

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORASixty-third meeting of the Standing Committee
Bangkok (Thailand), 2 March 2013SUMMARY RECORD
(DRAFT)1. Opening remarks of the Chair

The Chair welcomed the participants and remarked that, although the Convention was celebrating its 40th anniversary, there was still much work to do. He said that the work done by the Committee was summarized in his report for the 16th meeting of the Conference of the Parties (CoP16), in document CoP16 Doc. 10.1.1, and noted that the importance of the role of CITES had been confirmed at the meeting of the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, in June 2012. He recognized that there had been significant improvements in the Secretariat since the arrival of John Scanlon as Secretary-General.

2. Opening remarks of the Secretary-General

The Secretary-General also welcomed the participants and drew attention to the amount of work that had been accomplished since the 62nd meeting of the Committee. He noted that the focus of the present meeting would mainly be on compliance and drew attention to the way that issues of compliance set CITES apart from other multilateral environmental agreements. He stressed that the CITES compliance procedures contained in Resolution Conf. 14.3 took a supportive rather than an adversarial approach to compliance and he emphasized the importance of working closely with the Parties to provide technical assistance. He pointed out that, in cases of non-compliance, there were eight measures that the Standing Committee could take before recommending a suspension of trade. He warmly thanked the Chair and all involved with the Committee for their work since the 15th meeting of the Conference of the Parties.

Administrative matters3. Agenda

The Secretariat introduced document SC63 Doc. 3. The Committee adopted the draft agenda in that document without amendment.

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

4. Rules of Procedure

The Secretariat introduced document SC63 Doc. 4. The Committee noted the Rules of Procedure of the Standing Committee as amended at the 62nd meeting and contained in the Annex to that document.

There were no interventions.

5. Credentials

The Secretariat introduced this agenda item. The Committee noted that the credentials for the meeting of the Conference of the Parties would also be accepted for the meeting of the Standing Committee.

There were no interventions.

6. Admission of observers

The Secretariat introduced this agenda item and stated that the provisional list of participants for CoP16 on the CITES website indicated all of the bodies and agencies that had preregistered. However, not all non-governmental organizations had provided the proof of approval of the State in which they were located. Only observers who provided such proof would be allowed to complete their registration. With this understanding, the Committee accepted the list of organizations.

There were no interventions.

7. Arrangements for the 16th meeting of the Conference of the Parties

7.1 Election of officers

The Chair introduced this agenda item and stated that, by tradition, the Host Country had the privilege to nominate the Chair and Alternate Chair of the Conference. The nominations had been received from the Host Country as follows:

- as Chair: Minister of the Environment His Excellency Preecha Rengsomboonsuk; and
- as Alternate Chair: Vice Minister Pittaya Pukkaman.

At its 62nd meeting, the Standing Committee had agreed that its nominees to chair the committees of CoP16 were:

- Ms Carolina Caceres (Canada) for Committee I;
- Mr Robert Gabel (the United States of America) for Committee I; and
- Ms Zhou Zhihua (China) for the Credentials Committee.

The Chair reported that Australia, Kenya, Mexico and Ukraine had offered to serve on the Credentials Committee. Mr Pasteur Cosma Wilungula (the Democratic Republic of the Congo) and Mr Øystein Størksen (Norway) were nominated to serve as Vice-Chairs. These nominations were all agreed.

During discussion of this agenda item, interventions were made by the representatives of Africa (Democratic Republic of the Congo), North America (the United States), Oceania (Australia) and the Next Host Country (Thailand).

7.2 Other matters

One Party requested that, in the discussion of Rules of Procedure during CoP16 [documents CoP16 Doc. 4.1 (Rev. 1), Doc. 4.2 (Rev. 1) and Doc. 4.3 (Rev. 1)], every effort should be made to achieve a consensus. It believed that any change to the Rules required a two-thirds majority.

During discussion of this agenda item, an intervention was made by the representative of Asia (Japan).

8. Potential conflicts of interest (Decision 15.9)

The Secretariat introduced document SC63 Doc. 8, indicating that Decision 15.9 directed the Standing Committee to review the need for the Rules of Procedure of the Animals and Plants Committees to deal with potential conflicts of interest of its members relating to their activities in the Committees, and to report on the matter at CoP16. It also drew the Committee's attention to related decisions taken at its 61st and 62nd meetings. The Chair noted that this was an item for discussion at CoP16. Participants echoed this view and suggested that it therefore not be discussed by the Standing Committee. The document was noted by the Committee.

During discussion of this agenda item, interventions were made by the representative of North America (the United States) and by China.

Strategic matters

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

Canada, as Chair of the working group on this issue, reported that it had not been possible for the group to complete its work and requested that its mandate be extended until the 65th meeting of the Standing Committee (SC65). This was agreed by the Committee.

One Party emphasized the need for cooperation between CITES and FAO to maintain a consistent approach.

