

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



Fifty-seventh meeting of the Standing Committee
Geneva (Switzerland), 14-18 July 2008

SUMMARY RECORD

1. Opening remarks by the Chairman

The Chairman welcomed the participants, drawing attention to the important issues to be dealt with and to the new directions from the Conference of the Parties. He thanked the Committee for its continued trust in re-electing him as Chairman after the 14th meeting of the Conference of the Parties.

The Secretary-General and the Ambassador of Chile to the United Nations Office at Geneva also gave speeches of welcome.

Strategic and administrative matters

2. Agenda

The provisional agenda in document SC57 Doc. 2 (Rev. 1) was adopted, with the addition of status reports on the workshop on non-detriment findings and on the e-commerce project, to be included under agenda item 41 (*Any other business*).

During discussion of this item, interventions were made by the representative of North America (Canada), and by Israel and Mexico.

3. Working programme

The Chairman introduced document SC57 Doc. 3 and, in response to questions, explained that some agenda items were proposed to be discussed in a different order from that in which they appeared in the agenda to allow sufficient time for the deliberations of working groups or for additional consultations in cases where it seemed probable that these might be necessary. Concern was expressed about the need to allow time for consideration of the terms of reference of the Finance and Budget Subcommittee. In addition, a request was made to consider agenda item 12 earlier than planned to benefit from the presence of the representative of the World Trade Organization.

The working programme in document SC57 Doc. 3 was adopted, as amended to consider agenda item 12 at the end of Monday the 14th and to consider the terms of reference of the Finance and Budget Subcommittee, under agenda item 13, during the morning of Tuesday the 15th.

During discussion of this item, interventions were made by the representatives of Europe (United Kingdom of Great Britain and Northern Ireland) and North America (Canada), and by Israel and the Secretariat. The United Kingdom stated that, throughout the meeting, unless otherwise indicated, it would be speaking also on behalf of the Member States of the European Community.

4. Rules of Procedure

4.1 Recommendations of the Secretariat

The Secretariat introduced document SC57 Doc. 4.1, noting that, if the Standing Committee considered that there was a problem in relation to the participation of representatives or observers without credentials, then agreement was needed on the approach that should be taken. In the discussion that followed, there was broad agreement that a new approach was needed. Several speakers generally supported the proposals of the Secretariat in the document, but a number of amendments were suggested. Several speakers stressed the importance of sending printed documents by mail to countries that did not have good Internet access.

The Chairman established a working group, to report later in the session, and invited those who had participated in the debate to join the working group.

Later in the meeting, the Secretariat introduced the results of the discussions in the working group, in document SC57 Com. 2. There were some objections to the proposals contained in that document and consequently the Standing Committee agreed that further discussion of the Rules of Procedure should be conducted through the postal procedure, with a view to the Secretariat preparing a document for consideration at the following meeting of the Committee (SC58).

During discussion of this item, interventions were made by the representatives of Africa (Kenya), Asia (China and Japan), Europe (United Kingdom) and Oceania (Australia), and by Afghanistan, Botswana, Mali, Mexico, the United States of America and the Species Survival Network.

4.2 Submission of documents

Israel introduced document SC57 Doc. 4.2, noting the problems caused by the late availability of the Secretariat's documents, but acknowledging the significant improvement in this regard at the present meeting. The Secretariat recognized the importance of providing documents in good time and noted that it began the preparation of documents for meetings long before the deadline specified in the Rules of Procedure. It pointed out that some documents can not be provided by the deadline because their preparation depends on actions taking place subsequently. The Secretariat drew attention to its increasing workload, its resource limitations and its reduced staff. The Secretary-General noted that one result of this was that, in future, documents from Parties for CITES meetings would no longer be edited by the Secretariat. He gave a commitment to reduce the lateness of the Secretariat's documents for meetings.

A number of representatives emphasized that when documents for a meeting were received late, this made it difficult to conduct adequate consultations in advance of the meeting. It was suggested that when documents that had already been published were revised, the revised version should indicate where the changes had been made. The Chairman noted that many international organizations faced the same problem of having large numbers of documents to be produced and insufficient time. He stressed the need for Parties to minimize the number of documents required for meetings.

The Committee noted the serious concerns that had been raised and the commitment of the Secretariat to ensure that the deadline for publishing documents was met as far as possible.

During discussion of this item, interventions were made by the representatives of Africa (Kenya), Europe (Bulgaria, also speaking on behalf of the Member States of the European Community) and Oceania (Australia), and by Israel, Mali, Mexico, the United States and the Secretariat.

5. Credentials

The Secretariat reported that delegations of 17 members of the Standing Committee were in attendance and credentials had been received from them all. Forty-three other Parties were represented by observers and credentials had been received from all but four of them. Credentials had also been received from the representatives of five of the nine intergovernmental organizations

represented and from 26 out of the 29 non-governmental organizations. This information was noted by the Committee.

No interventions were made.

6. Admission of observers

The Committee agreed to the admission of all the organizations listed in the Annex to document SC57 Doc. 6.

No interventions were made.

7. Election of Vice-Chairman and Alternate Vice-Chairman

The Chairman reported that Ghana and China had indicated their willingness to continue to serve as Vice-Chairman and Alternate Vice-Chairman of the Standing Committee respectively, and the Committee re-appointed them by consensus.

No interventions were made.

8. Clearing House

The Secretariat introduced document SC57 Doc. 8.

At a later session, the representative of Europe (Bulgaria, also speaking on behalf of the Member States of the European Community) nominated Ms Mercedes Lasso of Spain to replace Mr Colman O'Criodain as a member of the Clearing House. The Committee appointed Ms Lasso and expressed its thanks to Mr O'Criodain for the good work he had done, as well as to Mr Bruce Weissgold who continued to serve.

No interventions were made.

9. Strategic Vision 2008-2013: Development of indicators

The Secretariat introduced document SC57 Doc. 9. It explained that, during the consultation process, there had been broad support for measurable and clear indicators, which should not increase reporting obligations. It had further been suggested that the number of indicators should not exceed four per objective.

The Secretariat proposed the establishment of a small working group, participation in which would be limited to the Parties that had submitted written comments in response to Notification No. 2008/009 of 5 February 2009. The proposal to create a working group was met favourably, but a number of Parties requested broader participation. The Standing Committee established an open-ended working group on the development of indicators, to be chaired by the Secretary-General.

Later in the meeting, the Secretary-General, as chairman of the working group, reported that the working group had agreed on a limited number of indicators per objective, in accordance with the views previously expressed on this issue. Those indicators were available in document SC57 Com. 6. He noted that the Secretariat had been asked to consult with IUCN on the most appropriate wording for Indicator 3.4.1 and to complete the list of indicators under Objective 3.4 with relevant indicators from other objectives. He further noted that text needed to be added under Indicator 3.1.1 as follows: "The number of Parties that developed projects funded by international financial mechanisms and other related institutions to develop activities that include CITES-related conservation and sustainable development elements."

It was commented that a number of indicators would involve a lot of work and would therefore be less appropriate.

In the context of indicators, the Secretary-General mentioned the 2010 Biodiversity Indicator Partnership, an initiative led by UNEP-WCMC with USD 3.6 million from the Global Environment

Facility (GEF) to streamline biodiversity indicators more generally. More than 40 organizations were involved and the CITES Secretariat had been asked to be the key indicator partner for the 'Status of species in trade' element of the indicators of sustainable use. The Animals and Plants Committees were advising the Secretariat on its input to this process. The Secretariat would take the Strategic Vision indicators into account and report on developments at future Standing Committee meetings.

The Standing Committee adopted the indicators contained in document SC57 Com. 6 with the amendment to Indicator 3.1.1 mentioned above.

The Committee also mandated the Secretariat to replace Indicator 3.4.1 with an appropriate text in consultation with IUCN.

During discussion of this item, interventions were made by the representatives of Africa (Ghana), Central and South America and the Caribbean (Chile), North America (Canada) and Oceania (Australia), and by Brazil, the United States, the European Community and the Secretariat.

10. Relationship with the United Nations Environment Programme

The representative of UNEP presented a statement on behalf of the Executive Director of UNEP¹.

Participants welcomed the report of UNEP but wanted to know when UNEP's internal reviews would be completed. It was recalled that the Committee had negotiated a new Memorandum of Agreement with UNEP two years previously in good faith, that it had been signed by the Chairman of the Standing Committee, but that it appeared that the Executive Director was unwilling to sign. It was noted that he seemed to communicate with the Standing Committee only by proxy. It was also indicated that, until UNEP completed its review, it was not clear what was provided in return for the 13 % overhead charge.

The Committee requested that the representative of UNEP transmit its concerns to the Executive Director of UNEP, in particular regarding the lack of progress with the Memorandum of Agreement between himself and the Standing Committee. The Committee looked forward to continued cooperation with UNEP.

During discussion of this item, interventions were made by the representatives of Europe (United Kingdom) and North America (Canada), and by Mexico, the United States and UNEP.

11. Cooperation with the Convention on the Conservation of Migratory Species of Wild Animals

The Secretariat introduced document SC57 Doc. 11. Delegations welcomed the cooperation between CITES and CMS, but in view of the practical implications of any changes, urged caution in any attempts to move towards a harmonization of species nomenclature. Calls were made to extend joint work to include *Arctocephalus australis*, *Dugong dugon*, *Vicugna vicugna* and other species, but it was pointed out that those species named in Annex 2 to document SC57 Doc. 11 were the only ones for which the Conference of the Parties had specifically called for cooperative action between CITES and CMS.

