.81; and

- ii) requesting that a CITES Legislation Plan be submitted to the Secretariat as a matter of urgency informing the Secretariat on the progress to date and on the steps required to enact adequate legislation, as required in Decision 13.81.

Regarding Parties that require attention as a priority

The Committee requested the Secretariat to contact the Geneva-based diplomatic missions of those Parties that had been subject to a recommendation to suspend trade for a long period in order to assist them in returning to compliance. It called upon regional representatives to assist those countries in their region that were subject to a recommendation to suspend trade to develop adequate and appropriate legislation.

During discussion of this agenda item, interventions were made by the representatives of Africa (Cameroon), Europe (Germany) and Oceania (Australia), and by India, Thailand, the United States and the David Shepherd Wildlife Foundation.

37. Stricter domestic measures

The Secretariat introduced document SC54 Doc. 37 (Rev. 1). Acknowledging the right of Parties to adopt stricter domestic measures, it suggested that a discussion at CoP14 of the practice to date of adopting and applying such measures – by both exporting and importing countries – could be useful, particularly in identifying whether there was a need to improve existing guidance.

Support was expressed for the preparation of a discussion document for CoP14, as recommended in paragraph 18 a) of document SC54 Doc. 37, but there was opposition to any review of existing resolutions as recommended in paragraph 18 b).

Mention was made of the transparency which characterizes the use of stricter domestic measures by the Member States of the European Union. An earlier study had confirmed the appropriateness and usefulness of such measures, and a new study on the effectiveness of European Union legislation for implementing CITES would address stricter domestic measures as well. Attention was drawn to a Party's right to protect its native fauna and flora as well as to Resolution Conf. 11.3 (Rev. CoP13), in which importing countries are recommended to apply stricter domestic measures when they suspect certain instances of illegal trade. It was noted that stricter domestic measures should be consistent with WTO rules and justifiable for environmental reasons. It was also pointed out that stricter domestic measures may indeed have negative consequences and that these should be avoided if possible.

The Committee requested that the Secretariat submit a discussion document on stricter domestic measures for consideration at CoP14. It also agreed that the Secretariat should not submit proposals to amend the references to stricter domestic measures in existing Resolutions.

During discussion of this agenda item, interventions were made by the representatives of Europe (Germany), North America (Canada), Oceania (Australia) and the Depositary Government, and by Israel and the United Republic of Tanzania.

38. Enforcement matters

The Secretariat introduced document SC54 Doc. 38. Several delegations welcomed the report by the Secretariat and endorsed its recommendations.

The Committee endorsed the recommendation of the Secretariat that Parties should ensure that only appropriately qualified and experienced officials are nominated to participate in specialized CITES enforcement-related meetings or events.

The Committee called upon Cambodia to facilitate a mission by the Secretariat to assess implementation of the Convention, and requested the Secretariat to report on this subject at CoP14. The Committee recommended that the Conference of the Parties review the report of the Secretariat and decide whether additional measures, including measures to address non-compliance, were necessary (particularly if the Secretariat is unable to conduct such a mission).

The Committee requested China to submit a report to the Secretariat, by 31 January 2007, on its efforts to combat the illicit trade in Appendix-I Asian big cat species. China should also report upon any existing or intended domestic use of Asian big cat parts and derivatives, and this report should be published on the CITES website. The Secretariat, should, thereafter, conduct a verification mission to assess the results of China's enforcement work and report at CoP14 on this subject. The Committee recommended that the Conference of the Parties review the reports of China and the Secretariat and decide whether additional measures, including measures to address non-compliance, were necessary.

The Committee requested Egypt to prepare a report for CoP14 on its enforcement of the Convention, particularly with regard to the trade in ivory and the illicit trade in primates. The Committee recommended that the Conference of the Parties review the report and decide whether additional measures, including measures to address non-compliance or a verification mission by the Secretariat, were necessary. Egypt's report should be published on the CITES website.

The Committee noted the lack of progress on the part of Nigeria to implement and enforce the Convention. It maintained its recommendation of a suspension of trade in CITES specimens to and from Nigeria. The Committee encouraged Nigeria to take urgent action to rectify this situation and requested the Secretariat to continue to offer support to Nigeria.

The Committee encouraged Saudi Arabia to facilitate a mission by the Secretariat to assess implementation of the Convention, and requested the Secretariat to report on this subject at the 57th meeting of the Committee.

The Committee requested Thailand to prepare a report for CoP14 on its enforcement of the Convention, particularly with regard to its progress in adopting new legislation, and in relation to the illicit trade in ivory, the Tibetan antelope and primates. The Committee recommended that the Conference of the Parties review the report and decide whether additional measures, including measures to address non-compliance, were necessary. Thailand's report should be published on the CITES website.