During discussion of this agenda item, interventions were made by the representative of Asia (Japan) and by Canada (as Chair of the working group).

10. CITES logo

The United States introduced this agenda item as Chair of the working group on this issue. It noted that it had used the CITES forum as a means of communication but that there had been very few contributions from other working group members. The Secretariat explained that there had been some technical problems with the forums and suggested that this may have been a factor in the lack of response. The Chair recommended that the working group's mandate should be extended until SC65 and this was agreed.

There were no interventions.

Interpretation and implementation of the Convention

Compliance and enforcement

11. National laws for implementation of the Convention

The Secretariat introduced document SC63 Doc. 11 and provided updated information that had been received from several Parties. As the issue would be discussed at CoP16, including related draft decisions with implications for compliance, it asked whether the Committee would be prepared to postpone consideration of appropriate compliance measures until SC65. A regional representative drew attention to the length of time some of the countries concerned had been party to the Convention, emphasizing that the effectiveness of CITES was undermined by the lack of national legislation and questioning whether there was any reason to postpone a decision. Another regional representative suggested that it would be useful for the Secretariat to clarify whether the lack of legislative progress reflected a Party's lack of capacity. On a proposal from the Chair, the Committee noted the document and requested the Secretariat to produce a summary of the progress made and problems faced by each of the Parties involved, for consideration at SC65.

During discussion of this agenda item, interventions were made by the representatives of Europe (the United Kingdom of Great Britain and Northern Ireland¹), North America (the United States) and Oceania (Australia).

12. National reports

The Secretariat introduced document SC63 Doc. 12 and reported that, since it had been written, annual reports had been received from Cambodia, Dominica and Pakistan. For Burundi, a change of Management Authority accounted for the delay in submitting the annual report. The Secretariat recommended that the remaining Parties listed in paragraph 3 be given a further 60 days (i.e. by 4 May 2013) to produce their annual reports. Australia reported on the assistance it was providing to Palau and Vanuatu. A regional representative was unhappy with the delay and thought the issue should be dealt with immediately. Two other regional representatives supported the Secretariat's position and the Chair proposed that the Committee endorse it. There being no objections, this was agreed.

¹ *Speaking also on behalf of the Member States of the European Union and Croatia.*

During discussion of this agenda item, interventions were made by the representatives of Europe (Norway and the United Kingdom), North America (the United States) and Oceania (Australia).

13. Ranching operations in Madagascar

France, as the Chair of the Working Group on Crocodile Ranching Operations in Madagascar reported that, although some progress had been made, the recommendation of the Working Group was to retain the recommended trade suspension until SC65, unless the situation were resolved earlier, and to extend the Group's mandate until that time. Referring to document SC63 Doc. 13, Madagascar stated that, although it would not oppose the recommendation of the Working Group, it had made considerable efforts to remedy the situation, but a lack of resources was preventing it from complying fully with the recommendations from SC60 and SC62. The Working Group's recommendations were endorsed.

During discussion of this agenda item, interventions were made by France (as Chair of the working group) and Madagascar.

14. Review of Significant Trade

The Secretariat introduced document SC63 Doc. 14. The Committee noted that Nigeria had complied with all recommendations concerning *Balearica pavonina*, and noted the progress made by: Madagascar for *Mantella aurantiaca*; Thailand for *Hippocampus kelloggi*, *H. kuda* and *H. spinosissimus*; and Ghana for *Pandinus imperator*.

In support of Ghana's interim measures, the Committee requested the Secretariat to publish zero export quotas for Ghana for specimens of *P. imperator* from source codes R and W, and agreed that this quota should be revised in the light of Ghana's implementation of the recommendations of the Animals Committee.

The Committee agreed to recommend that all Parties suspend trade covered by Article IV of the Convention for:

- *Balearica pavonina* from Guinea, the Sudan and South Sudan;
- *Balearica regulorum* from Rwanda and the United Republic of Tanzania;
- *Huso huso* from the Islamic Republic of Iran, Kazakhstan and the Russian Federation;
- *Hippocampus kuda* from Viet Nam; and
- *Pandinus imperator* from Benin and Togo.

This suspension would remain in effect until these countries demonstrated compliance with Article IV, paragraphs 2 (a) and 3 for the species concerned, and provided full information to the Secretariat regarding compliance with the recommendations of the Animals Committee.

The Committee further agreed that it would decide by postal procedure on the cases involving:

- *Hippopotamus amphibius* from Cameroon;
- *Tursiops aduncus*, *Tridacna derasa*, *T. crocea*, *T. gigas*, *T. maxima* and *T. squamosa* from Solomon Islands; and
- *Balearica regulorum* from Uganda.

This procedure would commence within two months of the present meeting, on the basis of a proposal from the Secretariat made under paragraphs q), s) or u) of Resolution Conf. 12.8 (Rev. CoP13), as appropriate.