The Committee endorsed the draft list of joint activities for 2008-2010 presented in Annex 2 to document SC57 Doc. 11.

During discussion of this item, interventions were made by the representatives of Europe (Bulgaria) and Oceania (Australia), and by India, Peru, the United States, CMS, Humane Society International and the Secretariat.

¹ The full statement is appended as an Annex to the present summary record.

12. Cooperation with the World Trade Organization

The Chairman of the Standing Committee introduced document SC57 Doc. 12 and reported that he had not yet obtained a result on the recommendations adopted at SC55. He advised the Committee, however, that he had engaged in positive and frank discussions with one of the Deputy Directors General of the World Trade Organization (WTO) regarding the realities involved in strengthening cooperation between the two organizations. He explained that the recognition of *ad hoc* as well as permanent observers in certain WTO bodies had allowed WTO to accommodate the participation of CITES in the CTESS, even though no overall agreement on observer status had yet been reached in the WTO General Council. He drew attention to the potential usefulness of seeking observer status in the General Council, the Committee on Sanitary and Phytosanitary Measures and the Committee on Technical Barriers to Trade. He also explained that the WTO Secretariat, despite its goodwill and readiness to improve cooperation with the CITES Secretariat, was not able to move into a formal cooperative arrangement because of the existing political situation in WTO and the constraints placed upon the WTO Secretariat. His meeting with the Deputy Director General had nevertheless enabled them to establish a rapport and to agree that informal cooperation between the two organizations should continue to be enhanced. In this connection, they had specifically agreed to explore organizing an informal seminar or workshop during 2009 where issues common to both CITES and WTO could be discussed.

Support was expressed for the Chairman's efforts, his candid comments and his proposed approach for engaging further with WTO. It was suggested that CITES seek *ad hoc* observer status in additional WTO bodies such as the Committee on Trade and Development and the Committee on Regional Trade Agreements. The possibility of working with WTO through other organizations that already had observer status (e.g. the World Bank) was raised. There was recognition of the effective communication that was already taking place between CITES and WTO, as reflected in document SC57 Doc. 12, and the essential need to ensure policy coherence at the national level. It was suggested that the benefits to CITES of a formal Memorandum of Understanding were unclear and there might be alternatives to an MoU that could be considered. Seeking full partnership with WTO would not be efficient and CITES should instead consider the agendas of various WTO bodies and target its participation, especially giving consideration to the resource limitations of the Secretariat. It was also suggested that decisions taken by WTO were vital to and should be consistent with CITES, that the two organizations were like two sides of a mirror and that something better than an *ad hoc* relationship between CITES and WTO was needed.

Later in the meeting, the United States expressed disagreement with the draft executive summary for this agenda item and proposed a replacement text. The Chairman suggested that the replacement text was not entirely consistent with the Committee's discussions. He consequently asked the United States and the Secretariat to consult informally and to provide him with a mutually acceptable text, which is contained in the paragraph below.

The Standing Committee took note of the report of the Secretariat and comments of its Chairman and agreed that there was no reason for the Chairman to send another letter to the World Trade Organization (WTO) requesting permanent observer status in WTO bodies. However, the Committee agreed that its Chairman should send a letter to WTO to indicate the interest of CITES in participating on an *ad hoc* basis in meetings of WTO bodies whose work had relevance to CITES, such as the General Council, the Committee on Sanitary and Phytosanitary Measures, the Committee on Technical Barriers to Trade, the Committee on Trade and Development and the Committee on Regional Trade Agreements. The Committee also agreed that continued communication between CITES and WTO would be of value to the members of both organizations and endorsed a proposal made by the Chairman that further, informal discussions should take place.

During discussion of this item, interventions were made by the representatives of North America (Canada) and Oceania (Australia), and by Afghanistan, India, Israel, the United States and the Global Tiger Forum.

13. Financial matters

The Secretariat introduced document SC57 Com. 1, which had been produced by the Finance and Budget Subcommittee.

The Committee adopted the terms of reference for its Finance and Budget Subcommittee contained in document SC57 Com. 1 with the following amendments:

a) Paragraph 1. a)

"The Finance and Budget Subcommittee shall be composed of ~~one~~ two country representatives from Africa and one from each of the other CITES regions, nominated by the region, plus the Depository Government"; and

b) Paragraph 4. g) is renumbered paragraph 5.

Later in the meeting, Chile, as chairman of the Finance and Budget Subcommittee, introduced documents SC57 Doc. 13.1-13.3.

During the discussion of SC57 Doc. 13.3 (*Costed programme of work for the triennium 2009-2011*), and with reference to document SC57 Com. 8 produced by the Finance and Budget Subcommittee, the Secretariat proposed to delete the paragraph related to the costed programme of work based on the anticipated 92.2 % collection rate. However, it was objected that developing a costed programme of work on the basis of an overestimate of anticipated collections would result in a drawdown of the accumulated reserve. The Secretariat explained that the estimate should be based on the budget contained in Resolution Conf. 14.1. In support of this, it was added that requiring the Secretariat to produce a revised costed programme of work based on a 92.2 % collection rate sent the wrong signal to Parties that were in arrears with their contributions.

After informal consultations, the Chairman of the Finance and Budget Subcommittee announced that an agreement had been reached to replace the paragraph under discussion, and the Standing Committee adopted the following text prepared on the basis of document SC57 Com. 8:

Having regard to Resolution Conf. 14.1 that mandates the Standing Committee to establish the Finance and Budget Subcommittee, and on the basis of document SC57 Com. 8, the Standing Committee:

Acknowledges the efforts made by a number of Parties to clear their arrears with regard to contributions to the CITES Trust Fund;

Also acknowledges the efforts made by the Secretariat to leave vacancies created by staff retirement unfilled, in order to reduce costs;

Further acknowledges the Secretariat's efforts to prepare new and more complete documents related to finance and budgeting;

Takes note of document SC57 Doc. 13.1 (*Report for 2007*);

Takes note of document SC57 Doc. 13.2 (*Estimated Expenditures for 2008*), and of the planned transfer of USD 355,630 from the accumulated Fund Reserve to the Trust Fund, to cover the anticipated shortfall in 2008, with the understanding that USD 40,913 of this amount represents the 13 % Programme Support Cost;

Approves the Costed Programme of Work contained in document SC57 Doc. 13.3, Annex 1, with the amendments agreed by the Finance and Budget Subcommittee, and the core activities to be financed from the Trust Fund, as identified by the Finance and Budget Subcommittee;

Takes note that the Costed Programme of Work is calculated based on an assumption of a 100 % rate of collection of contributions of the Parties;

Requests the Finance and Budget Subcommittee to work with the Secretariat to prepare revised financial plans, as necessary, to be presented to the Standing Committee;

Instructs the Finance and Budget Subcommittee to review and assign a priority ranking to the non-core activities in the Costed Programme of Work by 30 September 2008; and

Requests the Secretariat to undertake resource mobilization efforts according to the rankings assigned by the Finance and Budget Subcommittee.

During discussion of these items, interventions were made by the representatives of Africa (Kenya), Asia (Japan), Central and South America and the Caribbean (Chile), Europe (United Kingdom) and North America (Canada), and by the United States, WWF and the Secretariat.

14. CITES and livelihoods

The Secretariat introduced document SC57 Doc. 14. General support was expressed for the establishment of the working group on CITES and livelihoods and its proposed terms of reference. A number of participants expressed interest in participating in the working group. Several emphasized the importance of having more developing countries than NGOs in the working group. The need for the working group to meet twice was questioned and it was suggested that the working group's terms of reference be clarified to ensure that they did not address the criteria for amending the Appendices or non-detriment findings. The working group was encouraged to take into account the work of the Animals Committee on Parties' application of the Addis Ababa guidelines, the work of IUCN in documenting the link between the use of a species and its conservation status, and the recent report issued by TRAFFIC/WWF on 'Trading Nature' (i.e. looking at the livelihood benefits of sustainable, legal wildlife trade). The working group was asked:

- a) to consider not only consumptive but also non-consumptive use of wildlife resources;
- b) to promote the development of alternatives in order to avoid resource overexploitation;
- c) to take into account regional variation in matters such as a population's dependency on natural resources; and
- d) to look into the launching of projects on 'eco-development' that could alleviate any negative effects that CITES may have on local people, and vice versa.

It was suggested that the Standing Committee, rather than the working group, should prepare the final draft toolkit and guidelines for submission at CoP15, which would require that the working group complete its work by SC58.

The Committee adopted the approach suggested in document SC57 Doc. 14 with the following amendments to the terms of reference of the working group:

- a) The working group shall not consider the criteria for amendment of the Appendices or the requirement to make non-detriment findings;
- b) The toolkit and guidelines should be consistent with the CITES vision statement and should not include suggestions that Parties delay, or dilute the effect of, actions that contribute to the conservation of CITES species; and
- c) The working group should finalize its work in time for consideration by the Standing Committee at SC58, so that the Committee may finalize the toolkit and guidelines before submitting them at the 15th meeting of the Conference of the Parties.

A decision on the membership of the working group was deferred until the Chairman could undertake informal consultations on this matter.