The Committee encouraged Parties to consider developing national enforcement action plans, as recommended in Resolution Conf. 11.3 (Rev. CoP13), and suggested that Parties that develop such plans make them available to the Secretariat for publishing on a restricted-access part of the CITES website.

During discussion of this agenda item, interventions were made by the representatives of Africa (Ghana), Asia (China) and Europe (Germany), and by Israel, Saudi Arabia, the United Kingdom, the United States, the David Shepherd Wildlife Foundation and Wildlife Trust of India.

39. National reports

The Secretariat introduced document SC54 Doc. 39. It advised the Committee that approximately half of the Parties to the Convention had submitted biennial reports for 2003-2004 and urged those who had not done so to submit their reports. It stated that Comoros, Mongolia, Sao Tome and Principe and Uganda had still not provided annual reports for the period 2002-2004.

One Committee member, which had been in communication with Uganda, said that it would soon be providing its missing reports and asked the Committee to defer any recommendation to suspend trade with Uganda. The same member noted that civil war continued to afflict Somalia, making it difficult for the country to respond to information requests. It suggested that the Secretariat use United Nations or diplomatic missions as a means of dealing with countries affected by civil strife.

The Committee determined that the Comoros, Mongolia, Sao Tome and Principe, and Uganda had failed, without having provided adequate justification, to submit annual reports for three consecutive years. It instructed the Secretariat to issue a Notification to the Parties recommending a suspension of trade in specimens of CITES-listed species with those four countries unless they submitted their reports to the Secretariat by 15 November 2006. The Committee noted that Mauritania and Somalia remained subject to a recommendation to suspend trade. It suggested that the Secretariat, in dealing with Somalia, take into account its socio-political situation and act accordingly.

During discussion of this agenda item, interventions were made by the representatives of Africa (Ghana and Kenya).

40. Wildlife trade policies

The Secretariat introduced document SC54 Doc. 40 (Rev. 1) reporting on progress on the implementation of the national wildlife trade policy reviews. It highlighted the selection of four countries for pilot studies and the finalization of a methodological framework, and recommended that the Standing Committee to encourage interested importing countries to carry out policy reviews. Germany expressed support for the recommendations, mentioned a study on the effectiveness of the EU regulations and suggested the inclusion of the 'livelihood issue' in the reviews.

The Committee noted the document.

There were no other interventions.

41. Economic incentives

The Secretariat introduced document SC54 Doc. 41 and highlighted the cooperation with UNCTAD Biotrade, information from capacity-building workshops, benefits of trade to wildlife and livelihoods, and the role of the private sector. It also outlined the recommendations to consider ways to recognize and reward good practices and hold a sustainable trade forum as a CoP14 side event (not organized by the Secretariat) that would allow the private sector, local communities and others to share information. China reported on the results of a 'CITES and livelihoods Workshop', held in South Africa, from 5 to 7 September 2006, emphasizing the importance of the issue of livelihoods for developing countries.

Both support and opposition to the recommendations contained in the report from China were expressed and it was suggested to have informal discussions instead of a parallel forum. Note was also made that other forums, such as CBD, dealt with economic incentives and that duplication of efforts should be avoided. Finally it was pointed out that large parts of the world were not represented at the meeting to discuss this highly complex issue, which was of interest not only for CITES but also much more broadly.

The Committee noted the document. It also noted the oral report presented by China on the results of a 'CITES and livelihoods workshop', held in South Africa, from 5 to 7 September 2006.

During discussion of this agenda item, interventions were made by the representatives of Asia (China), Europe (Germany) and Oceania (Australia), and by Argentina, Namibia and IFAW.

42. Review of Significant Trade

The Secretariat introduced document SC54 Doc. 42.

FLORA

Aloe spp.

Kenya explained that it had prohibited harvest and export of *Aloe* spp. since the late 1980s, but that guidelines for harvesting and a national inventory had been completed in preparation for new legislation on the subject that was due to be published before June 2007. It undertook to provide a written report to the Secretariat.

Cycadaceae, Stangeriaceae and Zamiaceae

China thanked the Committee for its understanding over its late submission of information which was caused by personnel changes in the administration. It explained that all Chinese exports of these species were of artificially propagated specimens and that all nurseries engaged in this activity were registered with the CITES Management Authority.

FAUNA

Moschus spp.