During discussion of this agenda item, interventions were made by the representatives of Africa (Uganda), Asia (Japan) and Europe (the United Kingdom), and by Mexico and the Animal Welfare Institute.

15. E-commerce of specimens of CITES-listed species

The United Kingdom, as Chair of the Working Group on E-commerce of Specimens of CITES-listed Species, introduced document SC63 Doc. 15 and pointed out it was not always possible for enforcement agencies to share information. It noted that, since the Group had begun its work, trade had moved to less well-known websites, and that it would welcome interest from other Parties with regard to chairing the Group. The Committee noted the report and extended the Group's mandate until SC65.

There were no interventions.

16. Enforcement matters

The Secretariat introduced document SC63 Doc. 16 on the implementation of CITES in Guinea. It noted that there had been no response to the clear set of minimum actions that Guinea had been asked to undertake, as had been agreed at SC62, and therefore recommended that the Standing Committee recommend that Parties suspend commercial trade in specimens of CITES-listed species with Guinea. This was agreed.

There were no interventions.

Exemptions and special trade provisions

17. Registration of operations that breed Appendix-I animal species in captivity for commercial purposes

Introducing the agenda item, the Philippines reported that they had discussed with Indonesia the matter of the parental stock of the *Cacatua* species in the captive-breeding operation in the Philippines and were willing to continue discussions. Indonesia believed that the legal origin of the parental stock of the captive-breeding operation had not yet been demonstrated. On a proposal from the Chair, the Committee noted the information provided by the Philippines, encouraged the Philippines to communicate with interested Parties on the issue and noted that the issue could be reconsidered at SC65 if requested by the Philippines.

During discussion of this agenda item, interventions were made by Indonesia and the Philippines.

Species trade and conservation

18. Elephant conservation, illegal killing and ivory trade

The Secretariat introduced document SC63 Doc. 18, noting that the written reports from Kenya, the Philippines and Uganda mentioned in paragraph 6 had now been received but would need evaluating. Kenya reported that it had taken a significant number of enforcement measures over the previous year and would be increasing penalties for poaching in the near future. Thailand thanked the Secretariat for the missions to Thailand in 2012 and 2013 and announced it was preparing a specific action plan to address the issues raised. China commended Kenya and Thailand for their progress and reported on the gradual decline in ivory stockpile in Hong Kong SAR.

Malaysia reported that it had seized ivory coming from Africa that was destined for the Far East. A regional representative noted that the issue of illegal trade in ivory required cooperation of all the Parties in the trade chain to address existing problems.

Another regional representative was concerned that agreed actions were having no measurable impact on the illegal ivory trade and proposed that the recommendations in paragraph 5 of the addendum to document SC63 Doc. 18 be applied to all eight countries, rather than to just those that had not provided written reports. It suggested the Secretariat meet with the eight Parties concerned in the course of CoP16 to develop tailor-made national ivory action plans for each of them. These could be presented and approved at SC64, and reports on their implementation could be reviewed at SC65. Ireland², and two observer organizations, supported this view.

Two observer organizations suggested that the decision regarding action plans, detailing activities and timelines needed to be taken now and not delayed. One observer organization supported the Secretariat's recommendations but thought they should be stronger. Another urged China to ban the domestic ivory trade.

On a proposal from the Chair, the Committee recognized the need for urgency and requested the Secretariat to use its best endeavours, in the course of CoP16, to assist the eight Parties to develop

² *Speaking on behalf of the Member States of the European Union and Croatia.*

national ivory action plans aimed at reducing the illegal trade in ivory, with time frames, deliverables and milestones, and to report at SC64.

During discussion of this agenda item, interventions were made by the representatives of Africa (Botswana and the Democratic Republic of the Congo), Europe (the United Kingdom), North America (the United States) and the Next Host Country (Thailand), and by China, Ireland³, Kenya, Malaysia, Mali, IUCN, David Shepherd Wildlife Foundation, Species Survival Network, TRAFFIC and WWF.

Concluding items

19. Any other business

China drew the Committee's attention to large amounts of shahtoosh seized recently by the Chinese Customs service. China estimated that over 11,000 animals had been killed to supply that quantity and therefore urged the Committee and the Secretariat to withdraw document CoP16 Doc. 55 that recommended the deletion of paragraph b) under 'DIRECTS' of Resolution Conf. 11.8 (Rev. CoP13) on *Conservation of and control of trade in the Tibetan antelope*. A regional representative supported this recommendation.

There were no other interventions.

20. Determination of the time and venue of the 64th and 65th meetings

The Committee noted that its 64th meeting would take place in Bangkok, Thailand, on 14 March 2013, and that its 65th meeting would be held in Geneva, Switzerland, in June or July 2014.

21. Closing remarks

Following remarks by members of the Committee and the Secretary-General, the Chair thanked all participants, especially those leaving the Committee, the Host Government and the Secretariat.

³ *Speaking on behalf of the Member States of the European Union and Croatia.*