Later in the meeting, the Standing Committee noted document SC57 Com. 7, including the designation of Peru as chairman of the working group on CITES and livelihoods and the way the working group would organize its work.

During discussion of this item, interventions were made by the regional representatives of Africa (the Democratic Republic of Congo and Kenya), Europe (Bulgaria) and Oceania (Australia), the previous host country (the Netherlands), and by Afghanistan, India, Mali, Peru, the United States, UNEP-WCMC, Conservation Force, the Global Tiger Forum, Humane Society International/SCI, the International Fund for Animal Welfare, IUCN, IWMC, TRAFFIC (also speaking on behalf of WWF), the Chairman of the Animals Committee and the Secretariat.

15. Review of the scientific committees

The Secretariat introduced document SC57 Doc. 15. In general, speakers acknowledged the needs to separate the functions of chairmanship and regional representation, and to support the chairmen, whatever region they were from, but they suggested a variety of options to achieve this. They recognized that extra financial support may be needed for chairmen from developing countries. It was pointed out that Activity 42 in Annex 1 to document SC57 Doc. 13.3 already included an annual allocation of USD 90,000, to be raised from external funding, to support the activities of the Animals and Plants Committees' chairmen. However, the Standing Committee had yet to determine the priority for this allocation.

The Committee requested the Secretariat to prepare for SC58 estimated costings for arrangements for the chairmanship of the Animals and Plants Committees. The possible arrangements identified during the discussion included the following:

- a) a chairman elected from amongst the members to be permanently replaced by his/her alternate, who would then represent the region;
- b) a chairman, in addition to the regular members, selected by the Conference of the Parties; and
- c) financial support to the Chairman to cover time spent working on committee business as well as costs related to participation in meetings.

During discussion of this item, interventions were made by the representatives of Asia (China), Central and South America and the Caribbean (Chile) and Europe (United Kingdom), and by Mexico, Peru, the United States, the Chairmen of the Animals and Plants Committees, and the Secretariat.

Interpretation and implementation of the Convention

Review of Resolutions and Decisions

16. Review of Resolutions

The Secretariat introduced document SC57 Doc. 16. The speakers all supported the proposal to establish a working group to provide comments, through electronic communication, on the documentation that would be prepared by the Secretariat regarding corrections to Resolutions.

The Committee established a working group comprising Chile, France, Kenya, New Zealand, the United Kingdom, the United States, Humane Society International, SSN and TRAFFIC, to review documents to be prepared by the Secretariat, for consideration at the 58th meeting of the Standing Committee.

During discussion of this item, interventions were made by the representatives of Africa (Kenya), Central and South America and the Caribbean (Chile), Europe (United Kingdom) and Oceania (Australia), and by Mali, Mexico, the United States, Humane Society International, TRAFFIC and the Secretariat.

Compliance and enforcement

17. National wildlife trade policy reviews

The Secretariat introduced document SC57 Doc. 17. Appreciation was expressed for the comprehensive and informative discussion document, the learning-based approach that had been taken towards policy reviews, and the usefulness of the side event organized on the margins of the Animals Committee 23rd meeting held in April 2008. There was great support for continuation of the policy review, recognizing that it remained voluntary and country-specific in nature. It was announced that Arabic-speaking countries had agreed among themselves to organize a regional workshop on national wildlife trade policies, with the anticipated assistance of the United Nations Economic and Social Commission for West Asia and the Secretariat. In addition, the Secretariat was encouraged to generally provide more information on existing or new policies that could be useful for reviews being undertaken by individual countries and to support related subregional workshops.

The Standing Committee noted the report and commended the four Parties involved in the pilot project for their efforts.

During discussion of this item, interventions were made by the regional representatives of Asia (the Islamic Republic of Iran) and Europe (Bulgaria), and by India, Kuwait, Humane Society International, Species Survival Network, TRAFFIC (also speaking on behalf of WWF) and the Secretariat.

18. National laws for implementation of the Convention

The Secretariat introduced document SC57 Doc. 18 and drew attention to the Annex distributed during the meeting, which contained the updated status chart of legislative progress for implementing CITES. It congratulated those Parties and dependent territories that had made good legislative progress but noted that work remained to be done by others. The Committee was reminded of the single legislative deadline contained in Decision 14.25 (i.e. submission of newly enacted legislation by SC58 or provision of adequate justification for the failure to do so) as well as of the Parties and dependent territories concerned by that deadline. The Secretariat explained that its recommendations were intended to help attract high-level political attention and support where continued or accelerated legislative momentum was needed.

Support was expressed for the Secretariat's recommendations. In addition, it was suggested that the single deadline contained in Decision 14.25 should not be extended again.

The following statement was made by the United States:

We would like to address the U.S. requirement that CITES documents be validated or certified prior to export, as noted in paragraph 41. This requirement is consistent with the recommendations in Resolution Conf. 12.3 (Rev. CoP14), on Permits and certificates, under which validation of CITES documents is required, even when a physical inspection is not possible. Annex 1 of the Resolution, which contains information that should be included in CITES permits and certificates, contains [in paragraph p)] the validation or certification requirement for all permits and certificates.

We would also note that we have implemented this requirement very deliberately. Understanding that the validation requirement would necessitate adjustments to current practices by some of our trading partners, we engaged in outreach and took a stepwise approach to implementation. Our new CITES regulations that include the validation requirement went into effect in September 2007. As part of the implementation of the new requirements, these changes were announced in CITES Notification to the Parties No. 2007/O27. In addition to notification of all CITES Parties, we also informed all importers, exporters, and brokers of the new regulations and sent letters to countries from which we had received unvalidated CITES documents. Finally, our Office of Law Enforcement invoked a period of relaxation in enforcement of the validation requirement under certain criteria. The outreach period for validation ended in April and enforcement of the validation requirement began on 1 May 2008. We do not plan to extend the period of relaxation. However, initially importers will be offered the opportunity to re-export the shipment back to the country of export, provided no other violations are found.

The Standing Committee identified Bolivia, El Salvador and the United Republic of Tanzania as countries requiring attention as a priority under the National Legislation Project. The Committee agreed to issue a written caution to the Bolivarian Republic of Venezuela, Mozambique and South Africa, advising them of the need to accelerate their efforts to enact adequate legislation by SC58. The Committee also agreed to remind Parties and dependent territories affected by Decision 14.25 that it would be determining at SC58 whether they had submitted to the Secretariat newly enacted legislation by that time or provided adequate justification for their failure to do so.

During the discussion of this item, interventions were made by the representative of Africa (Kenya) and by Mali, Peru, the United States, David Shepherd Wildlife Fund, Species Survival Network and the Secretariat.

19. Cooperation between Parties and promotion of multilateral measures

The Secretariat introduced document SC57 Doc. 19, noting that anticipated work on the promotion of bilateral and multilateral cooperation was positive in nature and aimed to achieve greater consistency among Parties in their implementation of the Convention, while taking into account the right to adopt stricter domestic measures or to take reservations. General support was expressed for the work to be undertaken. Nevertheless, some concern was raised about the equal treatment of stricter domestic measures and reservations under Decision 14.28, and its proposed link to the terms of reference for the envisaged working group (see paragraph 7 of document SC57 Doc. 19).

One Committee member questioned the need to establish a working group, in the absence of any consultancy report for it to consider. The Chairman explained that Decision 14.29 directed the Standing Committee to establish the working group at the present meeting. Another Committee member said that the working group could be established as a first step and expressed interest in participating in it.

The Standing Committee established a working group on multilateral measures. The Committee agreed to determine the composition of the working group and its chairman through a postal procedure.

During discussion of this item, interventions were made by the regional representatives of Europe (United Kingdom) and Oceania (Australia), and by Israel, the United States and the Secretariat.

20. Enforcement matters

The Secretariat introduced document SC57 Doc. 20 and provided an oral update on the following matters. It was working with the United States Department of State with a view to identifying a venue where the CITES Enforcement Expert Group might meet. It was analysing the approximately 20 submissions that it had received in relation to wildlife trade and the Internet, and sought a country willing to host a workshop on this subject. It reported that Paraguay was continuing to implement its action plan relating to enforcement of CITES and hoped that it might be able to agree, before the 58th meeting of the Standing Committee, that Paraguay had reached a stage where it would be appropriate for it to withdraw its voluntary trade moratorium. It also reported that the Secretariat and Saudi Arabia had agreed that the Secretariat would conduct a mission in that country before the end of 2008 to assess implementation of the Convention.

The Secretariat then described its mission to Egypt, reported in the Annex to document SC57 Doc. 20, and Egypt's subsequent actions to implement the Secretariat's recommendations. The Secretariat indicated its intention to continue to report progress, particularly at SC58.

The discussion that followed focused mainly on Egypt, with several Parties and observers expressing concern regarding the illicit trade in primates that had affected Egypt. Non-governmental organizations suggested a timeline be established for Egypt's implementation of the Secretariat's recommendations. Egypt reiterated its commitment to full cooperation with the Secretariat and others to ensure implementation of the recommendations and of the Convention. It also advised the Committee that it had taken note of the concerns regarding illegal trade in primates and that its relevant authorities would be advised of the most recent information on this issue.

Concern was expressed that the trade suspension in relation to Nigeria had been in place for a long time and that little progress appeared to have been made. It was suggested that the Secretariat undertake another mission to Nigeria.