The Secretariat noted that paragraph 33 summarized the responses of China to recommendations formulated at the 53rd meeting of the Standing Committee, and that paragraph 34 presented the determinations thereof by the Secretariat, in consultation with the Chairman of the Animals Committee. The Chairman of the Animals Committee and the Secretariat had had the opportunity to discuss these further with the representatives of China in the margins of the 22nd meeting of the Animals Committee (Lima, July 2006). Subsequently, China provided the following updates regarding the actions mentioned in paragraph 33:

- a) The initial phase of registration of stockpiles of raw musk and musk derivatives, conducted by the State Forestry Administration and the Ministry of Health, the Administration Authority for Industry and Commerce, and the State Food Inspection, was completed by the end of 2005. It established that 108 companies held 6,443.51 kg of natural musk; and that 206 companies held 416,212,000 boxes with musk-containing medicines that had been manufactured before 30 June 2005. The

period for registration has been prolonged until 31 July 2006 to include some companies that for various reasons had missed out the initial registration phase.

All verified stockpiles will have to be kept in standardized containers to be sealed, numbered and controlled by the Wild Animals and Plants Inspection and Identification Centre. The scheme was believed to be tight enough to prevent illegally-obtained musk from entering trade.

China had organized two symposia on conservation of native wild musk deer populations in the country, resulting in proposals to create special protected areas and start captive breeding under semi-wild conditions. The State Forestry Administration was also considering establishing a working group of experts who could provide guidance to restore wild musk deer populations. Musk-consuming companies had been requested to support these activities.

- b) The number of medicines authorized to continue to contain natural musk was changed from four to six. The two additional medicines were the liquid injectable version of one of the original four medicines, and eye drops containing only minute amounts of raw musk. Only seven manufacturers were allowed to produce these medicines. Only labelled medicines were to be marketed. The relevant figures in paragraph 33 b) were updated as follows: 48,969,700 labels issued of which 41,621,200 for products produced before 1 June 2005 and 7,348,500 for the six authorized medicines.
- c) The Chinese Management Authority reiterated its interest in collaborating with Mongolia and the Russian Federation on mechanisms to improve control of trade in musk, management of wild musk deer populations, coordination of anti-poaching efforts and halting the smuggling of musk. It asked the CITES Secretariat to facilitate and coordinate these regional efforts.

China thanked the Secretariat and the Chairman of the Animals Committee for their positive evaluation of China's efforts, and welcomed further collaboration with the Secretariat and neighbouring range States of *Moschus* spp. to enhance the conservation and management of musk deer.

Cuora amboinensis

The Secretariat drew attention to paragraphs 36 and 38 of the document, summarizing the responses from Indonesia and Malaysia to recommendations formulated by the Animals Committee, and the determinations thereof by the Secretariat, in consultation with the Chairman of the Animals Committee, in paragraphs 37 and 39.

Indonesia clarified that it was undertaking status assessments and field studies with support from TRAFFIC Southeast Asia, and that its annual export quota of *Cuora amboinensis* (18,000 live specimens) comprised animals for both the pet and food trade.

Strombus gigas

The Secretariat stated that, since 2003, it had regularly provided updates on the implementation of the Review of Significant Trade in *Strombus gigas* at meetings of the Standing Committee, and that the outcomes of the final evaluations by the Secretariat, made in consultation with the Chairman of the Animals Committee, were outlined in paragraphs 40 and 41 of the document. It noted that during the three years that the species had been in the review, real momentum had been created in the Caribbean region to improve the management of the queen conch fishery. The Secretariat hoped that this

momentum could be maintained and reinforced. It also thanked all the range States that participated in or had otherwise actively supported the process, as well as FAO and regional Caribbean fishery organizations. Finally, it drew attention to FAO's publication in 2006 of a 'Manual for the monitoring and management of queen conch', encompassing all aspects of the implementation of Article IV of the Convention and the making of non-detriment findings for trade in *Strombus gigas*, and incorporating know-how and data that had been acquired by range States during the review. FAO had continued interest in working with Caribbean range States to improve their capacity to manage queen conch fisheries.

Falco cherrug

Regarding the 26 range States where *Falco cherrug* had been found to be of 'possible concern' the Secretariat, having consulted the Chairman of the Animals Committee, had determined that 10 had failed to provide the information requested in the recommendations, while the other 16 had met the recommendations. The Secretariat drew attention to paragraphs 44 and 46 with the actions recommended to the Standing Committee in this regard.

The Secretariat gave an oral update on the progress of the review process in the nine range States where the species was of 'urgent concern', noting that the deadlines for implementing all recommendations directed to them expired only in August 2007.

All nine had responded favourably to the recommendation to suspend immediately the issuance of export permits for *Falco cherrug*, and the Secretariat declared that it would issue a Notification to the Parties about these suspensions. The Secretariat also announced that, in consultation with the Chairman of the Animals Committee, it would make an interim evaluation of the information that had been submitted to the Secretariat and of the actions that reportedly had taken place, and to advise the nine range States accordingly. In the case of other lengthy and complicated reviews, such as of *Strombus gigas*, this approach had proven to be useful, keeping range States on track by clearly indicating what remained to be accomplished.