The Committee noted the Secretariat's report and endorsed its recommendations in relation to the Secretariat's mission to Egypt.

During discussion of this item, interventions were made by the representative of Africa (Ghana) and by Mali, Saudi Arabia, David Shepherd Wildlife Foundation, IFAW, the Last Great Ape Organization, Pro-Wildlife, Species Survival Network, TRAFFIC and the Secretariat.

21. National reports

The Secretariat introduced document SC57 Doc. 21 and advised the Standing Committee that, on the basis of more recent information received, it was withdrawing the recommendation contained in paragraph 19 of the document with regard to Belize, the Central African Republic, Guinea, Kazakhstan, Rwanda, the Syrian Arab Republic and Vanuatu. In addition to support being expressed for the Secretariat's efforts and recommendations, one country said that it would like to participate in the proposed working group on special reporting requirements and another said that it would make contact with Lesotho.

The Standing Committee, pursuant to Resolution Conf. 11.17 (Rev. CoP14) on *National reports*, determined that Djibouti, Dominica, Lesotho and Nepal had failed to provide annual reports for three consecutive years without having provided adequate justification. The Committee instructed the Secretariat to issue a Notification recommending that Parties not authorize any trade in CITES-listed species with these Parties until they had provided the requisite number of reports.

The Committee established a working group on special reporting requirements and agreed to determine the composition of the working group and its chairman through a postal procedure.

During discussion of this item, interventions were made by the regional representative of Africa (Zambia), and by the United States and the Secretariat.

22. Ranching operations

The Secretariat introduced document SC57 Doc. 22. Madagascar expanded on its reports in documents SC57 Inf. 5 and Inf. 10 and assured the Committee of its wish to comply with the Committee's recommendations in time for SC58. The Secretariat expressed concern about the lack of progress on tagging and quota establishment. It also agreed to inform the United Kingdom of the results of its communications with Ecuador, Malawi and Uganda regarding compliance with Resolution Conf. 11.16 (Rev. CoP14).

The Committee noted the progress made by Madagascar in implementing the recommendations contained in paragraphs 5. a) and b) of document SC57 Doc. 22.

During discussion of this item, interventions were made by the representative of Europe (United Kingdom), and by Madagascar and the Secretariat.

Trade control and marking

23. Introduction from the sea

The Secretariat introduced document SC57 Doc. 23 and, as additional background, advised that it had attended the most recent meeting of the Subcommittee on Fish Trade of the Food and Agriculture Organization of the United Nations (FAO). Support was expressed for continued work on the issue of introduction from the sea, recognizing that it took place in the larger context of fishery management and the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction. Cooperation with FAO was welcomed.

A number of Committee members, as well as observer Parties and organizations, supported the establishment of a working group chaired by the Chairman of the Standing Committee and expressed interest in participating in it. Some of those intervening proposed regional fishery bodies that might be invited to join the working group (e.g. the Commission for the Conservation of Antarctic Marine Living Resources, Inter-American Tropical Tuna Commission, International Commission for the Conservation of Atlantic Tunas, General Fisheries Commission for the Mediterranean, Indian Ocean Tuna Commission, Northwest Atlantic Fisheries Organization, Northeast Atlantic Fisheries Commission, Southeast Atlantic Fisheries Organization and Western and Central Pacific Fisheries Commission). It was suggested that the number of regional fishery bodies in the working group not be limited to two, as provided in Decision 14.48. There were also proposals to include in the working group representatives of the European Commission, the Convention on Biological Diversity and the CMS Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and Southeast Asia. The importance of involving the fishing industry was mentioned as well.

Committee members were informed that a workshop on introduction from the sea had been held in Australia during 2007 and that the paper on introduction from the sea commissioned by FAO should be available in early 2009.

The following statement was made by Turkey:

Turkey has particular objections to all the references made in the document with regard to the UN Convention on the Law of Sea (UNCLOS). Turkey is not a Party to the UNCLOS and has objected to the Convention from the outset due to a number of serious shortcomings. Turkey's position regarding the UNCLOS remains unchanged. Turkey believes that the said Convention does not reflect the customary international law of the sea as a whole. Accordingly, Turkey disassociates itself from the references made to the international instruments that she is not party to. These references, therefore, should not be interpreted as a change in the legal position of Turkey with regard to the said instruments.

The Standing Committee agreed to establish a Working Group on Introduction from the Sea, chaired by the Chairman of the Standing Committee. The Committee further agreed that the Working Group would meet informally on the margins of the present meeting to discuss procedural issues regarding the organization of its work.

During discussion of this item, interventions were made by the representatives of Africa (Ghana), Asia (China, the Islamic Republic of Iran and Japan), Central and South America and the Caribbean (Chile), Europe (Iceland and the United Kingdom), North America (Canada) and Oceania (Australia), and by Argentina, Brazil, Mexico, Norway, Turkey, the Russian Federation, the United States, FAO, IWMC, SMS, Species Survival Network, WWF (also speaking on behalf of TRAFFIC) and the Secretariat.

24. Purpose codes on CITES permits and certificates

The Secretariat introduced document SC57 Doc. 24. A number of participants expressed their wish to participate in the working group on purpose codes.

The Committee established a working group on purpose codes, comprising Australia, Bulgaria, Canada, the Democratic Republic of the Congo, France, Germany, Islamic Republic of Iran, Japan, Mali, South Africa, the United Kingdom, the United States, Zambia, the European Community, UNEP World Conservation Monitoring Centre, Alliance of Marine Mammal Parks and Aquariums, Animal Exhibitors Alliance, Animal Welfare Institute, Conservation Force, International Environmental Law Project, International Environmental Resources, Safari Club International/Safari Club International Foundation, Singapore Reptile Skin Trade Association, Species Management Specialists, Species Survival Network, Wildlife Conservation Society and the Secretariat. The United States was appointed as chairman of the working group.

During discussion of this item, interventions were made by the representatives of Africa (the Democratic Republic of the Congo and Zambia), Asia (China and Japan), Europe (Bulgaria and the United Kingdom) North America (Canada) and Oceania (Australia), and by Afghanistan, France, Mali,

South Africa, the United States, Animal Exhibitors Alliance, International Environmental Law Project, International Environmental Resources, Species Management Specialists, Species Survival Network.

25. Electronic permitting

The Secretariat introduced document SC57 Doc. 25 and highlighted recent developments regarding the development of an e-permitting toolkit pursuant to Decision 14.56. It also thanked Switzerland and the United Kingdom for their generous support in the drafting of technical specifications for the toolkit. Finally, it thanked the Netherlands for its offer of the database code that supported its national e-permit system for inclusion in the toolkit.

Italy, as chairman of the Working Group on the Use of Information Technologies and Electronic Systems, thanked the Secretariat for its support and informed the Committee that it would summarize the results of deliberations on this item to the members of the Working Group.

Participants raised issues related to the need for capacity-building activities to assist developing countries party to CITES in implementing e-permit systems. Switzerland and the United Kingdom announced the establishment of a pilot study on the use of e-permitting systems by their Management Authorities.

The Standing Committee noted document SC57 Doc. 25 and thanked the working group on e-permits for its work.

During discussion of this item, interventions were made by the representatives of Africa (the Democratic Republic of the Congo), Asia (the Islamic Republic of Iran) and Europe (United Kingdom), and by Italy, Mali, Switzerland and the Secretariat.

26. Trade in crocodylian specimens

The Secretariat introduced document SC57 Doc. 26, drawing attention to the designation of Mr Dietrich Jelden as the Animals Committee representative to the proposed working group on trade in crocodylian specimens. A number of Committee members, as well as observer Parties and organizations, expressed their interest in participating in the working group and the United States offered to chair it. Some participants suggested that the working group also include representatives of the European Commission, selected industry associations [e.g. the Japan Leather and Leather Goods Industry, the Singapore Skin Traders Association, the South African Crocodile Breeders Association and TCIM (part of the Hermes Group)] and a few other bodies (e.g. the Animal Welfare Institute, the International Alligator/Crocodile Trade Study and the IUCN Crocodile Specialist Group).

One country, supported by a non-governmental organization, strongly reiterated its objection to removing any trade controls for small crocodylian leather goods.

The Standing Committee agreed to establish a Working Group on Trade in Crocodylian Specimens.

Later in the meeting, the Standing Committee noted that the United States would chair the working group on trade in crocodylian specimens.

During discussion of this item, interventions were made by the representatives of Africa (Kenya), Asia (China, the Islamic Republic of Iran and Japan), Europe (Bulgaria, also speaking on behalf of the Member States of the European Community) and Oceania (Australia), the Depositary Government (Switzerland), and by India, Malaysia, South Africa, Thailand, the United States, IUCN, UNEP-WCMC, IWMC, Species Management Specialists and the Secretariat.

27. Identification manual

The Secretariat introduced document SC57 Doc. 27. It provided a history of the development of the identification manual since it was initiated in 1977, and summarized the difficulties in maintaining its current format. It explained how the manual would be developed as a Web-based database incorporating Wiki elements to allow users to add and modify certain identification-related sections.

Support was expressed for this development. It was hoped that a printed version, or a version in DVD format, could be made available for Parties having difficulty accessing the Internet.

The Standing Committee noted document SC57 Doc. 27.

During discussion of this item, interventions were made by the representatives of Europe (Bulgaria) and Oceania (Australia), and by Mexico, Humane Society International, the International Fund for Animal Welfare and the Secretariat.

Exemptions and special trade provisions

28. Personal and household effects

The Secretariat introduced document SC57 Doc. 28. On behalf of the chairman of the Working Group on Personal and Household Effects, it informed the Standing Committee that the Group was making progress on its terms of reference and that it was continuing to work electronically.

The Standing Committee noted the progress of the Working Group on Personal and Household Effects, as reflected in document SC57 Doc. 28.

During discussion of this item, interventions were made by the regional representative of Asia (China) and by the Secretariat.

Species trade and conservation

29. Review of Significant Trade

29.1 Implementation of recommendations of the Animals and Plants Committees

The Secretariat introduced document SC57 Doc. 29.1 (Rev. 2) and noted that the following changes and updates were required:

- a) Page 2, paragraph 8: Kenya had been notified that its population of *Aloe* spp. had been removed from the review with the approval of the Chairman of the Standing Committee;
- b) Page 13, right-hand column: after examination, the package of information from Cameroon did not lead to any change in the conclusion or recommended action;
- c) Page 18, recommended action for the United Republic of Tanzania: the date "30 November 2008" should read "31 December 2008";
- d) Page 34, Palau: since the document had been written, Palau had complied with the recommendations to the satisfaction of the Secretariat and the Chairman of the Animals Committee, consequently no further action was recommended for the Standing Committee;
- e) Page 35, Papua New Guinea: since the document had been written, Papua New Guinea had complied with the recommendations to the satisfaction of the Secretariat and the Chairman of the Animals Committee, consequently no further action was recommended for the Standing Committee; and
- f) Page 37, Vanuatu: since the document had written, Vanuatu had complied with the recommendations to the satisfaction of the Secretariat and the Chairman of the Animals Committee, consequently no further action was recommended for the Standing Committee.

Some Parties subject to recommendations indicated their willingness to comply with the Animals and Plants Committees' recommendations but stressed their limited resources to implement them. Although some speakers called for firm action regarding Parties which had

not complied with recommendations, others suggested extensions to the deadlines for compliance in certain cases, in view of communication difficulties, particularly those involving non-Parties.

The Committee agreed with the recommendations of the Secretariat contained in the Annex to document SC57 Doc. 29.1 (Rev. 2), with the exception of those related to *Dendrobium nobile* from the Lao People's Democratic Republic and to Tridacnidae species from the Federated States of Micronesia, Madagascar, the Marshall Islands, Tonga and Viet Nam. In those cases, no decision was taken and the Chairman stated he would undertake informal consultations and report to the Committee at a later session.

Later in the meeting, the Committee agreed that, with respect to *Dendrobium nobile* from the Lao People's Democratic Republic and to Tridacnidae species from the Federated States of Micronesia, Madagascar, the Marshall Islands, Tonga and Viet Nam, the deadline for the implementation of the recommendations of the Animals and Plants Committees should be extended until 31 December 2008. If, by that date, the recommendations had not been implemented to the satisfaction of the Secretariat and the Chairmen of the Animals and Plants Committees, then the Standing Committee recommended that all Parties suspend imports of specimens of these species from the States concerned.

During discussion of this item, interventions were made by the representatives of Africa (the Democratic Republic of the Congo, Ghana and Kenya), Asia (China and Japan), Europe (United Kingdom) and Oceania (Australia), and by Cameroon, Malaysia, Mali, the United Republic of Tanzania, the United States, Humane Society International, Singapore Reptile Skin Trade Association, Species Management Specialists, Species Survival Network, the Chairman of the Plants Committee and the Secretariat.

29.2 Review of recommendations to suspend trade made more than two years ago

The Secretariat introduced document SC57 Doc. 29.2. Support was expressed for many of the recommendations in Annex 1 (Rev. 1) of the document. The representative of Oceania offered to work together with the Secretariat and the Chairman of the Animals Committee to assist Solomon Islands comply with the recommendations. When publishing voluntary export quotas at the request of Parties, the Secretariat was requested to make clear on the CITES website cases where species were subject to Standing Committee recommendations not to accept imports. Reservations were expressed about withdrawing the Committee's recommendation for *Malacochersus tornieri* from the United Republic of Tanzania. It was considered that claims of breeding in captivity could not be relied upon, export quotas had been exceeded and the conclusions for the species in Annex 2 to document SC57 Doc. 29.2 may be preferable. Some speakers were also concerned about withdrawing the recommendation for *Agapornis fischeri* from the United Republic of Tanzania, stressing that the Animals Committee's recommendations had not been complied with.

Later in the meeting, the Committee adopted the recommendations in Annex 1 (Rev. 1) of document SC57 Doc. 29.2 with the exception of those in paragraphs 16. a) iv) for *Agapornis fischeri* and 16. d) iv) for *Malacochersus tornieri* from the United Republic of Tanzania. The existing Standing Committee recommendations therefore remained in place in these two cases.

At a later session, after a vote, with 2 votes in favour, 4 against and 2 abstentions, the Committee decided not to re-open discussion of the recommendation made in paragraph 16. a) iv) of document SC57 Doc. 29.2. The Committee agreed to address by postal procedure the question of what measures the United Republic of Tanzania needed to take in order for the Committee to withdraw its recommendation to Parties not to accept imports of specimens of *Agapornis fischeri* from that State.

During discussion of this item, interventions were made by the representatives of Africa (the Democratic Republic of the Congo, Kenya and Zambia), Europe (United Kingdom), Oceania (Australia) and North America (Canada), and by Mali, Peru, South Africa, the United Republic of Tanzania, the United States, Humane Society International, Pro Wildlife, Species

Survival Network, Worldwide Fund for Nature (also on behalf of TRAFFIC and IUCN), the Chairman of the Animals Committee and the Secretariat.

30. Great apes

The Secretariat introduced document SC57 Doc. 30 and explained that it had not yet been able to publish the Alert referred to in paragraph 6 of the document. It advised delegates that examples of the posters referred to in paragraph 5 were on display in the conference centre. The Secretariat thanked Indonesia for its report but noted that it contained little information relating to prosecutions of or penalties imposed upon those engaged in illicit trade.

Several Parties and observers welcomed the positive report of the Secretariat in relation to Malaysia and commended Malaysia for its work in relation to orang-utans. However, they also stressed the continuing threats to great apes in general. The work by GRASP and CMS was also welcomed. Several participants expressed disagreement with the Secretariat's suggestion, in paragraph 15 of document SC57 Doc. 30, that this matter not be regularly reviewed by the Standing Committee.

The Committee noted the report of the Secretariat but did not adopt the suggestion made in paragraph 15 of document SC57 Doc. 30.

During discussion of this item, interventions were made by the representatives of Asia (China) and Europe (United Kingdom), and by Malaysia, the United States, David Shepherd Wildlife Foundation, IUCN, the Last Great Ape Organization, Pro-Wildlife, Species Survival Network, WWF and the Secretariat.

31. Asian big cats

31.1 Report of the Secretariat

The Secretariat introduced document SC57 Doc. 31.1. It provided an oral update in relation to Decision 14.70, advising the Committee of its discussions with Australian Customs regarding specialized intelligence training for range States, and its discussions with the Global Tiger Forum and IUCN in relation to a conservation strategy workshop.

Many interventions were made on this subject, most emphasizing the decline in tiger populations and the urgent need for action, including the need for high-level engagement by enforcement agencies. Several Parties and non-governmental organizations commented on the poor rate of reporting to the Committee by range States and the need to establish some form of benchmarks or indicators against which progress could be measured. India provided an update to its written report, describing several enforcement-related initiatives. One non-governmental organization believed that current approaches did not work and that alternatives needed to be considered.

The Committee noted the report of the Secretariat, particularly its intention to:

- a) organize specialized law-enforcement intelligence training for tiger range States;
- b) seek to convene a meeting of high-level police and Customs officials from tiger range States; and
- c) seek, with the Global Tiger Forum and IUCN, a meeting with the World Bank about its tiger initiative.

During discussion of this item, interventions were made by Afghanistan, France (speaking on behalf of the Member States of the European Community), India, Malaysia, the United States, the Global Tiger Forum, IUCN, Environmental Investigation Agency, Species Management Specialists, WWF (also speaking on behalf of TRAFFIC) and the Secretariat.

31.2 Intensive operations breeding tigers on a commercial scale

India introduced document SC57 Doc. 31.2 and suggested a number of issues that might be incorporated into reports that the Committee may decide to request from Parties affected by Decision 14.69.

Several participants noted that there was no reporting requirement in Decision 14.69 but all agreed that reports were necessary. There appeared to be consensus that reports should be submitted at the 58th meeting of the Standing Committee. The Secretariat offered to issue a Notification to the Parties calling for such reports, but added that it believed it would be useful to provide further guidance on the form such reports should take and which operations were to be regarded as affected by the Decision. China advised the Committee that it agreed reports were appropriate but that its national laws and policy made compliance with the Decision difficult.

The Committee agreed to establish a working group to clarify how the implementation of Decision 14.69 might best be reported to the Committee.

It was subsequently agreed that the working group would consist of China, India, the United Kingdom (as a representative of the Member States of the European Community), the United States, IUCN, Species Management Specialists, WWF (also on behalf of TRAFFIC) and the Secretariat.