The following statement was made by the Russian Federation:

Mr Chairman,

At AC21, the Animals Committee categorized the Russian Federation as a country of 'urgent concern' in relation to its Falco cherrug population.

Starting from September 2006, in accordance with CITES recommendations, the Russian Federation suspended export of captive-bred Falco cherrug (commercial export of this species specimens from wild populations have never been conducted in Russia since 1983, when Falco cherrug was included in the Red Book of the Russian Federation).

In addition to that, all requested information was provided to the Secretariat. Special attention was paid to stricter control measures over falcon breeding centre activities, in particular to marking of these birds, as well as the monitoring of wild population.

As a result we have improved State control over all activities of these centres. Recent surveys demonstrate the stability of the saker falcon wild population (not less than 3,000 breeding pairs) and the absence of any negative impact on it from trade in captive-bred falcons.

The Russian Federation fully supports the opinion of international experts that captive-bred falcons are a real alternative to birds taken from the wild and that the work done by falcon breeding centres reduces the pressures on wild falcon populations. This idea was specially stressed during the CITES meeting on trade in falcons in Abu Dhabi in 2004.

Taking into consideration the present status of the saker falcon population as stable, established State control over the trade operations with these species and the problems of the breeding centres, the Russian Federation does not see any serious obstacle to resume issuing export permits for captive-bred Falco cherrug in accordance with CITES requirements and national legislation. Moreover, we request the Secretariat to revise categorization of the Russian Federation regarding Falco cherrug population as of 'urgent concern'.

The Russian Federation is open to cooperation in the field of falcon protection and ready to welcome CITES representatives who can witness positive changes with the saker falcon population in Russia.

Thank you, Mr Chairman.

While questioning why its population had been categorized as 'of urgent concern', Saudi Arabia confirmed its commitment to implement all recommendations directed to it.

The Committee adopted the recommendations and actions referred to in paragraphs 10, 12, 17 (in relation to Madagascar, Mozambique and Viet Nam only), 19, 21, 24, 26, 28, 30, 34, 37, 39, 44 and 46 of that document.

Regarding *Aloe* spp., the Committee requested Kenya to submit a report as soon as possible to the Secretariat providing information on its compliance with Article IV, paragraphs 2 a) and 3, for these species.

Regarding *Aquilaria malaccensis*, the Committee requested Malaysia to submit a report as soon as possible to the Secretariat explaining how it had established its export quota of 200,000 kg of powder and woodchips for 2007. If the Secretariat, after consulting with the Plants Committee, is not satisfied with the explanation, it will issue a Notification to the Parties recommending a suspension of trade in all specimens of *A. malaccensis* from Malaysia with effect from 1 January 2007.

Regarding Cycadaceae, Stangeriaceae and Zamiaceae, the Committee decided to remove China from the Review of Significant Trade.

During discussion of this agenda item, interventions were made by the representatives of Africa (Kenya), Asia (China and Malaysia) and Europe (Germany), and by Indonesia, the Russian Federation, Saudi Arabia, the United States and the Chairman of the Plants Committee.

Reports

43. Reports of regional representatives

The Committee noted the reports of regional representatives presented in documents SC54 Doc. 43.1, Doc. 43.2 (Rev. 1), Doc. 43.3 (Rev. 1), Doc. 43.4, Doc. 43.5 and Doc. 43.6.

There were no interventions.

Concluding items

44. Any other business

Mexico requested consideration of the periodic review of the Appendices. The Committee noted the intention of the Animals and Plants Committees to make proposals for consideration at CoP14 and noted that no action by the Standing Committee was currently required.

The following statement was made by Australia:

At the 22nd meeting of the Animals Committee and 16th meeting of the Plants Committee, amendments to the SC51 recommendations on selection of species for periodic review, which included an amendment that would eliminate the Standing Committee's role in finalizing the list of species for review, were adopted. Australia is concerned by this potential erosion of the Standing Committee's role in this regard. In addition, it is concerned that species have been selected for review outside of the agreed guidelines for periodic reviews. Australia considers that as the amendments to eliminate the Standing Committee's involvement and the apparent deviation from the agreed selection process may prove controversial, the issue must be examined at CITES CoP14 and not handled by the Standing Committee.

During discussion of this agenda item, interventions were made by Australia, Mexico and the Chairman of the Animals Committee.

45. Time and venue of the next meeting

The Committee agreed that its next meeting would take place on 2 June 2007 at The Hague, the Netherlands, immediately before CoP14.

46. Closing remarks

The Secretary-General thanked all the participants for their hard work and urged that, at CoP14, particular attention be paid to the financial needs for the Convention. The Chairman thanked all participants for their cooperation and patience during the meeting, and for their dedication and commitment, including the members of the Secretariat who worked behind the scenes and the interpreters.