During discussion of this item, interventions were made by the representative of Oceania (Australia), and by China, France (speaking on behalf of the Member States of the European Community), the United States, IWMC, Species Management Specialists and WWF (speaking on behalf of the International Tiger Coalition).

32. Tibetan antelope

The Secretariat introduced document SC57 Doc. 32 and, at the same time, withdrew the suggestion it had made in paragraph 6.

In response, the delegate representing Israel, speaking on behalf of and with the authority of the Interpol General Secretariat, reported that India would provide instructors for the training that was planned. Japan advised the committee of the awareness-raising work it had conducted. China thanked the international community, Interpol and ASEAN-WEN for their efforts to combat illicit trade and reported that Tibetan antelope populations were increasing. Appreciation for these reports was expressed.

The Committee noted the report of the Secretariat.

During discussion of this item, interventions were made by the representatives of Asia (Japan) and Europe (Bulgaria), and by China, Israel and the Secretariat.

33. Elephants

33.1 Reviews of the status of the elephant, trade in its specimens and the impact of the legal trade

The Secretariat introduced document SC57 Doc. 33.1. Support was expressed for the recommendations of the Secretariat contained in paragraph 14 of that document.

IUCN indicated its willingness to assist the Secretariat in the compilation of information on the conservation status of and trade in elephants for presentation at the following meeting of the Standing Committee. However, it stressed that any substantive requests would be challenging to meet without external resources, as they would require the maintenance and updating of databases with relevant information on African and Asian elephants. The Secretariat was encouraged to welcome all pertinent information for its compilation,

particularly on DNA fingerprinting of ivory, and the Committee was reminded of the existing linkages between Decisions 14.47 and 14.78.

The Standing Committee adopted the recommendations contained in paragraph 14 of document SC57 Doc. 33.1.

During discussion of this item, interventions were made by the representatives of Africa (Kenya) and Europe (Bulgaria), and by IUCN and the Secretariat.

33.2 Control of trade in elephant ivory

The Secretariat introduced document SC57 Doc. 33.2 in three separate stages relating to: China; the verification of ivory stocks in Botswana, Namibia, South Africa and Zimbabwe; and implementation of the *Action plan for the control of trade in elephant ivory*.

The Secretariat began by describing in detail the work it had conducted, on one occasion in conjunction with the World Customs Organization and TRAFFIC, to assess China's ivory trade controls and particularly China's enforcement efforts. It compared its findings against the requirements in the relevant annotation and Resolution relating to trade in ivory, and recommended that China be designated a trading partner.

Considerable discussion followed the Secretariat's introduction. Whilst China and the Secretariat were thanked by several delegates for their work, concern was also expressed regarding China's status as a destination for illicit trade. Several participants expressed their opposition to the general principle of trade in ivory and their concern that any trade would motivate further poaching of elephants. They also questioned whether there was sufficient scientific evidence on which to base decisions or assess the consequences of decisions. In contrast, others voiced the view that the Conference of the Parties had authorized trade, that it was now time for the Standing Committee to fulfil its obligations, that China met the requirements of the Resolution and that legal trade should help reduce illegal activities.

The Chairman noted that it was clear that no consensus would be reached on this matter and Iceland called for a vote on the Secretariat's recommendation. Zambia seconded the call for a vote.

The Standing Committee voted on the Secretariat's recommendation that China be designated a trading partner. The recommendation was adopted with 9 votes in favour, 3 against and 2 abstentions.

During discussion of this sub-item, interventions were made by the representatives of Africa (the Democratic Republic of the Congo, Ghana, Kenya and Zambia), Asia (China and Japan), Central and South America and the Caribbean (Chile), Europe (United Kingdom) and Oceania (Australia), and by Botswana, France (speaking on behalf of the Member States of the European Community), Iceland, India, Israel, Mali, Namibia, the United Republic of Tanzania, David Shepherd Wildlife Foundation, Environmental Investigation Agency, Species Management Specialists, Species Survival Network, TRAFFIC, WWF and the Secretariat.

The Secretariat then described the work it had undertaken to verify the legal origin, marking and weight of the raw ivory stocks held by Botswana, Namibia, South Africa and Zimbabwe. It also explained why each country had the amounts declared and clarified that the weights quoted in paragraph 16 of document SC57 Doc. 33.2 were the total amounts intended for sale and that these included the quantities authorized at the 12th and 14th meetings of the Conference of the Parties.

Several Parties suggested that it was important to ensure that the proceeds of any sale were used exclusively for conservation purposes and that the Secretariat should monitor the domestic ivory trade in China and Japan after the sales occur. The Secretariat undertook to report on these issues at the 58th meeting of the Standing Committee. The Secretariat advised the Committee that it intended to monitor the export and import of any raw ivory that was traded but that it would not oversee the auctions. Kenya suggested that samples,

which could be DNA-profiled if necessary, should be taken from the ivory stocks. The Secretariat noted that, whilst the suggestion was commendable, it could not impose such a condition and that the countries involved would have to do so voluntarily.

The following statement was made by the United Kingdom:

The United Kingdom fully supports the position that has been expressed on this point by France on behalf of the European Community. However, there is an additional element to this, which I would like to highlight speaking for the United Kingdom.

The United Kingdom would like to make a national statement about the sale of ivory by Zimbabwe.

The Standing Committee has noted and accepted the verification by the Secretariat on a technical matter: whether to verify the size of ivory stockpiles. Proceeds from sales of these stockpiles must be used exclusively for elephant and community conservation and development programmes within or adjacent to areas where elephants are found.

However, given the nature of the regime in Zimbabwe, which has trampled democracy, human rights and the rule of law, we have real concerns about how the regime will use the money they gain from the sale of their ivory.

The United Kingdom therefore hopes that potential customers will share our concerns, and the United Kingdom will urge both to defer any purchase of Zimbabwean ivory until such time as a legitimate, democratically elected government based on the outcome of the elections on 29 March has replaced the current regime. We will be engaging with those potential customers to explain those concerns in more detail and will encourage other EU partners to join us in that approach.

In response, Zimbabwe assured the Committee that the proceeds from any sale of its raw ivory would be used for conservation purposes and said that the statement made by the United Kingdom was totally irrelevant to the matters under discussion.

The Committee noted the report by the Secretariat of its verification of the ivory stocks held by Botswana, Namibia, South Africa and Zimbabwe, which had been authorized for sale at the 14th meeting of the Conference of the Parties. It was noted that the sales to China and Japan may now proceed.

During discussion of this sub-item, interventions were made by the representative of Africa (Kenya), and by France (speaking on behalf of the Member States of the European Community), the United Kingdom, the United States, Zimbabwe, Humane Society International, IWMC, Pro-Wildlife and the Secretariat.

Finally, the Secretariat described progress made under the *Action plan for the control of trade in elephant ivory*. It reported that Rwanda had submitted a questionnaire and that, consequently, the non-compliance measure had been withdrawn. It also described an incident involving peacekeeping forces and an attempted illegal export of ivory, which had been identified and properly responded to as a result of Operation Dove.

The David Shepherd Wildlife Foundation drew delegates' attention to document SC57 Inf. 11, submitted by Kenya, which described DNA techniques for tracking legal and illegal ivory.

No other interventions were made on this sub-item.

33.3 African elephant action plan and African Elephant Fund

The Secretariat introduced document SC57 Doc. 33.3 and gave an overview of the efforts that it had undertaken to implement Decision 14.79. These concerned particularly convening an African elephant meeting in Mombasa, Kenya, from 23 to 25 June 2008, and

researching options for establishing an African Elephant Fund. The Secretariat referred participants to documents SC57 Inf. 12 and Inf. 13 for further information.

In compliance with Decision 14.75, the representative of Africa (Kenya) reported on progress made by African elephant range States in developing an African elephant action plan, explaining that agreement had been reached at the African elephant meeting concerning the general areas that this action plan should cover. It was emphasized that the African elephant action plan needed to be fully 'owned' and supported by all African elephant range States. Range States had also acknowledged that, as long as the African elephant action plan was not agreed to, the Africa Elephant Fund could not be set up. The range States intended to continue developing the action plan by determining activities and budgets at the next African elephant meeting to be convened by the Secretariat in 2009. The Secretariat explained that, for this meeting, the Rules of Procedure of the Standing Committee were to be followed as far as practicable, and offered to circulate those Rules beforehand. The representative of Africa (Zambia) thanked the Secretariat and its consultant, IUCN, for facilitating the development of the African elephant action plan and reiterated the commitment of Southern African range States to this undertaking. Speaking on behalf of the Member States of the European Community, France applauded the work conducted so far on the African elephant action plan but urged range States to adopt the action plan as soon as possible. France pledged EUR 50,000 to the African Elephant Fund, which was gratefully recognized by the Standing Committee Chairman. The representative of Africa (Ghana) suggested that links be developed with CMS for the creation of the fund, and encouraged China and Japan to use their influence at the Global Environment Facility Council to prompt the establishment of a special fund for elephant conservation.

The Standing Committee noted the progress reports provided by the Secretariat on the implementation of Decision 14.78 and by the African elephant range States on that of Decision 14.75.

During discussion of this item, interventions were made by the representatives of Africa (Ghana, Kenya and Zambia) and Europe (United Kingdom), and by France (speaking on behalf of the Member States of the European Community), Mali and the Secretariat.

33.4 Decision-making mechanism for authorizing ivory trade

The Secretariat introduced document SC57 Doc. 33.4. There was general support for the recommendation by the Secretariat to conduct a study on the development of a decision-making mechanism and process for future trade in elephant ivory for review by the Standing Committee. Clarification was sought on how wide a consultation this would entail. It was proposed that the study include an assessment of the economic and ecological sustainability of trade in ivory, and the impact of trade in ivory on the illegal killing of elephants and the illegal trade in ivory.

The Standing Committee established an open working group to look at the scope of the study proposed in paragraph 3 of document SC57 Doc. 33.4. This working group would report to the Committee at a later session.

Later in the meeting, the Committee agreed to the scope of the study proposed in document SC57 Com. 4.

During discussion of this item, interventions were made by the representatives of Africa (Kenya) and Europe (United Kingdom), and by India, Israel and the Secretariat.

33.5 Constitution of a MIKE-ETIS subgroup

The Secretariat introduced document SC57 Doc. 33.5, recommending the Standing Committee to retain China, Kenya and Zambia as members of the MIKE-ETIS Subgroup, and to replace Cameroon, Germany and Malaysia by a Standing Committee member from francophone Africa, Europe and Asia respectively.

The United States expressed interest in being a member of the MIKE-ETIS subgroup as a major donor to the MIKE programme.

The Standing Committee agreed to re-establish the MIKE-ETIS Subgroup with the following membership: China, the Democratic Republic of the Congo, Japan, Kenya, the United Kingdom, the United States and Zambia.²

During discussion of this item, interventions were made by the representatives of Africa (the Democratic Republic of the Congo), Asia (China) and Europe (United Kingdom), and by the United States and the Secretariat.

34. Rhinoceroses

The Secretariat introduced document SC57 Doc. 34 and stressed the current significant levels of poaching of and illegal trade in rhinoceroses.

Committee members, Parties and observers all agreed that poaching and illegal trade were a serious matter and that urgent responses were required. Concern was expressed about the abuse of hunting trophies. Both India and South Africa advised the Committee of the actions they had taken to combat poaching and illegal trade. There was consensus that a CITES Enforcement Task Force, as recommended by the Secretariat, was the appropriate response.

The Committee agreed to the following:

- a) The Secretariat should convene a CITES Rhinoceros Enforcement Task Force; and
- b) The Secretariat should seek an invitation from the Government of Yemen to visit its country to discuss illicit trade in specimens of rhinoceros.

During discussion of this item, interventions were made by the representatives of Africa (Kenya and Zambia) and Europe (Bulgaria), and by India, South Africa, Zimbabwe, David Shepherd Wildlife Foundation, IFAW, IUCN, WWF (also speaking on behalf of TRAFFIC) and the Secretariat.

35. Sturgeons

35.1 Caviar trade database

The Secretariat introduced document SC57 Doc. 35.1.

In response, the Russian Federation explained that no copy of permits had been supplied due to administrative problems. Parties were encouraged to submit copies of permits and certificates.

The Secretariat reminded Parties that Resolution Conf. 12.7 (Rev. CoP14) recommended that they consult the database before issuing re-export certificates authorizing trade in caviar. The Secretariat believed this to mean that such certificates should not be issued unless the relevant information was present in the database.

The Committee noted document SC57 Doc. 35.1.

During discussion of this item, interventions were made by the representative of Europe (Bulgaria), and by the Russian Federation, International Caviar Importers Association, IUCN and the Secretariat.

² See document SC57 Com. 5 for the report of the in-session meeting of the MIKE-ETIS Subgroup.

35.2 Recommendations of the Animals Committee

The Chairman of the Animals Committee introduced document SC57 Doc. 35.2. Suggestions were made to include the subjects of invasive species and habitat destruction in any consideration of sturgeon conservation strategies and to involve the Caspian Environment Programme in activities. For the Azov Sea, it was reported that an agreement on stock assessment methodology had been reached between Ukraine and the Russian Federation and would be sent to the Secretariat shortly. For the Amur/Heilongjiang River, a meeting between Chinese and Russian experts was planned for September 2008 to achieve the same objective. Participants welcomed the decision made at the FAO/World Bank Caspian Fisheries Technical Workshop to hold workshops on sturgeon stock assessment and total allowable catch determination methodology; international experiences in combating illegal fishing and international trade of potential relevance to the Caspian Sea States; and, possibly, hatchery operations.

The Committee noted document SC57 Doc. 35.2.

During discussion of this item, interventions were made by the representatives of Asia (China and the Islamic Republic of Iran) and Europe (Bulgaria), and by the Russian Federation, FAO, TRAFFIC (also speaking on behalf of WWF International) and the Chairman of the Animals Committee.

36. Bigleaf mahogany

The Secretariat introduced document SC57 Doc. 36 and explained that its oral presentation would be divided into two parts: a first part related to the recommendations for improving the conservation of and trade in bigleaf mahogany in Peru, and a second part related to paragraphs 22 and 23 of document SC57 Doc. 36, which provided some information about other mahogany range States and described the critical conservation status of the West Indian cedar (*Cedrela odorata*).

The Secretariat congratulated Peru on the constructive, collective and innovative efforts it had undertaken in partnership with other countries and international organizations to comply with the recommendations adopted at SC55. It mentioned the updated information received from Peru in the weeks before the meeting, including news about the adoption of legislation and a strategic action plan for bigleaf mahogany. The Secretariat also introduced the recommendations contained in document SC57 Com. 3, which had been agreed by an in-session working group.

Peru reiterated its commitment to achieving effective implementation of the Convention in relation to bigleaf mahogany and described the progress made in the implementation of recommendations adopted at SC55. With regard to leftovers from previous voluntary export quotas, it stated that there were no leftovers for the years prior to 2007. It also stated that the 2007 quota leftovers would be exhausted before 31 December 2008, following the approach agreed in the in-session working group. Peru's commitment and progress were acknowledged and other Parties were encouraged to follow the approach adopted by this country. The financial support provided by the European Union in relation to a relevant ITTO project, the assistance provided by the United States under a bilateral trade promotion agreement with Peru, the contribution of the Plants Committee and its Chairman, and the work of the Mahogany Working Group and its chairman were also recognized.

Later in the meeting, the Secretariat introduced the second part of the document. It pointed out that, according to recent information provided by the main importing countries, Peru was now the third largest exporter after Bolivia and Guatemala. The Secretariat also mentioned the critical conservation status of *C. odorata* in several range States where exports had soared as a reaction to the decline of mahogany exports. It stressed the need for close coordination between the Standing Committee and the Plants Committee on specific actions that had been or might be adopted regarding timber issues. To better reflect recent trade developments and to ensure the coherence and fairness of the monitoring process for bigleaf mahogany, the Secretariat proposed that the scope of this agenda item be expanded to other exporting, re-exporting and importing States, and that *C. odorata* be discussed at the next Standing Committee meeting. In response, it was pointed out that the Annex to Decision 14.145 contained an Action plan for the control of international trade in bigleaf mahogany that already mandated the Standing Committee to consider

related compliance and enforcement issues at its 57th and 58th meetings, making any additional mandate unnecessary. Furthermore, several observers expressed concerns about the lack of detailed information regarding other range States and the absence of sufficient time for them to prepare a response to a recommendation not contained in document SC57 Doc. 36. The Secretariat therefore decided to withdraw its proposal.

The Committee commended Peru's efforts in implementing the recommendations adopted at SC55 and adopted the text contained in document SC57 Com. 3.

During discussion of this item, interventions were made by the representative of Central and South America and the Caribbean (Chile), and by Afghanistan, Brazil, France (speaking on behalf of the Member States of the European Community), Peru, the United States, WWF, the Chairman of the Plants Committee and the Secretariat.

37. Ramin

The Secretariat introduced document SC57 Doc. 37 (Rev. 1). Speakers thanked the countries that provided reports to the Committee. Malaysia provided an outline of its report, making reference to document SC57 Inf. 4, and when doing so retracted Table 1 in that document due to inconsistent data. It was suggested that the Committee continue to monitor developments, including the on-going work of the ITTO-CITES timber programme. However, some participants were of the view that reporting to the Committee was no longer necessary.

The Committee agreed that this issue would remain on the agenda for future meetings. Discussions on which Parties should report and the scope of reporting were adjourned until the following day.

Later in the meeting, the Standing Committee requested that exporting range States submit written reports on trade in ramin for consideration at SC58. These reports should provide information on progress and results of projects undertaken under the ITTO-CITES timber programme and the activities of the Tri-National Task Force on Ramin. The Committee also requested that exporting range States that had not reported on conservation and management of the species at SC57 do so at SC58.

The Committee invited importing Parties to report on trade in ramin when there were achievements or problems they wished to draw to the attention of the Committee.

The Committee also requested that the Secretariat consult with concerned Parties regarding any information it received on illegal trade in ramin and report at SC58.

During discussions of this item, interventions were made by the representatives of Asia (Japan), Europe (United Kingdom) and Oceania (Australia), and by Italy, Malaysia, the United States, WWF (also speaking on behalf of TRAFFIC), Pro Wildlife, Species Survival Network, the Chairman of the Plants Committee and the Secretariat.

Amendment of the Appendices

38. Periodic Review of the Appendices

The Chairmen of the Animals and Plants Committees introduced document SC57 Doc. 38. Speakers questioned the effectiveness of the periodic review. Attention was drawn to the fact that, at its 23rd meeting (Geneva, April 2008), the Animals Committee had recommended that suggestions on how the effectiveness of the periodic review could be evaluated be sent directly to Japan.

The Committee noted document SC57 Doc. 38.

During discussion of this item, interventions were made by the representative of Asia (Japan), and by Humane Society International, Species Management Specialists and the Chairmen of the Animals and Plants Committees.

39. Revision and publication of the CITES Appendices

Japan introduced document SC57 Doc. 39, stressing the problems that Parties had when revised versions of the CITES Appendices were published only a short time before they came into effect, but recognizing the constraints on the Secretariat and the difficulty it had when there was a large number of nomenclatural changes to be made. Other speakers supported Japan.

The Committee adopted the recommendation in paragraph 6 of document SC57 Doc. 39.

During discussion of this item, interventions were made by the representatives of Asia (China and Japan) and Europe (United Kingdom).

Reports

40. Reports of regional representatives

The written and oral reports of the regional representatives were noted by the Standing Committee.

Concluding items

41. Any other business

Mexico informed the Committee about preparations for the *International expert workshop on non-detriment findings* referred to in Decision 14.49³. It called upon the Committee members and other Parties to contribute funding to the organization of the workshop.

The Standing Committee noted the progress report by Mexico.

No other interventions were made.

42. Determination of the time and venue of the 58th meeting

The Chairman announced that the next meeting of the Standing Committee would take place at the International Conference Centre of Geneva in the first week of July 2009. Details would be circulated at a later date by the Secretariat.

43. Closing remarks

The Chairman thanked the Committee members, representatives of observer Parties and organizations, the Secretariat, the interpreters and the conference staff for their hard work and cooperation to ensure a successful meeting.

³ See the following website (English only) for full details on the workshop:
http://www.conabio.gob.mx/institucion/cooperacion_internacional/TallerNDF/taller_ndf.html



**Statement by Mr Achim Steiner
Executive Director
United Nations Environment Programme**

To the 57th meeting of the CITES Standing Committee

Geneva, Switzerland

14-18 July 2008

Distinguished delegates

Ladies and Gentlemen

Mr Achim Steiner, the Executive Director of UNEP, wanted very much to be with you today but unfortunately exigencies of work made it impossible for him to join you all. He asked me to transmit to you apologies and to read on his behalf the following statement.

Distinguished delegates

Ladies and Gentlemen

CITES has significantly grown both in size, stature and influence since its adoption in 1973 to embrace 173 Parties out of the UN membership. I take this opportunity to congratulate and welcome the newest member – Oman – for becoming a Party in March this year.

I wish to point out at the outset that, at WSSD, governments agreed to achieve a significant reduction in the current rate of loss of biological diversity by the year 2010. They also designated 2015 as the target to achieve sustainable fisheries, especially the restoration of depleted stocks. These deadlines are fast approaching. Sustainability of fishery must be based not only on the direct impacts on the fish themselves, but also the impacts the fishery has on other species, their conservation and the environment.

In this regard, and in your deliberations at this meeting, I am pleased to note that you will be reviewing how CITES activities are contributing to achieving these targets, and what measures and modalities can be put in place to materialize that contribution.

As you will recall, in June 2007, CITES CoP14 agreed to a way forward for the Convention through the adoption of the Strategic Vision 2008-2013, amidst new global priorities and realities such as globalization, biodiversity loss and natural resource depletion, and the fight against poverty.

Strategically, this new Vision resonates with the framework of the Millennium Development Goals and WSSD's plan of implementation. The Convention will now focus on a limited number of priority goals, taking into account the new and emerging global challenges such as, the global food crisis, impact of climate change on biodiversity, among others.

The Vision emphasizes the unique role of CITES in conserving biodiversity by regulating international trade in species in a sustainable and legal manner. However, challenges still abound, for example, the need to protect livelihoods of poor communities dependent on wildlife trade, and connections with effective governance and poverty reduction are other emerging issues indicating the evolution of the Convention.

A new paradigm is needed which supports rural and local livelihoods while addressing overexploitation and stopping of illegal trade.

To do this, better scientific data and assessment is necessary at the regional, subregional and national levels. UNEP is working hard to support decision making at the various levels as exemplified in the recently launched UNEP GEO-4.

Furthermore, if we are to change unsustainable consumption and production patterns – in line with the WSSD's Plan of Implementation – we need to put more capacity and new technologies into Developing Countries. I am pleased to reiterate that UNEP's Bali Strategic Plan for Technology Support and Capacity Building is an important tool for MEA implementation, including CITES. Further, UNEP's emerging area of focus on resource efficiency and sustainable consumption as well ecosystems management could also contribute to this work under CITES.

UNEP continues to have a strong interest in supporting the implementation of the different Multilateral Environmental Agreements, in particular, those that it hosts. UNEP has been working intensively to enhance not only the implementation but also the cooperation between these conventions and UNEP on relevant and complementary issues, to identify interlinkages, and to promote synergies.

In this regard, and as you deliberate over the coming days, I would urge you to also to also identify opportunities to collaborate with other MEAs and additional partners at the national level where it matters. This calls for appropriate cooperation and active collaboration with other MEA Secretariats organizations and initiatives and various stakeholders.

Ladies and Gentlemen

CITES is a convention with a clear focus on and a steady resolve towards implementation and compliance. The CITES Secretariat has been hard at work to better link information technologies and management to its activities to support implementation.

In this regard, it gives me pleasure to note that both UNEP and through it the UNEP-WCMC have played a key role in realizing the potential of information management for CITES work, working closely with the Secretariat to develop and implement information management as well as streamlined national reporting.

I can also mention at this juncture that, CITES is also actively participating in 'GRASP' – a UNEP-UNESCO's conservation and development initiative for survival of the great apes in the respective range states of Africa and the sustenance of the communities that are the most important key stakeholders and custodians.

In support of the conservation and protection of the gorilla, UNEP provided legal services and advice to the Intergovernmental Negotiation Meeting of 10 African range States in October 2007. I am pleased to inform you that this process negotiated a new range States Agreement on the Conservation and Protection of Gorillas under the Convention on Migratory Species. The Agreement was adopted and signed by three range States on 25 October 2007 and opened for further signatures/ratification. It has since entered into force on 1 June 2008. I urge other range States to join this agreement to help conserve these wonderful creatures.

Ladies and Gentlemen

Allow me also to use this opportunity to give you a brief on the progress on how to further strengthen the relationship and the administrative arrangements between UNEP and CITES.

The relationship between UNEP and the UNEP MEA Secretariats continues to be high on my agenda with a bid to putting into place arrangements that are streamlined, effective and transparent and above all, similar for all the UNEP MEA Secretariats.

At SC55, you generously gave me time to analyse and implement recommendations of the Joint Inspection Unit (JIU) on the review of common support services offered by various UN organizations providing or servicing as Secretariats MEAs.

Subsequently, I constituted a Task Team on the Administrative Arrangements for the UNEP MEA Secretariats with a mandate to present recommendations to me on a way forward to strengthen the administrative ties between UNEP and the MEA Secretariats. The Team was composed of representatives of MEAs Secretariats and UNEP, and it completed its work in July 2007.

The Task Team report has provided me with clear and targeted recommendations for action to consider in the area of 1) institutional relationship between UNEP and the MEA Secretariats; 2) coordination mechanisms; and 3) fund management. In order to ensure that there is uniform approach towards delegation of authority, I suggest that a common approach on delegation to all UNEP MEA Secretariats, including CITES should be found, however, respecting the differences between each of the MEAs, as appropriate.

In implementing the recommendations of the Task Team report, I have since established an MEA Management Team (MMT) composed of the heads of the UNEP MEA Secretariats. I have met three times with the MMT since August last year and most recently in Nairobi in April 2008 in the margins of the UNEP Executive Management Week in which the MEA heads participated.

These meetings provide a unique platform for regular communication between the Secretariats and UNEP. In addition to the above, I have instituted regular direct dialogue with the MEA heads on substantive

issues. These dialogues are critical to me in further strengthening my direct liaison with the UNEP MEAs, including most recently in the development of the UNEP Medium Term Strategy 2010-2013.

As part of my efforts to implement the key recommendations contained in the MEA Task Team Report, in particular, how to streamline UNEP's administrative arrangements with the UNEP MEA Secretariats, I am pleased to report that the internal UNEP process has been finalized and to this end, I have requested UNEP's Quality Assurance Section (QAS) in collaboration with my Division of Environmental Law and Conventions (DELIC) to present to me a comprehensive proposal on delegation of authority including an 'accountability system' building on lessons learnt from the recent delegation process that UNEP has undergone.

In preparing the delegation of authority between myself and the Executive Secretaries, respectively, we will work closely to ensure that the delegation and the related accountability framework meets our respective needs and are in line with relevant decisions and rules and regulations. Consultations will also take place with the relevant MEA governing structure, as appropriate. I am fully committed to finding a lasting solution to this very delicate issue and all the other issues raised in the Task Team report. I therefore request for your consideration and understanding in this regard and to grant me an opportunity to complete these practical and affirmative arrangements that I have begun.

Permit me to complete by these short remarks to you and wish you all a fruitful and productive deliberation in the coming days.